

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 (General Development Procedure) Order 1995.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

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

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

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

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

Janet Johnson
Deputy Chief Executive

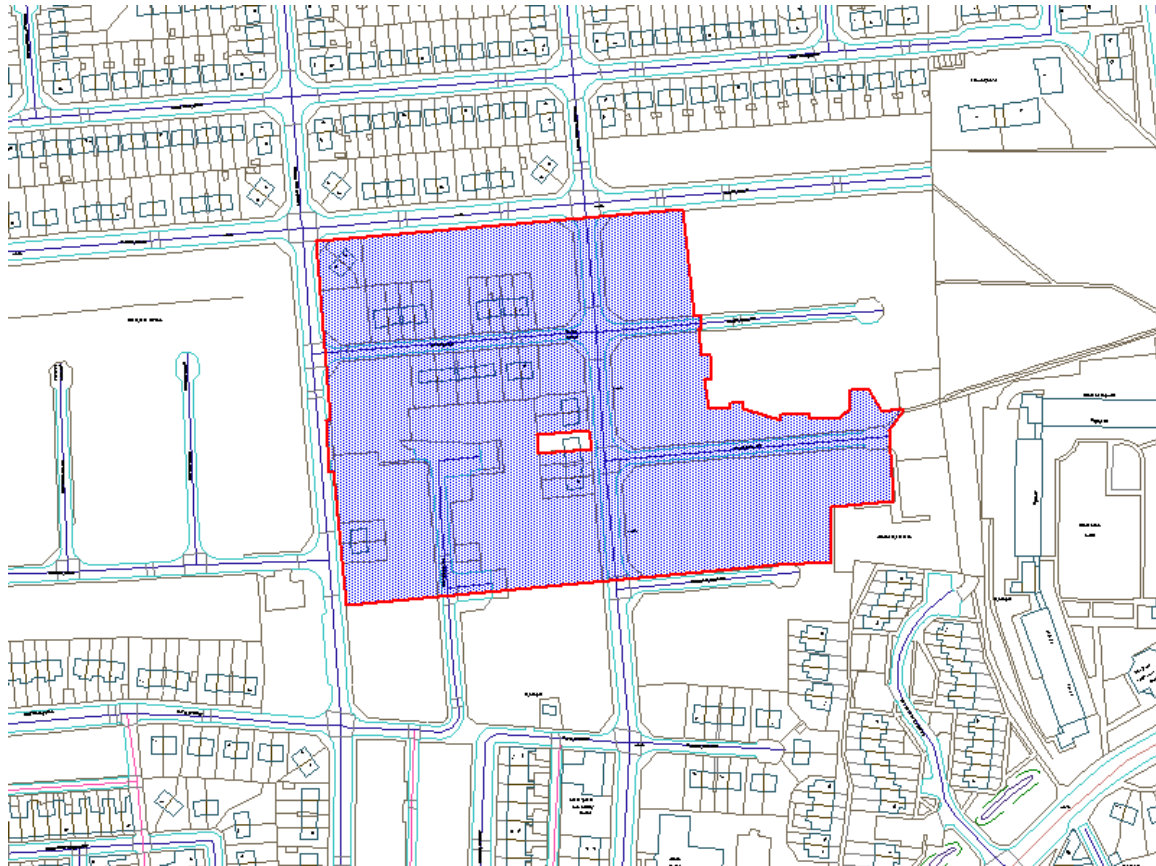
Reference No.: 09/03758/FUL Full Application

Proposal: Erection of 79 dwellings with associated hard and soft landscaping, two new vehicular access points from Faber Road, one new vehicular access point from Beaumont Street and Stopping Up of highway and change of use to residential development and landscaping and resurfacing of Shakespeare Street, south of its junction with Faber Road, including change of use from all purpose highway to footpath/ cycleway (Amended Description) (AMENDED PLANS) 4.12.09 and 7.12.09 and 17.12.09

Location: Land At Faber Road Sunderland

Ward: Southwick
Applicant: Gentoo Sunderland
Date Valid: 21 October 2009
Target Date: 20 January 2010

Location Plan



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PROPOSAL:

Consent is sought for the erection of 79 dwellings and change of use of Shakespeare Street from all purpose highway to footpath/cycleway.

The proposed development site is roughly "L" shaped and located within the Southwick renewal area to the north of the new Southwick School and to the east of Beaumont Street and the south of Faber Road. It should be noted that the four remaining terraced properties located on Shakespeare Street (numbers 87 - 81) are excluded from the proposed development site. The applicant (Gentoo) has excluded these properties from the development site due to 87 Shakespeare Street being in private ownership with the remaining terraced properties being attached to number 87. Gentoo will renovate and modernise the remaining properties in their ownership.

The development site has a relatively complex planning history and occupies all of the area previously approved for residential development as Southwick Phase 5 (planning reference: 08/02559/FUL) and approximately half of the area previously approved for residential development as Southwick Phase 4 (planning reference: 07/04679/FUL). Members may recall that the applications for Southwick Phases 4 and 5 were presented to them on 8 January 2008 and 2 September 2008 respectively and were subsequently approved. Members may also recall that a planning application for the change of use of Shakespeare Street to footpath and cycleway was presented to them on 2 September 2008 (and was subsequently approved).

This application combines the proposals to erect (79) residential dwellings on the site with the proposal to change the use of Shakespeare Street to a pedestrian access and cycleway.

This application has been submitted as a part of the Gentoo "Kickstart" programme. ("Kickstart" is an emergency fund held by the Homes and Communities Agency. Gentoo were successful in acquiring £40 million of this fund to aid the building of 515 new homes between August 2009 and February 2011).

