

## **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 Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett

Director of Development and Regeneration Services.

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**Reference No.:** 09/02508/FUL Full Application

**Proposal:** Erection of a two storey primary care centre comprising: urgent care accommodation, diagnostics, planned care, community teaching, 24 bed rehabilitation unit, physiotherapy suite, staff facilities and cafe together with carparking, landscaping and a new entrance to existing leisure centre, erection of new wellness centre and relocation of skate park to the northwest (adjacent to Leybourne Grove) and Wind Turbine. Amended Description.

**Location:** Houghton Sports Complex Brinkburn Crescent  
Houghton Le Spring

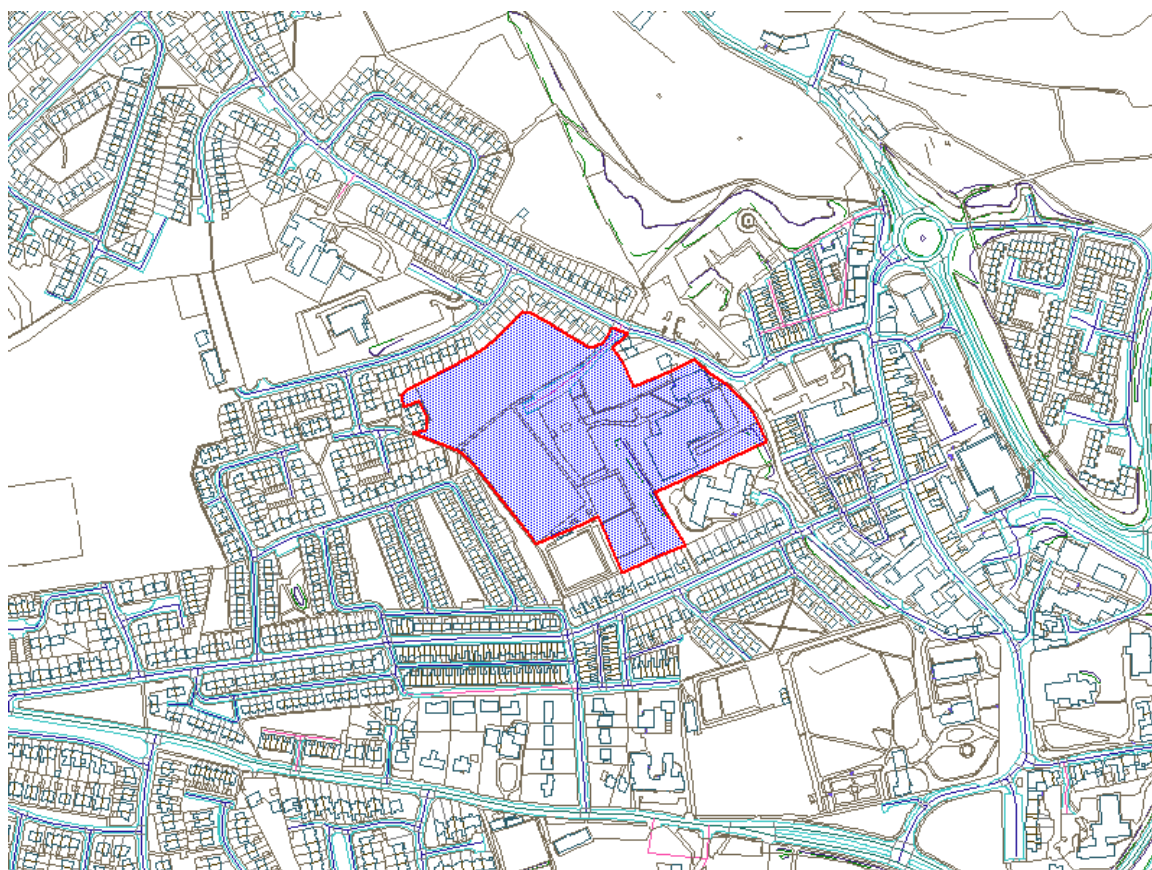
**Ward:** Houghton

**Applicant:** Sunderland Teaching & Primary Care Trust

**Date Valid:** 13 July 2009

**Target Date:** 7 September 2009

### Location Plan



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## PROPOSAL:

The planning application seeks full consent for the erection of a two storey Primary Care Centre (PCC) comprising: urgent care accommodation, diagnostics, planned care, community teaching, 24 bed rehabilitation unit, physiotherapy suite, staff facilities and café together with car parking, landscaping and a new entrance to existing leisure centre, erection of new wellness centre, relocation of skate park to the northwest (adjacent to Leybourne Grove) and wind turbine at Houghton Sports Complex, Brinkburn Crescent, Houghton.

