

**DEVELOPMENT CONTROL (SOUTH SUNDERLAND)  
SUB-COMMITTEE**

**AGENDA**

**Meeting to be held in Committee Room 1 on Wednesday, 8<sup>th</sup>  
May, 2019 at 4.00p.m.**

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

**E. WAUGH,  
Head of Law & Governance.**

Civic Centre,  
SUNDERLAND.

29<sup>th</sup> April, 2019



# Item 3

## Development Control (City Centre) Sub-Committee

8th May 2019

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### REPORT ON APPLICATIONS

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#### 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. 18/01953/FU4  
Former Littlewoods Home Shopping Group, Commercial Road,  
Sunderland
2. 19/00642/LP3  
Sunderland Crematorium, Bishopwearmouth Cemetery, Chester Road,  
Sunderland

##### 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 (0191 561 8755) or email [dc@sunderland.gov.uk](mailto: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 City Development Directorate at the Customer Service Centre or via the internet at [www.sunderland.gov.uk/online-applications/](http://www.sunderland.gov.uk/online-applications/)

Peter McIntyre

Executive Director City Development

**Reference No.:** 18/01953/FU4 Full Application (Reg 4)

**Proposal:** Construction of builders merchants with ancillary trade counter and outdoor storage (including modifications to access, parking and turning space, landscaping and boundary fence to west)