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director of Children's Services
Northumbrian Water
Executive Director of City Services (Pollution Control)
Executive Director of City Services (Transportation)

Final Date for Receipt of Representations: **02.12.2009**

REPRESENTATIONS:

No neighbour representations received.

Northumbrian Water

An existing public sewer crosses the proposed development site and is shown built over on the application. Diversion or relocation of the apparatus may be possible at the applicants full cost.

Executive Director of City Services (Transportation)

Raises no objections to the proposed development .

Executive Director of City Services (Pollution Control)

No objections raised, suggested condition to control hours of construction.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

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

T_22_Parking standards in new developments

EN_12_Conflicts between new development and flood risk / water resources

NA_9_Restructuring improvements to existing Council Housing stock

H_21_Open space requirements in new residential developments (over 40 bed spaces)

COMMENTS:

The main issues to consider when assessing this planning application are:

- Principle of development.
- Urban Design and Site Layout.
- Highway Access and Car Parking.
- Impact upon residential amenity of near neighbouring occupiers.

Principle of Development

In 2003 Sunderland Housing Group (now Gentoo) allocated the central Southwick area as housing renewal area. Consequently a masterplan for this area was prepared and approved as Interim Planning Guidance in January 2006 and presents a design vision for the area, which includes the application site under consideration.

The Masterplan was the subject of a 6 week public consultation in 2005. Following the consultation the Council adopted the Masterplan as Interim Planning Policy. The Masterplan was prepared for the following reasons:

- To ensure the proper planning of the proposed redevelopment.

- To ensure that the future development within renewal areas will lead to the creation of sustainable communities.
- To ensure that Statutory Consultees, community groups, local residents and other interest groups have been involved in the plan preparation process.
- To ensure a framework is in place to support future land acquisition by means of CPO under section 226 of the Town and Country Planning Act 1990 (as amended by section 99 of the Planning and Compulsory Purchase Act 2004).
- To ensure that the plan holds sufficient weight as a material consideration in the determination of planning applications.

Several planning approvals have been granted on the area indicated on the Southwick Masterplan, however due to the downturn in the economic climate and for operational reasons, only phases 1 (planning reference: 07/04798/SUB) and 2 (planning reference: 08/02918/SUB) have been implemented.

The current proposal falls in the area shown in the masterplan indicatively as masterplan phases 2 and 3. Whilst the proposals are in keeping with the general masterplan objectives, clearly the proposal to only develop part of the phase 2 site creates a number of questions regarding the future development of the remainder of the site. In order to address these concerns the applicant has submitted an indicative layout demonstrating how the remaining undeveloped site could be successfully designed to accommodate a building and car parking suitable for use as a hospice. Alternatively it is considered that further residential development could be successfully accommodated on the remaining site. The proposed development is therefore considered to be acceptable and sufficiently in accordance with the Southwick Masterplan.

Policy EN10 of the adopted Unitary Development Plan (UDP) requires that:

All proposals for new development will be judged in accordance with the policies and proposals of the UDP. Where the plan does not indicate any proposals for change, the existing pattern of land use is intended to remain; proposals for development in such areas will need to be compatible with the principle use of the neighbourhood.

It is considered that the proposed residential development is compatible with the existing pattern of land use and the principle use of the neighbourhood which is residential.

Policy NA9(1) states that the City Council will seek to carry out restructuring improvements to housing stock and associated environmental works in Central Southwick through refurbishment and new construction. This application to construct 79 new dwellings is fully in accordance with this policy.

It is therefore considered that the proposed development of 79 new dwellings and associated change of use of Shakespeare Street to pedestrian access and cycle way is acceptable in principle being in accordance with policies EN10 and NA9(1) of the adopted UDP and the Southwick Masterplan.

Urban Design and Site Layout.

The proposed site layout comprises a mixture of two storey houses and single storey bungalow properties of contemporary design, in keeping with those dwellings erected on phases 1 and 2 of the Southwick redevelopment. Houses front on to Faber Road, Beaumont Street and Shakespeare Street and also on to the "Green Route" which is located to the immediate south of the proposed residential dwellings.

Each dwelling proposed benefits from private outdoor amenity space (garden area) and a private car parking space. The minimum spacing standard of 21 metres between main facing windows is generally respected across the site with some very minor inadequate spacing in evidence, for example 20.89 metres. However, this deviation from the required 21 metres spacing standard is so minor that the proposed layout is considered to be acceptable.

It is proposed that Shakespeare Street will become a pedestrian access/cycleway and this will be paved accordingly with street trees to be positioned along the length of the street. Two pedestrian links (located between plot 19 and 87 Shakespeare Street and plots 66 and 67) will provide connectivity from the west of the site towards the east.

The Green Route that is proposed to the south of the residential dwellings is a continuation of that which runs to the south of the completed phase two development. This route provides connectivity from the west to the east of the residential development and also from the west to Southwick Primary School which is positioned to the immediate south of the development site and connects to the Green route.

Generally developers are required to provide some on site play facilities to serve the needs of the community that will occupy the houses to be constructed (UDP Policy H21). However, where it is not possible to locate play facilities on the development site the applicant may enter in to an agreement under Section 106 of the Town and Country Planning Act, 1990, to provide a financial contribution to the provision and maintenance of off site play facilities. In this instance play facilities are not provided on the development site. The developer has therefore agreed to provide a financial contribution of £55,379 towards the provision and maintenance of play facilities at Southwick School through a Section 106 agreement. This agreement is being finalised and should be signed and legally sealed by 20 January 2010. Where the agreement is completed by 20 January the application will fulfil the requirements for play facilities as defined by Policy H21 and the proposed development can be considered to be acceptable in this respect. However, in the event that the Section 106 agreement is not completed by 20 January 2010 the proposed development cannot be considered to comply with the requirements for play facilities contrary to the requirements of H21 and should be refused as such.