The area of land for the combined PCC and leisure development is 2.26 hectares and the application form states that the development will employ 84 people. The application form also states that the hours of opening will be 07.00 - 22.00 (Monday - Saturday) and 24 hours on Sunday and Bank Holiday. There are currently a number of sports facilities on the site, in addition to the existing sports centre. However the submitted Design and Access Statement (DAS) explains the all weather football pitch and tennis courts are no longer in use.

Currently, the site has a fall of around 5m from East to West, with an extreme drop of 2m to the West of the existing sports centre. The DAS explains that levels will be adapted around the site to minimise the extent of these level changes and will form part of the hard and soft landscaping strategy.

The DAS also states that there are nine principle elements within the health care element of the scheme, including:

- Walk-in Centre / Minor Injuries Unit
- Planned care accommodation
- Diagnostic services including breast screening
- 24 bed rehabilitation unit
- Administration and support accommodation for staff and associated health care workers
- Community dental facilities
- Rehabilitation / Physiotherapy suite
- Wellness studio shared with Sunderland City Council
- Shared community facilities
- Café including extensive catering facilities.

Furthermore, Sunderland City Council also proposes to refurbish their existing facilities and provide a new Fitness Studio.

The application submission has been supported by a DAS, Arboriculture Survey, Planning Statement, Mechanical & Electrical Services Engineering report, Ecology Survey, Foul Sewage Assessment, Flood Risk Assessment, Transport Assessment / Travel Plan, Landscaping Strategy, Land Contamination Report, Noise Assessment and Site Waste Management Plan.

Please note that there has been a further seven day consultation letter sent to those neighbours who have a direct relationship with the proposed wind turbine, as it was noted that in the original neighbour consultation letter, sent out on the 14 July 2009, that the wind turbine was not explicitly stated in the description of development.

Nevertheless, it should be noted that the developer has held a series of public consultation events, where the immediate neighbours have been explicitly invited via a letter drop, which have indicated the presence of a wind turbine in their illustrations of the scheme and as part of the development's contribution to renewable energy provision. In addition, as part of the planning application submission the proposed site layout, site sections and technical specifications have clearly illustrated the presence of a wind turbine.

The expiry date for this consultation exercise is the 29 September enabling the reporting of any representation from residents to the Committee. Furthermore Members are due to visit the site on 2<sup>nd</sup> October, after the preparation of this report. Any issues raised at that time will be reported at the Sub committee meeting.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Director of Community and Cultural Services  
Durham Bat Group  
Environment Agency  
Community and Cultural Services Sports and Leisure  
Director of Health, Housing and Adult Services  
Northumbrian Water  
Sport England

Final Date for Receipt of Representations: **13.08.2009**

#### **REPRESENTATIONS:**

Neighbours.

Three letters of representation were received as a consequence of the first neighbour notification process. One letter supports the scheme, whilst two letters object.

One letter of objection focused on the implications of the relocation of the skate park. The noise implications arising from its relocation on residents and those who are admitted to the centre for rehabilitation and health and safety aspects attached to the skate park in respect to the comings and going of traffic. The letter also suggests alternate sites for its relocation, although if the skate park has to remain at the site then it should be equidistant from all properties. Furthermore, the letter also raised highway safety concerns for ambulances and cars negotiating the proposed entrance / exit. However, positive comments were made in respect to the removal of the derelict 5-aside pitch.

The second letter of objection raised issues relating to inappropriate use, increased litter, loss of heritage, noise from use, overdevelopment and traffic generation. The letter also objected to the bus drop off facility to the rear of their boundary fence (Brinkburn Crescent), explaining that in their deeds it states that a business use cannot operate on the site as it is recreational land.

The majority of these issues are discussed later, however in respect to the representation made in regard to a property's deeds, it is considered that this is a civil matter and is not a relevant material planning consideration. Therefore it should not influence the decision of this planning application.

Director of Health, Housing and Adult Services.

Supports the planning application stating that it is a much needed Health facility for the area.

Environment Agency.

Does not object to the application subject to the inclusion of a condition which requires that development should not commence until a scheme is approved which improves the existing surface water disposal system. This stipulation can be incorporated as a condition should Members be minded to approve the application.