**Location:** Former Littlewoods Home Shopping Group Commercial Road Sunderland

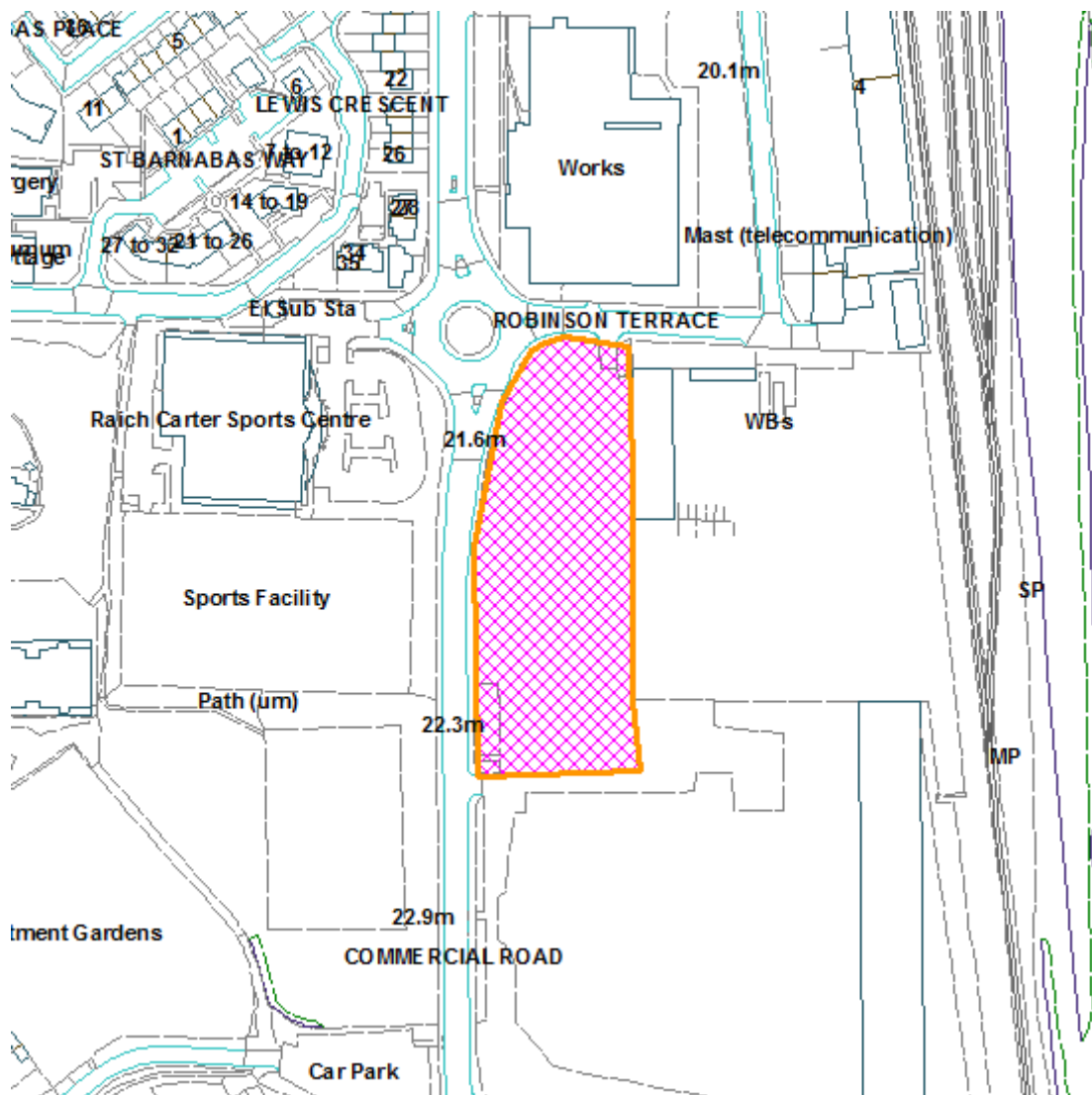
**Ward:** Hendon

**Applicant:** Mrs Ganley

**Date Valid:** 19 December 2018

**Target Date:** 20 March 2019

### Location Plan



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## **PROPOSAL:**

The application has been referred to Members of the Development Control (Sunderland South) Sub-Committee owing to being Major development on land owned by the City Council.

The application seeks full planning permission for the construction of a builders' merchant on Commercial Road, Sunderland.

The currently vacant site lies to the south east of the city centre within the Hendon area. The surrounding area comprises a mix of uses including a freight / passenger railway line to the east, an office to the south (currently occupied by Sunderland City Council), a small public car park immediately to the west and, further afield to the west, a sports centre and residential.

The site itself has a broadly rectangular plan forms and covers approximately 8,500 square metres. The proposed development would include a building providing around 1,870 squares metres of floorspace, outdoor storage and parking / turning. The point of access would be off Robinson Terrace to the north of the site.

The agent has amended the application since submission; including the submission of further drainage details and revised plans. These documents have been uploaded onto the public access website.

The Local Planning Authority has issued a screening opinion identifying that the proposal would not be EIA development.

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Flood And Coastal Group Engineer  
Northumbrian Water  
Network Management  
Hendon - Ward Councillor Consultation  
Tyne And Wear Archaeology Officer  
Environmental Health  
Northumbrian Water  
Natural England  
Southern Area Command - Police  
Fire Prevention Officer  
Nexus  
Environment Agency  
NE Ambulance Service NHS Trust

Final Date for Receipt of Representations: **13.02.2019**

## **REPRESENTATIONS:**

There has been one objection on the grounds of the application being contrary to planning policy and detracting from the character and appearance of the area.

## **POLICIES:**

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

Officers consider that, within the context of the current application, the policies of the Unitary Development Plan can be given consideration as being consistent with the National Planning Policy Framework (2019).

EN5 - Protecting sensitive areas from new noise/vibration generating developments

EN8 - Developments within a consultation zone around hazardous installations

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

EN14 - Development on unstable or contaminated land or land at risk from landfill/mine gas

B2 - Scale, massing layout and setting of new developments

CN22 - Developments affecting protected wildlife species and habitats

CN23 - Measures to conserve/ improve wildlife corridors

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

T22 - Parking standards in new developments

SA1 - Retention and improvement of existing employment site

## **COMMENTS:**

Principle of the Development

The Unitary Development Plan (UDP) allocates the site as an "Area to be retained and improved".

The associated UDP policy, SA1, states that

"Established industrial / business areas and available sites within the will be retained and improved for the primary uses indicated below'

(3) Hendon'

Light industry, offices, research & development, general industry, storage & distribution (B1, B2, B8)."

The submitted Core Strategy and Development Plan (CS) allocates the site as a "Key Employment Area".

The associated policy, EG2, states that

"The following are allocated as Key Employment Areas and will be safeguarded for B1 (Business - excluding B1a), B2 (General Industrial) and B8 (Storage and Distribution) employment uses -  
i. Hendon (KEA1)"

The Land Use Gazetteer identifies that a builders' merchant for storage and sales to the trade falls within Use Class B8; whereas a builders' merchant for storage and sales to the public has a "sui generis" use class.