Highway Access and Car Parking

Vehicle access to the development is proposed from one point on Beaumont Street and from two points on Faber Road. The western portion of the site is to be served by a "loop road" arrangement with private driveways serving each dwelling and visitor parking bays distributed throughout the site.

The eastern portion of the development (to the east of Shakespeare Street) is to be accessed via one of the junctions from Faber Road and will terminate in a hammerhead to allow vehicles to reverse, turn and exit the street in a forward gear. (Upon development of the remaining portion of undeveloped land, the applicant has demonstrated through the submission of an indicative layout plan, that a loop arrangement can be accommodated via an additional access point on Faber Road). Private driveways serve each dwelling and visitor parking bays are distributed throughout the street.

Private parking is provided at a ratio of one car parking space per dwelling and visitor car parking is provided at a ratio of one car parking space per three dwellings.

Cycle and pedestrian access will be available via Shakespeare Street.

The vehicle access and car parking arrangement proposed for the development are considered to be acceptable and satisfactory to meet the requirements of UDP Policy T14 which requires that proposals for new development should be readily accessible by pedestrians, not cause traffic congestion or highway safety problems and indicate how parking will be accommodated on site. The highway access and car parking arrangements are also considered to be fully compliant with the requirements of Policy T22 which requires appropriate levels of car parking to be provided in connection with new developments.

Impact of Proposed Development Upon Near Neighbouring Residential Occupiers.

The application site is entirely cleared of old housing stock and has been levelled in preparation for development. There are four terraced properties located centrally within the proposed development (but excluded from the application site) which have been retained due to the end terrace property, number 87 Shakespeare Street, being owner occupied. The adjoining properties, which are vacant and securely boarded up, are to be retained and improved.

Although it is acknowledged that the proposed redevelopment of this area will have an effect upon the occupiers of 87 Shakespeare Street through noise and disturbance throughout the construction phase of the development, it is inevitable that such disturbance would occur with any built development in this location. The applicant has confirmed through the submission of indicative plans that the services, access and utilities to 87 Shakespeare Street will be maintained throughout the building phase of the proposed development and thereafter. In addition to this a condition will be added to any approval granted restricting the hours that construction activity can take place on the site.

The main elevations of 87 Shakespeare Street face west and east and the minimum separation distances to the west and east are maintained by the proposed new development. It is therefore considered very unlikely that any unacceptable levels of overlooking or overshadowing will occur as a result of the proposed development.

The nearest dwelling proposed to 87 Shakespeare Street is that occupying plot 19. Plot 19 is positioned to the north of number 87 and adjacent to a link route that will separate plot 19 and number 87. The dwelling occupying Plot 19 will have windows positioned in its southern elevation to provide some natural surveillance of the link route.

Currently, 87 Shakespeare Street only has a landing window at first floor on the northern elevation. However, the occupier of 87 Shakespeare Street has submitted a planning application for the consideration of the Local Planning Authority (planning reference: 09/04659/FUL) to erect a two storey extension to the side (north) of 87 Shakespeare Street. This application proposes the landing window to be placed centrally in the northern (gable) elevation of 87 Shakespeare Street. No other windows are to be located in the northern elevation of number 87. It is considered that the existing distance of 13 metres between the gable elevation of 87 Shakespeare Street and the southern elevation of the dwelling occupying plot 19, and the intervening landscaping and route way between plot 19 and 87 Shakespeare Street is adequate and acceptable to protect the residential amenity of the existing residential occupier.

An 1800mm fence is positioned on the northern boundary of the garden of 87 Shakespeare Street; this fence is to remain following the redevelopment of the site and is considered adequate to protect the privacy of the occupiers of this property.

New residential dwellings (unoccupied at the time of the case officer's site visit in December 2009) are located on the western side of Beaumont Street (these were constructed as a part of the Phase 2 development). Single and two storey dwellings are proposed on the eastern side of Beaumont Street. Minimum separation distances of 20 - 21 metres are retained between the main facing elevations of the properties in existence and those proposed. This is considered acceptable to protect the privacy and residential amenity of the occupiers of these dwellings.

Residential properties are located on the northern side of Faber Road, 16 of these were constructed as Phase 1 of the Southwick Redevelopment, and the remainder are older retained properties. All of the properties to the north of Faber Road are occupied. A separation distance in excess of 30 metres is retained between these existing properties and the frontages of plots 1 - 13 and plots 56 - 58 which are proposed to face on to Faber Road. It is therefore considered very unlikely that the proposed development will have any detrimental impact upon the residential amenity of any of the occupiers of the existing properties located on Faber Road.

In light of the above it is considered that there will be no significant adverse impact on nearby occupiers as a result of the proposal. It is thus considered that the scheme complies with the requirements of adopted UDP Policy B2 which seeks to regulate development so that the scale, massing, layout and setting of new developments (and extensions) respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy; Policy B2 also requires large scale schemes, such as that proposed, should create their own individual character and relate harmoniously to adjoining areas.

Summary

The proposed development of 79 dwellings within the Southwick Masterplan area is considered to be acceptable for the reasons set out above. As a consequence Members are recommended to delegate the matter to the Deputy Chief Executive with a dual recommendation for approval with conditions, subject to the completion of the legal agreement by 20 January 2010, or in the event that the legal agreement not being signed for refusal on grounds related to the inadequate provision of children's play facilities.