Sport England.

Considers that the site does not form part of, or constitutes a playing field and believes the proposal will create tangible benefits for sport. Sport England has no objection to the proposal, although to ensure the Multi Use Games Area (MUGA) is of a suitable quality and design to sustain sport, a condition is required, should Members be minded to approve, to agree the MUGA's design and layout in writing by the Local Planning Authority in consultation with Sport England.

Furthermore, to ensure that the sports lighting on the MUGA has minimal impact upon the amenity of nearby residents a scheme setting out the type, design, lux levels and measures to control glare and overspill light should also be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

Northumbrian Water.

Requires that development shall not commence until a detailed scheme for the disposal of surface water has been agreed in writing by the Local Planning Authority in consultation with Northumbrian Water. This stipulation can be incorporated as a condition should Members be minded to approve the application.

## **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

HA\_32\_Further development of Houghton Sports Complex

L\_7\_Protection of recreational and amenity land

CF\_10\_Accessibility of proposals for health and social care

EN\_5\_Protecting sensitive areas from new noise/vibration generating developments

R\_1\_Working towards environmentally sustainable development

R\_3\_Infrastructure provision, etc. in association with developments

## **COMMENTS:**

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

- Principle of development
- Design considerations
- Residential amenity considerations
- Highway considerations
- Arboricultural considerations
- Ecological Considerations
- Section 106: Play Space
- Sustainability considerations

Principle of development.

The site forms part of Houghton Sports Complex and policy HA32 of the approved Unitary Development Plan (UDP) promotes the continued development of Houghton Sports Complex and provision of additional sporting facilities. The site is also identified on the Council's 2003 Open Space register as an outdoor sports facility to be retained in its existing use. However, the outdoor sports facilities, including tennis courts and a multi-purpose sports pitch appear to be in poor condition and the site does not appear to be well utilised. This proposal would see the more comprehensive use of the land available and a new and improved MUGA.

UDP policy L7 states that favourable consideration should only be given to the release of open space for other uses where it can be shown that the land is surplus to requirements, recreational function is not eroded and where compensatory provision of an equivalent scale and size is provided. Again it is worth reiterating that the submitted DAS explains that the football pitches and tennis courts are not currently in use, which was confirmed on visiting the application site, whilst Sport England have confirmed that the proposal provides tangible benefits for sport. Therefore it is considered that the development will not lead to the loss of existing sporting facilities.

UDP policy CF10 requires health care buildings to be located so as to be accessible to all residents of the City. As the site lies within Houghton Town Centre, it is well related to public transport and an advised cycle route. However, a developer contribution, through a Section 106 agreement, should be considered to assist in funding the development of the proposed cycle lane along the A182, Newbottle Street. This would enhance the accessibility of the site for residents in the Newbottle / Philadelphia area and this issue is discussed in the following Section 106 part of this report.

It is considered that development of a PCC would assist in strengthening the role of Houghton Town Centre. The sports facilities lost are of a poor quality and the replacement MUGA and Skate Park, together with the improved facilities of the Sports Centre, would improve the overall provision for sport and recreation. In addition there would be a significant improvement to the health care provision in the area. Therefore it is considered that the proposal is acceptable in principle and in accordance with UDP policies HA32, L7 and CF10.

#### Design considerations.

The scheme submitted demonstrates an appropriate response to the site and embodies numerous good design principles. Given the open character of the site and the age and appearance of the existing buildings, it is felt a modern and contemporary building of this nature can be adequately accommodated on the site without having any major detrimental impact on adjacent buildings.

Furthermore, at two-storeys in height the proposed scheme sits comfortably within the height parameters set by the existing buildings in the vicinity, whilst the proposed elevations demonstrates a high quality façade treatment with suitable consideration being given to the use of windows and solid walls. A suitable and varying range of cladding has been incorporated, including off-white cladding, timber effect rainscreen cladding and COR-TEN cladding.

However, there is concern regarding the treatment of the south east façade at the western end of the proposed building. This element of scheme will be visible due to the topography of the site, from the adjacent car park and, further afield, the residential properties in Oak Avenue. Further consideration is being given to articulate this prominent feature through the introduction of similar high quality façade treatment demonstrated elsewhere in the development.