The agent has advised that "round 15% will be public sales based on another local store". The agent has also submitted a drawing showing the sales area covers approximately 245 square metres; which represents around 13% of the total floorspace.

Officers consider, on the basis of the above, that the proposed development falls within Use Class B8; with ancillary sales to the public.

The proposal would therefore accord with both existing and emerging development plan policy.

In terms of material considerations, there has been objection on the basis that the application form identifies the proposed use would be "sui generis"; rather than Use Class "B". The agent has, however, subsequently clarified the proposed use (as noted above). Officers consider, on the basis of the information submitted, that the proposed development falls within Use Class B8; with ancillary sales to the public.

In terms of further material considerations, officers would draw to attention an extant grant of planning permission for a Use Class B2 / B8 development on the site (ref: 17/02418/HY3).

In the absence of any other material considerations to the contrary, officers consider the proposal accords with both existing and emerging development plan policy.

#### Amenity

The UDP, at policy EN5, states that

"Where development is likely to generate noise sufficient to increase significantly the existing ambient sound or vibration levels in residential or other noise sensitive areas, the Council will require the applicant to carry out an assessment of the nature and extent of likely problems and to incorporate suitable mitigation measures in the design of the development. Where such measures are not practical, permission will normally be refused."

The submitted Noise Impact Assessment states that

"the rated sound level is calculated to be 17 dB and 9 dB below the measured background sound level at the residential and office receptor respectively.

This impact is considered to be a "No Observed Effect Level" in alignment with the Noise Policy Statement for England aims and the nearby noise-sensitive areas are also considered "remained undisturbed by noise" according to National Planning Policy Framework .

The Environmental Health Officer has advised that "the development is acceptable"; subject to a condition limiting the operation of the site from 7am-7pm.

In the absence of any other material considerations to the contrary, officers consider the proposal accords with policy EN5 of the UDP.



## Design

The UDP, at policy B2, states that

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

The submitted design and access statement says that the "use of different types of cladding to the elevations stops the elevations looking bland" and that the "landscape pockets soften up the appearance".

In terms of material considerations, there has been objection on the basis that the proposed development would have "limited space for meaningful landscaping" and that there would be "5.5 metre high cantilever racking" which would be "prominent from public viewpoints and detract from the character and appearance of the area".

The agent has, following discussions with the Urban Design Officer, amended the application to reduce the height of the storage to the front of the site and southern side to 2-3 metres in height and provided details of the proposed fence. The applicant has also provided additional glazing to the northern elevation of the proposed building and provided a small amount of grass to the middle of the proposed car park.

The Council's Urban Design officer, further to these amendments, has advised that

"The amended elevations have addressed previous comments and there are no further Urban Design comments".

In the absence of any other material considerations to the contrary, officers consider the proposed development accords with policy B2 of the UDP.

## Drainage

The UDP, at policy EN12, states that

"In assessing proposals for development' the Council' will seek to ensure that the proposal would

- (i) not be likely to impede materially the flow of flood water, or increase the risk of flooding elsewhere, or increase the number of people or properties at risk from flooding'
- (ii) not adversely affect the quality or availability of ground or surface water, including rivers and other waters, or adversely affect fisheries or other water-based wildlife habitats"

The agent has recently submitted an amended drainage strategy and an update will be provided in due course.

## Ecology

The Proposals Map within the UDP identifies the site as lying within a "Wildlife Corridor". The associated UDP policy, CN23, states that

"Within wildlife corridors as indicated on the proposals map:-

- (i) measures to conserve and improve the environment will be encouraged using suitable designs to overcome any potential user conflicts
- (ii) development which would adversely affect the continuity of corridors will normally be refused.
- (iii) where, on balance, development is acceptable because of wider plan objectives, appropriate habitat creation measures will be required to minimise its detrimental impact"

The UDP also has a more general ecology policy, CN22, which states that

"Development which would adversely affect any animal or plant species afforded special protection by law, or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions and, where appropriate, planning obligations, and the overall effect will not be detrimental to the species and the overall biodiversity of the City."

The submitted ecological appraisal identifies that there are seven designated nature conservation sites within 2km of the proposed development site. The appraisal states that the

"scale of the proposals and the location of the development site within close proximity to existing buildings of similar use, and on a previously developed site, it is considered that the proposals will not impact upon nearby local wildlife sites."