RECOMMENDATION: DELEGATE to the Deputy Chief Executive to

Either

1) APPROVE subject to completion of a Section 106 agreement in respect of off site children's play provision at Southwick School. by 20 January 2010 or such other date as is agreed by the Deputy Chief Executive and subject to the conditions set out below;

Or

2) REFUSE, should the legal agreement not be completed by 20 January 2010 or such other date as is agreed by the Deputy Chief Executive, on grounds related to the inadequate provision of children's play facilities.

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:

Location Plan GEN/13B/001 p1 14.10.09
Proposed Site Plan GEN/13B/005 p6 17.12.09
Proposed Site Plan GEN/13B/010 P10 17.11.09
Proposed Site Plan GEN/13B/011 P10 17.12.09
Proposed Roof Plan GEN/13B/014 p6 17.11.09
Proposed Roof Plan GEN/13B/015 p5 17.11.09
Topographical Survey GEN/13B/002 06.10.09
Landscape Strategy Sheet 1 of 4 587/01 Rev A 06.10.09
Landscape Strategy Sheet 2 of 4 587/02 Rev A 06.10.09
Landscape Strategy Sheet 3 of 4 587/03 Rev A 06.10.09
Landscape Strategy Sheet 4 of 4 587/04 06.10.09
Existing and Proposed Sections 587/05 06.10.09

Phase 3 Tree Survey 587/06 06.10.09
 House Type 1 GEN/13B/041 p3 04.12.09
 House Type 1A GEN/13B/041A p3 04.12.09
 House Type 2 GEN/13B/042 p2 04.12.09
 House Type 3 GEN/13B/043 P4 17.12.09
 House Type 3A GEN/13B/043A P2 04.12.09
 House Type 4 GEN/13B/044 p3 17.12.09
 House Type 4A Gen/13B/044A 17.12.09
 House Type 5 GEN/13B/045 p2 04.12.09
 House Type 5A GEN/13B/045A P3 04.12.09
 House Type 5B GEN/13B/045B 04.12.09
 House Type 6 GEN/13B/046 P1 04.12.09
 House Type 6A GEN/13B/046A p1 04.12.09
 House Type 6B GEN/13B/046B p2 04.12.09
 House Type 6C GEN/13B/046C P2 04.12.09
 House Type 6D Gen/13B/046D P2 04.12.09
 House Type 6E GEN/13B/046E P4 04.10.09
 House Type 6F GEN/13B/046F p1 20.10.09
 House Type 6G GEN/13B/046G 14.10.09
 House Type 6J GEN/13B/046J p1 04.12.09
 House Type 16 GEN/13B/048 14.10.09
 House Type 16A GEN/13B/048A P3 17.12.09
 House Type 16B GEN/13B/048B P1 07.12.09
 House Type 16C GEN/13B/048C 07.12.09
 House Type 16D GEN/13B/048D 07.12.09
 House Type 8 GEN/13B/049 p1 04.12.09
 Detached single garage details floor layout GEN/13B 051
 Detached double garage details floor layout GEN/13B 052
 Street Elevations Sheet 1 GEN/13B/060 P7 17.12.09
 Street Elevations Sheet 2 GEN/13B/061 P7 17.12.09
 Proposed Street Elevations (Sheet 3 of 4) GEN/13B062 P5 17.12.09
 Proposed Street Elevations (Sheet 4) GEN/13B/063 P4 17.12.09
 Timber Shed Details: S1 (Cycle Store) GEN/13B/902 21.10.09
 Timber Shed Details:(Cycle Store) GEN/13B/901 14.10.09
 Bin Store Details GEN/13B900 06.10.09
 Boundary Wall/Fence Types A, B & C GEN/13B/800-01 06.10.09
 Boundary Wall/Fence Type D GEN/13B/800-02 06.10.09
 Boundary Wall/Fence Type E GEN/13B/800-03 06.10.09
 Boundary Wall/Fence Type F GEN/13B/800-04 06.10.09
 Boundary Wall/Fence Type G GEN/13B/800-05 06.10.09
 Boundary Wall/Fence Type H GEN/13B/800-06 06.10.09
 Boundary Wall/Fence Type J GEN/13B/800-07 21.10.09
 Boundary Wall/Fence Type K GEN/13B/800-08 21.10.09
 Boundary Wall/Fence Type L GEN/13B/800-09 04.12.09
 Phasing of the Construction Works to Maintain Access to 87 Shakespeare Street,
 GEN/13B/995 20.10.09

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 Development shall not commence until a detailed scheme for the diversion of Northumbrian Water's apparatus to avoid building over by the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian

Water Ltd. Thereafter the development shall take place in complete accordance with the approved details. In order to achieve a satisfactory form of development on site and to protect the local sewerage system and to comply with the requirements of Policy B2 of the adopted UDP.

- 4 No development shall take place until a scheme of working has been submitted to and agreed in writing by the Local Planning Authority; such scheme to include siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and shall be so implemented, 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 UDP.
- 5 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the local planning authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the Local Planning Authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 6 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the Local Planning Authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 7 Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the Local Planning Authority for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 8 Before the development hereby approved is commenced precise details of all highway modifications and improvements to Beaumont Street including all traffic calming, bus shelter provision and pedestrian crossing shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved plans unless first agreed in writing with the Local Planning Authority. In the interests of highway safety and to comply with the requirements of policy T14 of the adopted UDP.
- 9 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.
- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications

of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the UDP.