Therefore, in general, the proposal appears to be an appropriate response to the site and demonstrates good urban design principles. However, the Local Planning Authority is still awaiting further detail in relation to the suggested treatment of the western section of the south east façade and further clarification in respect to lighting of the footpaths crossing the site.

#### Residential amenity considerations.

UDP policy B2 requires new development to be acceptable in relation to its scale, massing and layout in respect to nearby properties. Therefore in this context it is considered that the main issues to consider in respect to residential amenity are identified in the following sections and relate to the built form of development, the skate park and wind turbine.

- **Built Development.**

The nearest element of the proposed building, which is single storey, is at least 33m away from the nearest residential property in Oak Avenue. Therefore as the proposed PCC has a maximum height of 10.4m and in view of its central location within the site, the minimum spacing distances of 21m and 14m as directed in Supplementary Planning Guidance and the Residential Design Guide are comfortably exceeded. The proposal is therefore considered acceptable in respect to space, light, outlook and privacy amenity of the adjacent residential properties.

In respect to the external implications of the development there are a number of parking spaces which have been located on the western periphery of the site, again adjacent to the residential properties in Oak Avenue. However, this section of the site is currently a disused and overgrown sports pitch, enclosed by high mesh fencing. Therefore it is considered that the car parking spaces buffered by landscaping will not materially impact the residential amenity of the properties in Oak Avenue and this element of the scheme is acceptable.

It is also necessary to consider the implication arising from the proposed MUGA. The MUGA is located in the southern most section of the site, adjacent to the existing bowling-green. However, the proposed site layout shows that a gap of 17m of landscaping with additional buffer planting will exist between the southern most section of fencing of the MUGA and the boundary with the properties in Jubilee Cottages. Furthermore, a condition which will control the lux levels of the proposed MUGA, as suggested by Sport England, should be included if Members are minded to approve. Therefore it is considered the MUGA will not materially impact the residential amenity of the adjacent residents.

Nevertheless, there are issues surrounding the existing road layout within the development, in particular relating to the proposed bus stop and patient drop off which is in close proximity to properties in Brinkburn Crescent. The layout is being re-considered due to residential amenity and highway implications. It is envisaged that this element of the scheme will be resolved in time for the supplementary report.

- **Skate Park.**

One letter of representation was received in relation to the skate park objecting to its re-positioning within the site. In response the agent, acting on behalf of the developer, has explained via correspondence (7 August 2009) that a strong consultation process has been in place regarding the Skate Park ever since 2005, when Sunderland City Council received a petition from young people in Houghton requesting the provision of a Skate Park.

The site of the Houghton Leisure Centre was selected because of the security of the site and as safety equipment could be stored at the centre, and due to the fact that the Skate Park would be accessible to the whole of the Coalfield area. The correspondence also explains that other sites were considered by the young people but were disregarded as either being too far to travel or too remote, thereby increasing risk to personal safety.



The young people were then consulted in respect of the proposed relocation of the Skate Park to the grassed area to the north of the site. The agent's correspondence asserted that at a consultation event on 8 May 2009, residents from nearby streets, (Leyburn Close, Beech and Oak Avenue), expressed concern at the fact that the originally envisaged (re)location of the Skate Park was off-set and as such too close to some of the resident's houses. Consequently the Skate Park was then re-positioned centrally within the site, i.e. its currently proposed location, so that it is equidistant from the surrounding residential properties, ensuring that it is at least 33m from the nearest common boundary and 42.5m from the nearest residential property.

The noise implications arising from the Skate Park has also been considered through the commissioning of a noise assessment which focused on the impact of relocating the Skate Park. The subsequent mitigation, suggested as a consequence of this noise assessment, has advised that the Skate Park should be sunk into the ground and surrounded by sculptured landscaped mounds. This would limit noise emanating from the Skate Park and also remove its line of sight, thereby mitigating its visual amenity implications. In addition the results of the predicted noise levels indicate that relocating the Skate Park would actually lower noise levels currently experienced by residents.

The re-location of the Skate Park will also ensure that it could be observed by the proposed CCTV cameras and the proposed PCC, whilst also benefiting from an improved lighting scheme to be installed on the site.

It is therefore considered that the principle of the Skate Park in terms of its implications for noise and visual amenity is acceptable subject to the exact detail of the mitigation measures being agreed via condition, should Members be minded to approve the application.

- Wind Turbine.

The proposed wind turbine is being given further consideration and it is envisaged that this element of the scheme will be assessed in the supplement report.