The ecological appraisal continues by stating that four types of habitat were recorded during the Phase 1 Survey, the site

"largely comprises areas of bare ground and a building, with narrow strips of semi-improved neutral grassland and a small number of scattered trees along the site boundaries. These habitat types are common and widespread both locally and nationally, with limited ecological value and the loss of such habitats is considered to be of negligible impact".

The ecological appraisal also identifies that there were no controlled invasive species on site and that whilst the site has very little potential for the majority of protected species there are habitats suitable for supporting common nesting birds which means that any tree and shrub clearance works should be undertaken outside the bird nesting season or as inspected by an ecologist.

The ecological appraisal makes recommendations, such as native and shrub species and insect friendly plants being incorporated into any planting scheme.

The agent has also submitted a Habitats Regulations Assessment which identifies that

"All sites have been screened out of the process due to the distance of the birds from site and the presence of several barriers to further reduce noise to an acceptable level."

The Council's Ecologist has advised that they "have no objections to the proposal". The Ecologist has also advised that the Local Planning Authority "can record no likely significant effects on the key features of the coastal European Sites" and the recommendations and mitigation within the ecology appraisal should be conditioned.

Natural England have advised that they consider

"the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes"

In the absence of any material considerations to the contrary, officers consider that the proposed development would accord with UDP policies CN22 and CN23.

## Ground conditions

The UDP, at policy EN14, states that

"Where development is proposed on land which there is reason to believe is either

- (i) unstable or potentially unstable
- (ii) contaminated or potentially at risk from migrating contaminants
- (iii) potentially at risk from migrating landfill as or mine gas

The Council will require the applicant to carry out adequate investigations 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 preventative, 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."

The submitted Preliminary Ground Investigation Report identifies that

"all determinants were significantly below the generic guidance values and therefore for the proposed development, the site can be considered not to be contaminated".

The Environmental Health Officer has advised that "the development is acceptable"; subject to conditions covering contamination and unexploded ordinance.

In the absence of any material considerations to the contrary, officers consider that the proposed development would accord with UDP policies EN14.

## Health & Safety

The UDP, at policy EN8, states that

"Developments within a consultation zone around hazardous installations will not be permitted if, in the opinion of the health and safety executive, this would result in an undesirable increase in those at risk."

The Health & Safety Executive have confirmed that, whilst the site does lie within at least one Consultation Distance of Major Hazard Sites / pipelines, they

"do not advise against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case"

In the absence of any material considerations to the contrary, officers consider that the proposed development would accord with UDP policy EN8.

## Highways

The UDP, at policy T14, states that

"Proposals for new development should:-

- (i) be readily accessible by pedestrians and cyclists as well as users of public and private transport from the localities which they are intended to serve
- (ii) not cause traffic congestion or highways safety problems on existing roads'
- (iii) make appropriate safe provision for access and egress by vehicles (including buses), pedestrians, cyclists and other road users, paying particular attention to the needs of people with mobility impairment.
- (iv) make provision for the loading and unloading of commercial vehicles
- (v) indicate how parking requirements will be accommodated

The assessment of UDP policies against the Framework identifies UDP policy T14 to be "broadly compliant - continue to use policy..."

The UDP, at policy T22, states that

In deciding the appropriate level of car and cycle parking to be provided in connection with a development proposal, the Council will have regard to

- (i) development type (e.g. scale, use, catchment, user characteristics);
- (ii) locational characteristics (e.g. accessibility by modes other than the private car, population density, historic character"

The assessment of UDP policies against the Framework identifies UDP policy T22 to be "broadly compliant - continue to use policy..."

The submitted Transport Statement identifies that there are two bus stops within 200 metres of the site and a further one within 250 metres on Villette Road; providing 13 buses per hour during the weekday and 11 buses during the Saturday peak hours. The Statement continues by identifying that pedestrian access would be possible from Commercial Road and Robinson Terrace and that a cycle lane along the local highway network caters for cyclists.

The Highway Authority have commented that the "proposed parking provision is considered acceptable". They have made comments, which could be the subject of conditions, covering access, gates and cycle storage.

Nexus have advised that they have

"no objection to this development as it will be within 400m walking distance of bus stops on both Rosalie Terrace and Corporation Road."

In the absence of any material considerations to the contrary, officers consider that the proposed development would accord with UDP policies T14 and T22.