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 12 Before the installation of any solar panel equipment on any dwelling proposed by the development hereby approved, a precise written specification of the solar panels proposed for use, and precise written details of the size and positioning of each solar panel, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved specification/details unless first otherwise agreed in writing with the local planning authority. In the interest of visual amenity and in order to achieve a satisfactory form of development on site and to comply with the requirements of policy B2 of the adopted UDP.
- 13 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 14 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.

Reference No.: 09/04452/FUL Full Application

Proposal: **Erection of 3 storey building to provide young persons immediate access facility, to include boundary enclosure, parking area and hard and soft landscaping.**

Location: Land At Junction Of Dundas Street And Liddle Street
Sunderland

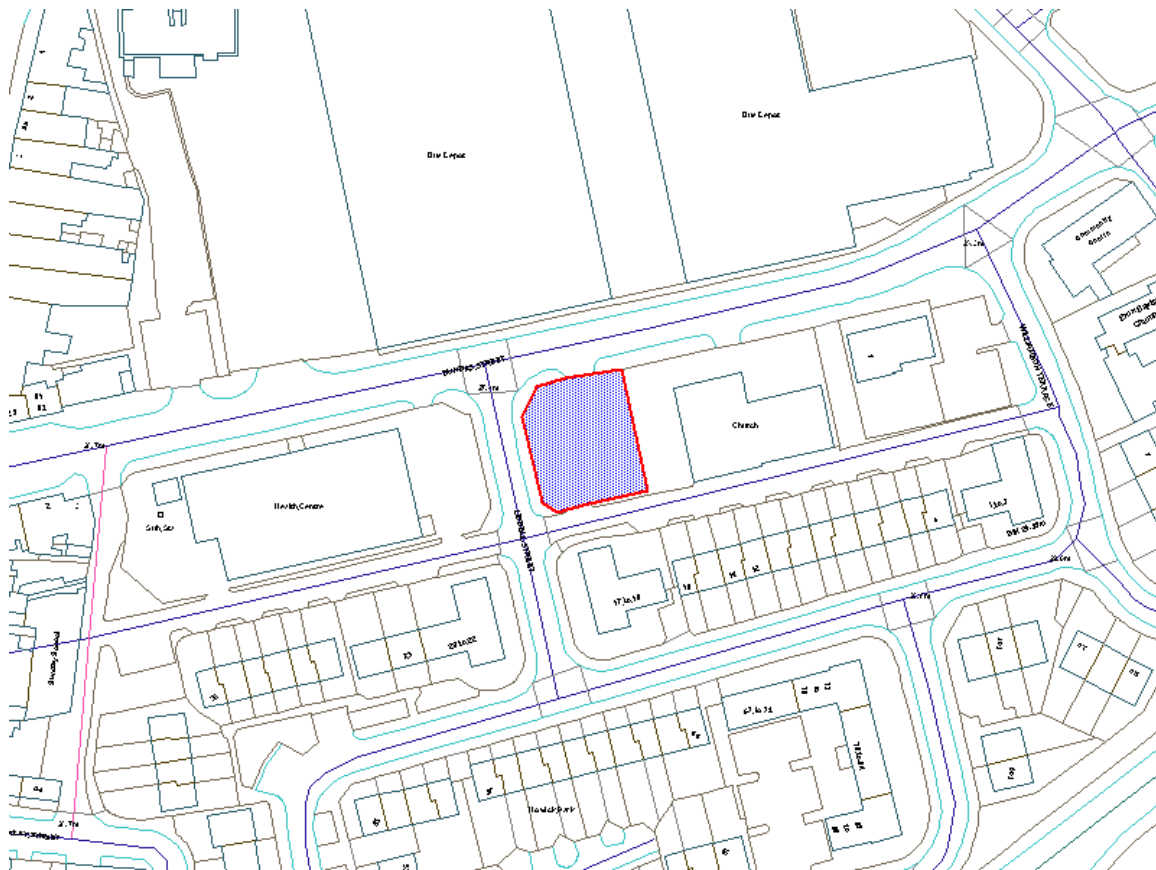
Ward: St Peters

Applicant: Centrepont Soho Limited

Date Valid: 2 December 2009

Target Date: 27 January 2010

Location Plan



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PROPOSAL:

Planning permission is sought for the erection of a three storey building to provide a young persons' immediate access facility, to include boundary enclosure, parking area and hard and soft landscaping at land at junction of Dundas Street and Liddell Street, Monkwearmouth, Sunderland.

The building is proposed to be erected on a flat, roughly rectangular plot of land adjacent to the junction of Dundas Street and Liddell Street in the Monkwearmouth area of the City. The plot has dimensions of 24.5 metres x 29 metres and is currently used as an informal parking area enclosed by knee-high railings. The vicinity of the application site is characterised by a mix of uses and buildings of highly differing scales and designs. Immediately to the east of the application site is the large modern red-brick True Jesus Church, whilst to the north, on the opposite side of Dundas Street, is a bus depot featuring extremely large sheds of industrial appearance. Immediately to the west of the site, on the opposite side of Liddell Street, is Monkwearmouth Health Centre, a relatively modern single-storey flat-roofed building and to the south, on the far side of a service lane, are the modern residential bungalows of Howick Park.

Further to the west, beyond the Health Centre, are two- and three-storey terraces in generally commercial use fronting the A1018 North Bridge Street, a principal route to and from the City Centre. Further east, beyond the True Jesus Church, at the junction between Dundas Street and Williamson Terrace, is a small children's home. The area to the south of the application site is predominantly residential in character.