#### Highway considerations.

The highway considerations arising from the development are being given further consideration and it is envisaged that a detailed assessment will be provided in the supplementary report.

#### Arboricultural considerations.

The Arboriculture Survey submitted in support of the planning application surveyed a total of 42 trees within the site, assessing their quality and value. Of the trees surveyed 21 have been recommended for removal and 21 have been recommended for retention.

The majority of the trees affected by the proposal are located to the north and northwest of the existing Sports Centre main building. The trees present in this location have been graded as Category C (i.e. trees of low quality and value). Three Category B (i.e. trees of moderate quality and value) are present to the southwest of the site and two of these have been recommended for removal in order to facilitate the development. Furthermore, three trees have been classified as Category R trees which recommend their removal due to their current condition and the anticipated limited contribution these trees are likely to make within the existing landscape.

It is considered that due to the majority of the trees that have to be removed to make way for the development are within Category R and C, the arboricultural implications arising from the development are considered acceptable subject to conditions requiring the erection of tree protective fencing during site works and landscaping proposals which should incorporate suitable replacement planting for the tree loss, should Members be minded to approve the application.

Consequently, although the development will lead to loss of trees on the site it is considered that with the inclusion of tree protective measures and replacement planting, the proposed development is acceptable and in accordance with UDP policy CN16.

#### Ecological considerations.

An Ecology Survey was submitted in support of the planning application. The survey report highlighted the requirement for further survey work to be undertaken if the community centre required refurbishment or remodelling. However, as the application relates to the erection of a new Primary Care Centre, connecting the new building with the existing Sports Centre via a new atrium only, the existing Community Centre does not form part of the development. Nevertheless, it is important the applicant notes this advice requiring further survey work if they envisage undertaking any works to the Community Centre.

However, in the conclusion section of this report it also stated that if the Sports Hall required refurbishment or remodelling then further detailed assessments in respect to bats would need to be undertaken. Therefore, given the potential implications of the proposed atrium and its connection via a walkway to the Sports Hall, confirmation is being sought from the developer's ecologist whether this element of the proposal has any implications for additional bat survey work.

The report also advised that vegetation clearance should avoid bird breeding season (March - September) and if this proves to be unfeasible an ecologist is required to inspect the vegetation for breeding birds should any vegetation be removed within this period. The report also advises that there should be a scheme to erect bat or bird boxes on the buildings/retained trees or use bat bricks within the new buildings in order to support and enhance roosting/nesting for local wildlife. Therefore if Members are minded to approve the application and if the issue pertaining to additional bat survey work is resolved satisfactorily, such measures, as directed in the report's enhancement and site management section; should be incorporated as planning conditions.

## Section 106: Play Space.

UDP policy R3 requires that where the effects of development would require additional off-site infrastructure the developer will enter into a planning obligation to enable suitable provision. Consequently a Section 106 of the Town & Country Planning Act (1990) has been requested in respect to a financial contribution of £30,000 towards development of the cycle route infrastructure proposed from Houghton Town Centre to the outlying areas of the Coalfield area. This will assist in funding the development of a proposed cycle lane along the A182, Newbottle Street. The applicant, Sunderland Teaching & Primary Care Trust, has agreed to this request and as such discussions are taking place in order to ensure that a Section 106 is agreed prior to the decision date of the 12 October 2009.

## Sustainability considerations.

UDP Policy R1 considers sustainable development and the need to accommodate change and protect valued and important aspects of the natural and built environment. Specifically the policy requires an efficient use of land, energy and other resources, whilst avoiding any serious environmental damage. Policy 39 of the Regional Spatial Strategy (RSS) requires planning proposals to facilitate the generation of at least 10% of the North East region's consumption of electricity from renewable source by 2010.

The application is generally considered to accord with the principle of Policy R1 as it is on a previously developed site. The Mechanical & Electrical Services Engineering Report submitted with the planning application explains that there are design features that contribute to low energy/carbon reduction within the scheme, such as a Ground Source Heat Pump, low power ventilation systems and high energy efficiency lighting and lighting control systems. In addition to the low carbon primary plant the building proposes to incorporate solar thermal, photovoltaic and a wind turbine to generate renewable energy.