## Other

The Fire Service has sought advice concerning whether the buildings would be timber framed and have enclosed an extract from the Building Regulations. Officers would advise that these are matters for consideration at the Building Regulations stage, rather than being planning concerns.

## Conclusion

The principle of the proposed development accords with existing and emerging development plan policy.

The detailed impacts arising from the proposed development - including amenity, design, drainage, ecology, ground conditions, health and safety and highways - accord with the relevant development plan policies.

In terms of material considerations, the site benefits from an extant grant of planning permission for development falling within Use Class B2 / B8 (ref: 17/02418/HY3)

**RECOMMENDATION:** Minded to GRANT CONSENT for the proposed development in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended), for the reasons set out in the report, subject to the draft conditions below and SUBJECT TO

1. The receipt of a positive response to the recent re-consultation from the Lead Local Flood Authority (including any recommended conditions).

### 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 The development hereby granted permission shall be carried out in full accordance with the following approved plans:

Fencing Drawing, Drg no. C4C-B1-Z1-A1-99-P2-00-001 B  
Proposed Roof Plan, Drg no. C4C-B1-Z1-A1-20-P2-R1-001 B  
Proposed Elevations, Drg no. C4C-B1-Z1-A1-19-MV-LL-001 E  
Proposed Mezzanine Floor Plan C4C-B1-Z1-A1-20-PR-M1-001 B  
Proposed Ground Floor Plan C4C-B1-Z1-A1-20-MV-00-001 D  
Site Plan as Proposed, Drg no C4C-B1-Z1-A1-01-P2-00-001 F

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 No development shall take place above damp proof course until a statement detailing the energy conservation measures to be incorporated within the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be incorporated into the development hereby approved and thereafter retained.

Reason: To ensure, in accordance with policy R4 of the Unitary Development Plan, the development hereby approved has regard to the efficient use of energy.

4 No development shall take place above damp proof course until details / samples of the construction materials for the walls and roof have been submitted to and approved in writing by the Local Planning Authority. The approved material shall thereafter be used in the construction of the development hereby approved.

Reason: To ensure, in accordance with policy B2 of the Unitary Development Plan, the development hereby approved preserves the best qualities of the locality.

5 No development shall take place above damp proof course until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall thereafter be fully implemented in the first planting season following completion of the development hereby approved.

Reason: To ensure, in accordance with policies CN22, CN23 and B2 of the Unitary Development Plan, the development hereby approved would conserve the environment and respects the best qualities of the locality.

6 The development hereby approved shall not be brought into use until an amended site plan has been submitted to and approved in writing by the Local Planning Authority. The amended site plan shall show the entrance gates onto the junction with Robinson Terrace being set back by a minimum of 10 metres. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure, in accordance with policy T14 of the Unitary Development Plan, the development hereby approved does not cause highway safety problems.

7 The development hereby approved shall not be brought into use until a verification report which demonstrates that any imported topsoil has been provided in accordance with up-to-date YALPAG guidance for cover layers. The report shall include source approval and chemical testing.

Reason: To ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy EN14 of the Unitary Development Plan and paragraph 109 and 120 of the National Planning Policy Framework.

8 The development hereby approved shall not be brought into use until details of a covered secured cycle store has been submitted to and approved in writing by the Local Planning Authority. The approved cycle store shall be provided before the development hereby approved has been first brought into use and shall thereafter be retained.

Reason: To ensure, in accordance with policy T22 of the Unitary Development Plan, the development hereby approved provides the appropriate level of cycle parking.

9 The development hereby approved shall not be brought into use until the parking and turning areas and internal road markings shown on the submitted site plan as proposed (Drg no. C4C-B1-Z1-A1-01-P2-00-001 F) have been fully provided on site.

Reason: To ensure, in accordance with policies T14 and T22 of the Unitary Development Plan, the development hereby approved does not cause highway safety problems and provides an appropriate level of parking.

10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, all works within the affected part of the site shall cease until an investigation and risk assessment and, when remediation is necessary, a remediation scheme in accordance with the details of the respective conditions set out above have been submitted to and approved, in writing, by the Local Planning Authority and any necessary remediation is carried out in accordance with the approved details.

Reason: To ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy EN14 of the Unitary Development Plan and paragraph 109 and 120 of the National Planning Policy Framework.