Background

The proposed building is intended to be used as a hostel for homeless young people aged 16-21, providing short-stay en-suite bedroom accommodation and support and educational facilities. In March 2005, the City Council's Cabinet approved the Supporting People 5-year Strategy and Annual Plan, and a strategic priority was to develop a facility for young people aged 16-21. This was also detailed in the Young Persons' Accommodation and Support Strategy and the Interim Supported Housing Needs Statement. The supported housing project will aid the City Council to attain the Government target not to have any 16/17 year olds placed in bed and breakfast accommodation by 2010, as stated in the City Council's 'Children and Young People's Plan 2007-2009' and will help to minimise rough sleeping amongst 16/17 year olds by providing suitable emergency accommodation. The project is also fully in line with the strategic objectives of the North East Housing Strategy.

In 2008-2009, 59 homeless young people had to be accommodated in bed and breakfast accommodation, often outside of Sunderland, due to a lack of suitable facilities within the City, at a cost of almost £35,000. The Centrepont facility will help to reduce the reliance placed upon bed and breakfast accommodation and accordingly save the associated costs. Savings on costs of bed and breakfast accommodation are estimated at approximately £900,000 over a 15-year period.

The City Council has tendered for a provider for a young persons' immediate access scheme to address homelessness amongst young people in the City. Centrepont, a national charitable organisation which has been providing accommodation and support for homeless young people across the country for 40 years, was the successful tender and has been awarded the contract to provide the service.

Centrepont currently provide a young persons' immediate access facility at Oakwood House, Mowbray Road, Hendon, to the south of the City Centre. The

planning application to change the use of Oakwood House from a nursing home/student accommodation to a supported residential facility (application reference 07/05332/FUL) was granted temporary approval for a period of two years on 5th March 2008 and opened in December 2008. An application seeking to renew this approval for a further 15 months is currently pending consideration (application reference 09/04607/REN). The building at Mowbray Road is not considered to be fit for purpose as a permanent facility due to the layout of the accommodation, size of the building, condition of the building, office accommodation, treatment/support rooms on site and general maintenance of the building.

The development proposed at Dundas Street would provide a purpose-built permanent facility for the project. The site at Dundas Street has been identified as suitable for the facility as it is considered to meet the following criteria, established by a steering group including staff from Centrepont and the City Council's Health, Housing and Adult Services Directorate and Office of the Deputy Chief Executive (formerly Development and Regeneration):

- site area of at least 0.22ha (subsequently reduced following a re-design of the project).
- north of the City Centre, accessible to City Centre services and reasonably close to bus routes to Washington.
- not near to places with vulnerable people, e.g. schools, residential homes etc.
- near to as little residential property as possible.

The land subject to this application was agreed to be disposed of to Centrepont for the proposed supported housing project at a Cabinet meeting on 7th October 2009. The project was also reported at a meeting of the Sustainable Communities Scrutiny Committee held on 20th October 2009 and the Children, Young People and Learning Scrutiny Committee held on 12th November 2009.

Detailed Proposals

The proposed building has a footprint of 21.4 metres x 13 metres and will provide approximately 811 sq. metres of floorspace over three floors. The ground floor features a reception, coffee and kitchen area, resources/multimedia room, interview and meeting rooms, a manager's office and a laundry. The first and second floors will provide a total of eighteen en-suite bedrooms and four shared kitchens. Windows are proposed at all levels in all elevations and the main entrance door is to be located in the north elevation, with access taken from Dundas Street.

The building is of a contemporary design and has a shallow (2.5 degrees) pitched roof with a maximum height of 9.4 metres. The ground floor is to be finished with facing brickwork, whilst upper floors are to be clad in coloured render. First and second floor bay windows at either gable end of the building are to be clad in cedar wood.

To the front of the building are to be seven car parking spaces, accessed from Dundas Street and separated by a path leading to the entrance door, whilst to the rear is a residents' garden and patio area. The residents' garden is proposed to be enclosed by a 1.8 metres-high brick wall, whilst the western boundary of the

site is to be defined by a 0.9 metres-high brick wall. 0.9 metres-high railings are proposed to the front of the building.

A management plan submitted with the application states that the service will operate with 24-hour staff support and monitoring, provided by a team of ten. The team is led by a Service Manager, who will work on a shift system round the clock, with at least two members of staff on hand 24hrs a day to manage the service and provide support to young people. All residents sign a 'good neighbour' policy, which contains specific clauses that prohibit harassment, racial harassment or anti-social behaviour. In addition, upon entry to the service, each young person signs-up to Centrepoin't's support and development agreements and enters into a 'contract' to fully engage with activities and the support process.

Young people also have to agree to abide to a code of conduct and a set of house rules, which may include curfew times, warning policies, local agreements and procedures and clearly explains the reasons behind the necessity for such rules and regulations and sanctions taken, which can include eviction. These rules are explained within a handbook available to all young people upon entry into the service.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Force Planning And Police Architectural Liaison Officer
Northumbrian Water
Director of City Services (Public Health)

Final Date for Receipt of Representations: **02.01.2010**

REPRESENTATIONS:

Consultation letters notifying local residents of the receipt of the application were sent to 95 properties within the vicinity of the proposal site on 7th December 2009. The receipt of the application was also given further publicity by a press notice published in the Sunderland Echo on 12th December 2009 and a series of site notices posted in the locality of the application site on 8th December 2009.