The report also states that a preliminary assessment has been carried out by a registered BREEAM (Building Research Establishment Environmental Assessment Method) healthcare assessor who indicated that the development has a potential score of 'Outstanding'. Therefore it is considered that a planning condition should be attached to any consent issued regarding the intended renewable energy provision and requiring the developer to submit a Post Construction Review Report carried out by a licensed assessor, together with a BREEAM Final Code Certificate, in order to ensure the development will be built to the BREEAM rating. As such, it is considered that the proposal would comply with the aims of UDP policy R1 and RSS policy 39.

## Conclusion.

The design, highway, wind turbine and ecology aspects of the development are being given further consideration, it is anticipated that these issues will be satisfactorily resolved in time to allow a recommendation to be made on the supplement report.

**RECOMMENDATION: Director of Development and Regeneration to Report**

**Reference No.:** 09/03268/FUL Full Application

**Proposal:** **Erection of dormer window to front (RETROSPECTIVE).**

**Location:** The Green Houghton Le Spring

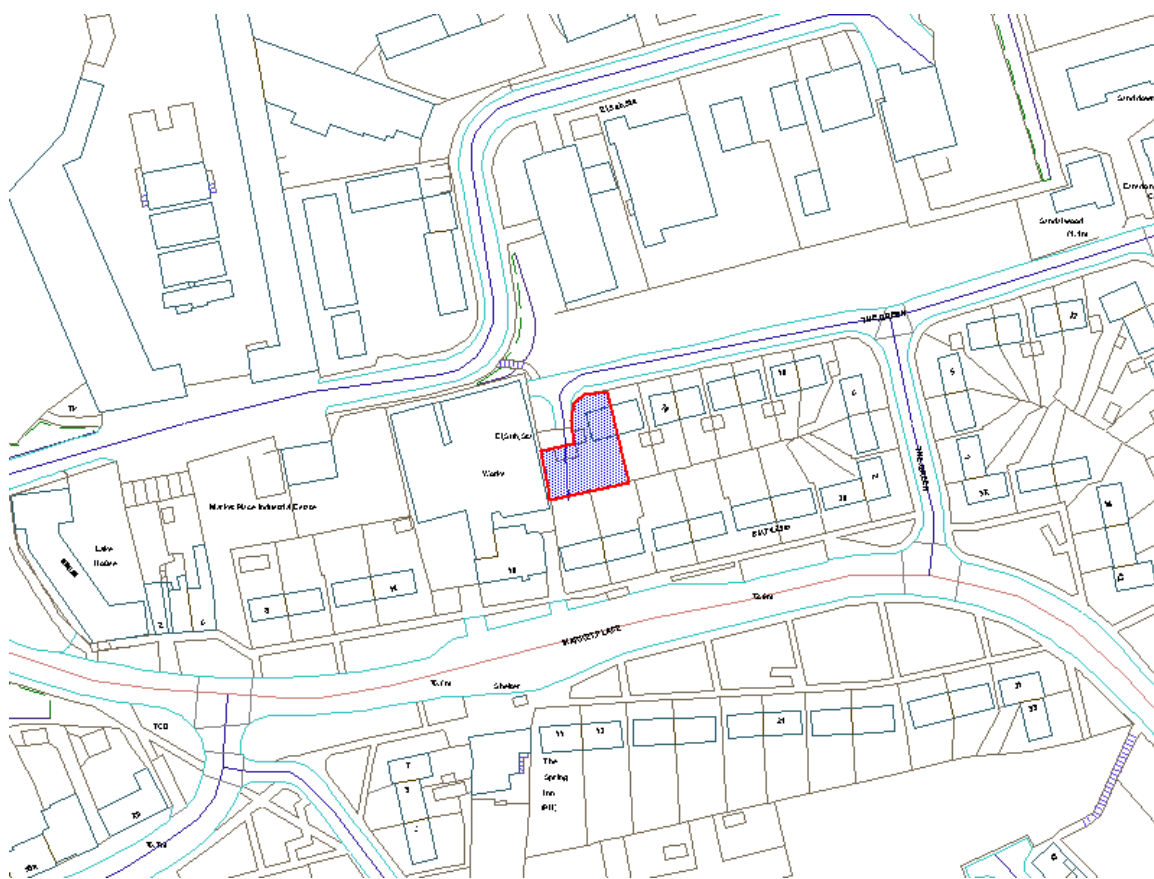
**Ward:** Copt Hill

**Applicant:** Mr Lee Woods

**Date Valid:** 27 August 2009

**Target Date:** 22 October 2009

## Location Plan



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## PROPOSAL:

Retrospective planning consent is sought for the erection of a dormer to the front of 22 The Green, Market Place, Houghton-le-Spring. The property to which the application relates is one half of a pair of two storey semi-detached dwellings, located at the western end of a row of similar properties. To the north and west of the application site are industrial properties in Market Place Industrial Estate, whilst to the east and south, the curtilage of the application site is adjoined by other residential properties, which are two storey semi-detached dwellings of similar design to the one to which the proposal relates.