11 The parking shown on the submitted site plan as proposed (Drg no. C4C-B1-Z1-A1-01-P2-00-001 F) shall be kept free of obstruction and shall only be used for the parking of vehicles in association with the development hereby approved.

Reason: To ensure, in accordance with policies T14 and T22 of the Unitary Development Plan, the development hereby approved does not cause highway safety problems and provides an appropriate level of parking.

12 The development hereby approved shall only operate from 07:00-19:00 (inclusive of deliveries and waste collections).

Reason: To ensure, in accordance with policy EN5 of the Unitary Development Plan, the development hereby approved incorporates suitable noise mitigation.

13 The public sales area shall be restricted to the area shaded brown and labelled "Public" on the Proposed Ground Floor Plan (Drg no. C4C-B1-Z1-A1-20-MV-00-001 D).

Reason: To ensure that the development hereby approved remains within Use Class B8; in accordance with the submitted details.

**Reference No.:** 19/00642/LP3 Local Authority (Reg 3 )

**Proposal:** **Replacement of existing flue with 2 No. new flues, to include support structure. (Resubmission of 18/01902/LAP)**

**Location:** Sunderland Crematorium, Bishopwearmouth Cemetery, Chester Road, Sunderland

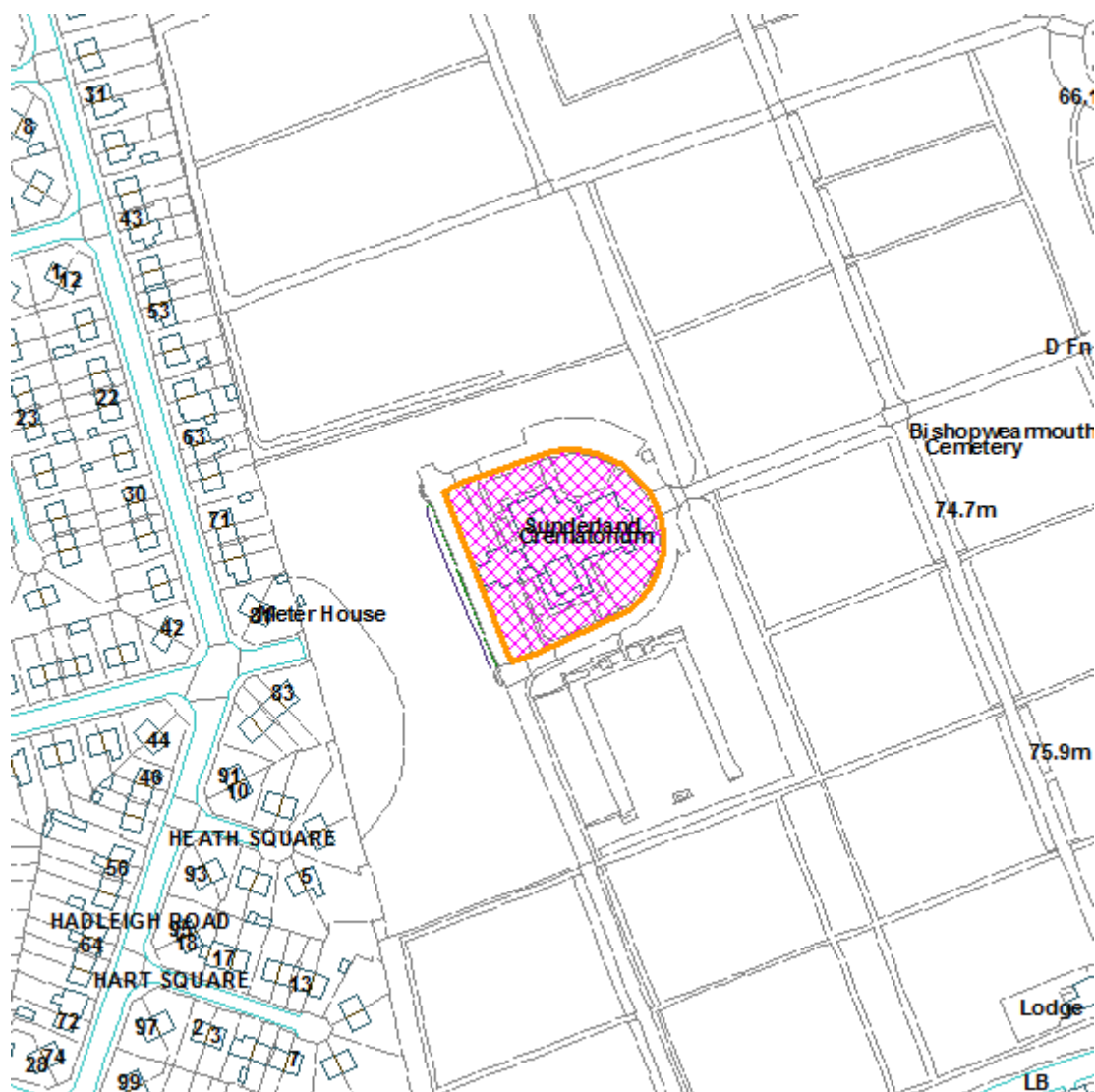
**Ward:** Pallion

**Applicant:** Sunderland City Council

**Date Valid:** 9 April 2019

**Target Date:** 4 June 2019

## Location Plan



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## **PROPOSAL:**

Proposal relates to the removal of one flue and replacement with two flues on the to the southern side elevation of the Sunderland Crematorium building in the Bishopwearmouth Cemetery, Chester Road, Sunderland.

The additional flues are necessary as a contingency to the main extraction system in place and to facilitate an efficient crematorium function.

A previous application was submitted under reference 18/01902/LAP Replacement of existing flue with 2 No new flues. (Amended plans received 22.12.18 and 1.2.19) - Approved (Granted consent under Regulation 3.) on 06.02.2019.

This application is a resubmission of the previous application with an alternative design for the support structure for the flues.

## **TYPE OF PUBLICITY:**

Site Notice Posted

## **CONSULTEES:**

Pallion - Ward Councillor Consultation  
Network Management  
Environmental Health

Final Date for Receipt of Representations: **07.05.2019**

## **REPRESENTATIONS:**

Public Protection and Regulatory Services - no objections raised.

Natural Heritage - the Council's Natural Heritage Team reviewed the proposal and have no objections.

Public Notice - awaiting expiry of public notice on 7.5.19.