Seventeen letters of objection have been received in response to the public consultation exercise, from the occupants of 1, 7, 11, 14, 17, 29, 65, 94 (2 letters) and 102 Howick Park, 5 (2 letters), 26 and 36 St. Peter's View, the deacon of True Jesus Church and one letter sent anonymously. The dwellings of Howick Park and St. Peter's View are situated to the south of the application site, whilst the church is immediately to its east. The main issues raised by the letters of objection are:

- Operations of similar organisations in area have led to significant anti-social behaviour, including double murder at Barclay Lodge (a guest house at 58 Barclay Street, situated approximately 150 metres to the south-west of the application site), thefts and under age drinking, with regular police call-outs;
- True Jesus Church has suffered from theft of lead from roofing, damage to members' cars, human defecation on main gates, physical and verbal abuse of church members and fear among elderly members - provision of Centrepont facility may increase levels of anti-social behaviour in relation to Church;
- Already a bail hostel (presumably referring to Barclay Lodge), Lazarus Centre, children's home and a chemist distributing methadone within 150 metres of application site;
- Area is a 'dumping ground' for problem youths and adults, to detriment of community and safety of residents;
- Centrepont facility will only bring more problems into neighbourhood;
- Site is wrong place for Centrepont facility due to existing problems within small residential area;
- Centrepont residents need a more stable and safe environment than can be provided at Dundas Street;
- Estate will be 'run down' by another 'good cause' with troublesome clients;
- Facility would be built beside old peoples' bungalows, a health centre and three places of worship;
- Children's home and Centrepont facility on either side of True Jesus Church would be intimidating for attendees;
- Parking problems on Sunderland AFC home match days and from college students;
- Loss of parking area used by visitors to medical centre;
- Building will overlook windows and reduce privacy of houses on Howick Park due to its size and height;
- Harm to house prices;
- Police have been called to existing facility at Oakwood House, Mowbray Road 'numerous times' (according to article in Sunderland Echo);
- Inadequate consultation with community, as only one public meeting to discuss proposal

N.B. the Lazarus Centre is a facility providing a cafe area, clothing store, WC, shower and changing facilities with training, administration and storage rooms for a trust assisting persons suffering from illness, disability, disease or infirmity caused by or arising from the consumption of alcohol or chemicals. It is situated at 4 North Bridge Street, approximately 100 metres to the north-west of the application site and was granted planning approval on 17th October 2008 (application reference 08/03378/FUL).

The issues raised by the objectors are given further consideration in the 'comments' section of this report.

There have also been reports that a petition, signed by residents in the locality of the development site, has been produced in objection to the proposed development. However, at the time of writing this report, the City Council's Development Control office has not received such a petition and so no comment can be provided on such a document should it exist.

The proposed development was also given publicity by the applicant prior to the submission of the planning application via a public consultation event held on 14th October 2009 at the Enon Church Hall on Williamson Terrace, to the east of the application site. The event was publicised by invitations distributed to surrounding homes and businesses and was attended by representatives from the local police, the City Council and Centrepont. Over 60 local residents visited the consultation event and 46 comment cards were completed, all of which voiced opposition to the proposal, primarily in relation to the issues raised by objectors listed above.

Consultation has also been carried out with Northumbrian Water, who do not object to the proposal, and the Northumbria Police Planning and Architectural Liaison Officer, from whom no response has yet been received.

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
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
H_14_Negotiation for special needs housing in major developments
CF_1_Ensuring that land / buildings are available for community facilities

COMMENTS:

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

- the principle of the proposed development;
- the impact of the proposed development on the character of the area;
- the impact of the proposed development on visual amenity;
- the impact of the proposed development on residential amenity;
- the impact of the proposed development on highway and pedestrian safety

Principle Of The Proposed Development

The site is not allocated for any specific land use within the Council's adopted Unitary Development Plan (1998) and, as such, is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain.

The proposed building provides what is essentially residential accommodation, albeit on a short-term basis and in combination with support and educational facilities. Given that the locality of the application site is mixed use in character with a number of residential properties to its south, it is considered that the proposed use of the land is generally compatible with the existing pattern of land use in the vicinity. The proposed development is therefore considered to be compliant with the requirements of policy EN10 and as such is acceptable in principle.

Policy CF1 of the UDP states that the City Council will seek to ensure that land and buildings are made available to enable the City Council, other public bodies and statutory undertakers to carry out their responsibilities, whilst policy H14 states that the City Council will attempt to provide 'special needs' housing where possible.

As noted earlier in this report, the Centrepont facility will assist the City Council in attaining the Government target not to have any 16/17 year olds in bed and breakfast accommodation by 2010, as stated in the City Council's 'Children and Young People's Plan 2007-2009'. It will also accord with the Supporting People 5-year Strategy as approved by Cabinet in March 2005 to develop a supported housing project for young people aged 16-21.

Given that the proposed development will help the City Council in providing a much-needed facility and attaining national targets in relation to the provision of short-term accommodation for homeless young people, the proposal is also considered to accord with the aims and objectives of policies CF1 and H14 of the UDP. The principle of the development in this location is therefore considered to be acceptable.

Impact Of The Proposed Development On The Character Of The Area

In addition to the above, policy B2 of the Unitary Development Plan requires new development to relate harmoniously to adjoining areas.

As noted within the 'representations' section of this report, many residents within the vicinity of the application site have expressed concern at the number of operations in the locality that are argued to generate significant levels of disturbance, including crime and anti-social behaviour. The objectors state that these uses, namely the children's home at Williamson Terrace, the Barclay Lodge guest house at the junction of Barclay Street/North Bridge Street, the Lazarus Centre on North Bridge Street and the chemist distributing methadone on Dundas Street, have the effect of 'bringing down' the area and give it the character of a 'dumping ground' for facilities which cater for 'problematic' groups of society.

The concerns raised by objectors in the locality regarding the perceived 'saturation' of the area with uses generating disturbance and anti-social behaviour are acknowledged. Nevertheless, the proposal for the new building for Centrepont must be viewed on its own merits and in light of current relevant planning policy. As outlined above, the proposed development is essentially residential in nature and as such is considered to be an appropriate use of the site given the mix of uses present within the vicinity of the development site.

Impact Of The Proposed Development On Visual Amenity

Policy B2 of the UDP also requires that the scale, massing, layout or setting of any new built development respects and enhances the qualities of nearby properties and the locality.

The area surrounding the proposal site serves a variety of different uses and as such exhibits an inconsistent built form with an assortment of buildings of very

different scales and design. The bus depot shed opposite the development site is an extremely large building of unattractive and sterile appearance, whilst the adjacent health centre and True Jesus Church are relatively sizeable modern buildings of rather utilitarian design. These large buildings contrast with the small residential bungalows of Howick Park to the south of the proposal site.

The height and bulk of the proposed building is comparable to the True Jesus Church and is dwarfed by the bus depot shed opposite. Given the variety of building sizes in the vicinity and the highly inconsistent streetscene, the proposed three-storey building is considered to be appropriate in scale.

The appearance of the proposed building is also considered to be generally acceptable; the elevation treatment and fenestration is considered to be appropriate, with the full height windows in the western gable of the building encouraging natural surveillance of the junction of Dundas Street and Liddell Street. The roofscape of the proposed building is also acceptable, for the shallow pitched roof serves to limit the dominance the development could have otherwise had in relation to its surroundings. The materials to be used in the construction of the building have not been confirmed and as such it is suggested that a condition requiring the submission of a schedule and/or samples of materials prior to the commencement of development be imposed should Members be minded to approve the scheme.

The proposed boundary treatment is also considered to be appropriate for the site. The rear yards of dwellings immediately to the south of the site are enclosed by tall (approximately 2 metres high) close boarded timber fences bounding the rear lane; the brick wall enclosing the rear garden/patio area at the south of the proposed building is of a similar height. The boundary proposed to Liddell Street is much lower and, given that the west elevation of the proposed building features a number of windows serving the coffee area and resources/multimedia room, will assist in the creation of a relatively active frontage to this street. Boundary treatment to the front, where the entrance to the building is located, is minimal.

With reference to the above, the scale and design of the proposed building is considered to be appropriate within the context of the locality. As such, the proposal is considered to be acceptable in relation to the requirements of policy B2 with regard to the impact of the proposed development on the visual amenity of the area.

Impact Of The Proposed Development On Residential Amenity

Policy B2 of the UDP requires that new development respects residential amenity and retains acceptable levels of privacy. Supplementary Planning Guidance to the 'Residential Design Guide' Supplementary Planning Document to the UDP provide spacing standard to which new residential development should adhere, in order to achieve acceptable levels of privacy and provide adequate levels of outlook. The SPG and SPD state that a distance of 21 metres should be maintained between main living windows of residential buildings, with a further 5 metres spacing required where a building is three-storeys high or more. Given that the proposed building is three storeys high, a minimum of 26 metres spacing should be provided to the nearest residential dwellings.

The nearest residential properties to the development site are those to the south, on the opposite side of the lane to its rear. The closest, the single storey 17-19 Howick Park, is 'L' shaped and features a rear offshoot projecting to within 19 metres of the rear elevation of the proposed building. The gable end of this offshoot is, however, blank, and so the closest main living windows of 17-19 Howick Park are those in the rear elevation of the main body of the dwelling, some 27 metres from the rear elevation of the proposed building. This separation distance complies with the guidance of the SPG and SPD and is considered to be sufficient to ensure the proposed building will not result in an invasion of the privacy of these properties.

Neither is the proposed development considered to be of harm to the outlook from the windows of 17-19 Howick Park, as their outlook is already compromised by the 2 metres high boundary fence to the rear yard of the dwelling. Additionally, as 17-19 Howick Park is located to the south of the development site, the proposed building will not lead to any overshadowing.

The impact of the use of the proposed building on the amenity of surrounding residents must also be given consideration, and in this regard, the comments of the Northumbria Police Planning and Architectural Liaison Officer are awaited. It is anticipated that the comments of the Liaison Officer will be received prior to the Development Control Sub-Committee meeting. The observations of the Liaison Officer and an assessment of the impact of the proposed use on the amenity of surrounding residents will be reported on the supplement.

Impact Of The Proposed Development On Highway And Pedestrian Safety

Policy T14 of the UDP requires proposals for new development to be readily accessible by pedestrians, cyclists and users of public transport; not cause traffic congestion or highway safety problems on existing roads; make appropriate safe provision for access and egress by vehicles, pedestrians, cyclists and other road users; make provision for the loading and unloading of commercial vehicles and indicate how parking requirements will be accommodated.

The highway implications of the proposal are still being assessed with due regard to policy T14 of the UDP. It is anticipated that this will be completed prior to the Development Control Sub-Committee meeting and any observations will be reported on the supplement.

Conclusion

Whilst the principle of the use of the land for the proposed development is considered generally acceptable, the details of the scheme in respect of the impact of the proposed use on the amenity of surrounding residential dwellings and highway and pedestrian safety matters are still being considered. It is anticipated that this assessment will be completed prior to the meeting of the Sub-Committee and will be reported on either the Supplement or at the meeting.

RECOMMENDATION: Deputy Chief Executive to Report