## **POLICIES:**

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

L7 – Protection of recreational and amenity land  
B2 - Scale, massing layout and setting of new developments  
B3 – Protect public/private open space  
CN22 – Development protects wildlife species and habitats

## COMMENTS:

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

1. Principle of development
2. Design and amenity considerations
3. Public Protection and Regulatory Services
4. Ecology

### 1. PRINCIPLE OF DEVELOPMENT

The main Unitary Development Plan (UDP) land use policies associated with this site are L7 and B3. Policies L7 and B3 are both similar in the sense that where land is allocated as open space they will be retained in its existing use and planning permission should only be granted if there are no significant effect on the amenity, recreational and wildlife habitat value of the site. The issues of amenity and habitat will be addressed under the headings below.

In this regard, given the siting of the flues to the rear of the crematorium building, it is considered that the form of development is acceptable and would not lead to the loss of amenity and would accord the requirements of UDP policies B3 and L7 representing small scale development, ancillary to the existing building to allow a continued safe and sustained facility necessary the function of the crematorium service.

### 2. DESIGN AND VISUAL AMENITY CONSIDERATIONS

Paragraph 127 of the NPPF and Policy B2 of the Unitary Development Plan (UDP) dictate that development should be designed to a high standard and the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy and improve and enhance places in which people live.

The flues would be positioned to the rear of the building adjacent the existing flues. It is necessary for them to be 8.1 metres in height, with the supporting structure up to a height of 5.6 metres, for adequate dispersal, to comply with air quality regulations.

The flues would be powder coated RAL No 8004 Copper Brown in order to mitigate their visual appearance against the surroundings and the host property and as such would be considered to comply with Policy B2 of the UDP in this respect.

### 3. PUBLIC PROTECTION AND REGULATORY SERVICES

Policy EN1 aims to generally improvement the environment by seeking to minimise all forms of pollution.

The erection of the Public Protection and Regulatory Services has considered the submitted documentation and has no objection to the proposal. The proposed stack height has been considered in relation to published statutory guidance and complies with its requirements. The proposal therefore complies with the requirements of policy EN1 of the UDP.

#### 4. ECOLOGY

Policy CN22 of the UDP states that development which may affect any animal or plant species afforded special protection by law or its habitat, directly or indirectly will not be permitted unless mitigating action is achievable and the overall effect will not be detrimental to the species and the overall biodiversity of the city.

The Council's Natural Heritage Team reviewed the proposal and have considered that the insertion of the flues through the surface of the existing flat roof to the rear of the main building would not be considered to lead to any adverse impact upon animal or plant species afforded special protection and is therefore acceptable in respect of ecology, in accordance with policy CN22.

#### CONCLUSION

The development is considered to be of an acceptable design, subject to powder coating to match the existing flues and minimise the visual impact against the host premises whilst operating as a contingency to the main extraction unit of the Crematorium. The proposal would be acceptable in respect of design, amenity and ecology and therefore complies with policies L7, B3, B2 and CN22 of the UDP and paragraph 127 of the NPPF and it is recommended that Members grant consent under Regulation 3 of the Town and Country Planning General Regulations 1992.

**RECOMMENDATION:** Members GRANT CONSENT under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the conditions below and subject to no representations being received by the 7th May 2019.

#### 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 The development hereby granted permission shall be carried out in full accordance with the following approved plans:

- Location plan drawing No. SC/2018/FO2 received on 9.4.19
- Existing and proposed elevations drawing No. SC/2018/F01E received on 9.4.19

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.

## ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
18/00640/FUL	Persimmon Homes Ltd.	96 dwellings with access from Burdon Road and associated open space, landscaping, infrastructure and earthworks.	20/09/2018	20/12/2018
Doxford	Burdon Lane BurdonSunderland			
18/01820/FUL	Persimmon Homes Durham	Construction of 227 dwellings with associated access, landscaping and infrastructure.	19/10/2018	18/01/2019
Hendon	Former Paper Mill Ocean Road Sunderland			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
18/01726/FUL	YMCA Wearside Ltd	Change of use from residential dwelling to HMO (retrospective).	27/09/2018	22/11/2018
Millfield	3 Evelyn Street Sunderland SR2 7NE			
19/00392/FUL	Jaspia Ltd	Demolition of existing university building and erection of 2no. buildings containing retail at ground floor, with 258no. student bed accommodation on upper floors.	01/03/2019	31/05/2019
Millfield	Forster Building Chester Road Sunderland SR1 3SB			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
17/02430/OU4	O&H Properties	Outline application for "Redevelopment of the site for residential use up to 700 dwellings, mixed use local centre (A1-A5, B1), primary school and community playing fields, associated open space and landscape, drainage and engineering works involving ground remodelling, highway infrastructure, pedestrian and vehicle means of access and associated works (all matters reserved). (Amended plans received 27 March 2019).	18/12/2017	19/03/2018
Pallion	Former Groves Cranes Site Woodbine Terrace Pallion Sunderland			
18/01844/FUL	North East Property Partnership Ltd	Demolition of existing buildings and erection of building for non-food retail use within Use Class A1, with associated car parking, servicing arrangements, storage and compound areas	17/10/2018	16/01/2019
St Annes	Former Dewhirst Factory Pennywell Industrial Estate Sunderland SR4 9EP			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
17/00581/VAR	Jordan 90 Ltd	Variation of condition 2 (Plans), condition 4 (Obscure glazing) and condition 9 (No Felling) attached to planning application 14/01793/FUL (Two detached dwellings with associated access and parking) Alterations to size, type and position of windows, felling of trees, changes to internal layout, provision of accommodation in roof space(including provision of roof lights) and conversion of double garage (plot2) to kitchen	13/06/2017	08/08/2017
St Michaels	Land Rear Of 16 And 17 The CedarsAshbrookeSunderl and			
19/00006/OUT	Mr Phil Jeffries - CJ Taverns	Proposed new residential development consisting of 15 dwelling houses and 10 apartments with associated parking.	27/02/2019	29/05/2019
Silksworth	The LicenseeThe Hunters LodgeSilksworth LaneSunderlandSR3 1AQ			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
18/01877/REM	Mr Paul Hunt	Reserved matters application relating to details of appearance, landscaping, layout and scale pursuant to outline approval	18/01/2019	19/04/2019
Silksworth	Land AtSilksworth Lane/Silksworth RoadSilksworthSunderland	14/01461/OUT for the erection of 250no (c3) residential dwellings. AMENDED RED LINE AND PLANS.		