The proposed dormer has already been installed in the roof plane to the front elevation of the property. The dormer is 1.4 metres wide and projects forward of the roof plane by 2 metres, being of a pitched roof design, 1.8 metres in height. The apex of the roof of the dormer is 7.7 metres above ground level. At its highest point, the roof of the dormer is roughly level with the ridge of the roof of the main dwelling.

The application would normally be determined under the Council's Delegation Scheme, but has been referred to the Development Control Sub-Committee at the request of Councillor Wakefield.

#### **TYPE OF PUBLICITY:**

Neighbour Notifications

#### **CONSULTEES:**

Final Date for Receipt of Representations: **17.09.2009**

#### **REPRESENTATIONS:**

To date, no representations have been received.

#### **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

#### **COMMENTS:**

The main issues to be considered in determining this application are:-

- Principle of the Development
- Highway Issues

Principle of the Development.

The site in question is not allocated for any specific land use within the Council's Unitary Development Plan (UDP) 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. As the proposal relates to an extension to a residential property, it is considered that there are no land use implications and that the proposal accords with policy EN10.

In addition to the above, UDP policy B2 stipulates that the scale, massing, layout and setting of new extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

As an expansion of UDP policy B2, the Council has produced the Development Control Guidelines Supplementary Planning Guidance (SPG), which is currently in the process of being updated through the production of the Household Alterations and Extensions Supplementary Planning Document (SPD), which is currently as Consultation Draft stage.

Section 3.5 of SPG relates to roof extensions and dormer windows and dictates that such extensions will not normally be acceptable on two or more storey properties unless they are a traditional architectural feature of the locality or it can otherwise be demonstrated, that there will be no detrimental effect on the appearance of the dwelling to which it relates, the street scene in general and no harmful effect on the amenities of neighbouring properties.

As part of the review of SPG as detailed above, guidance has been incorporated in section 7.5 of the consultation draft SPD relating to dormer extensions. The SPG guidance detailed above with regard to dormer extensions to two storey properties is reiterated in SPD, where it is also noted that in order to be considered acceptable, dormer windows must be positioned and designed to minimise their affect on the appearance and character of the property and the street scene. It is further suggested that wherever possible, dormer window extensions should be appropriately designed and located to the rear of the property in order to preserve the character of the street scene and that where dormers are proposed to the front of a property and highly visible from the street, it must be ensured that they do not appear overly dominant in relation to the main property or create an obtrusive feature in the street scene.

It is considered that the proposal fails to accord with the requirements of section 3.5 of SPG and section 7.5 of SPD in that it represents a dormer extension to the front of a property, within a street scene where dormers are not a traditional architectural feature. Indeed, within The Green, there are no other dormers to the front elevations of properties. As such, it is considered that the principle of the dormer to the front of the property is contrary to SPG and SPD guidelines and consequently, policy B2 of the UDP, appearing as an uncharacteristic feature within the street scene to the detriment of the established character of the area.

#### Highway Issues.

UDP Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met. In addition, policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

As the proposal does not impact upon the highway network or levels of parking provision available at the property, it is considered that the proposal accords with policies T14 and T22.

### **Conclusion.**

In light of the above, notwithstanding the proposal's compliance with UDP policies EN10, T14 and T22, the siting of the dormer to the front of the property is considered to be detrimental to the established character and appearance of the area and the dwelling itself and as such is considered to be contrary to policy B2 of the UDP along with section 3.5 of SPG and 7.5 of SPD.

Members are therefore recommended to refuse the application for the reason set out below:

### **RECOMMENDATION: Refuse**

Reasons:

- 1 The dormer, by virtue of its scale, design and positioning, appears incongruous and detracts from the character and appearance of the dwelling and the wider street scene where dormers are not a traditional architectural feature. As such, the proposal is contrary to policy B2 of the Unitary Development Plan, Section 3.5 of the Development Control Guidelines Supplementary Planning Guidance document and Section 7.5 of the consultation draft Household Alterations and Extensions Supplementary Planning Document.

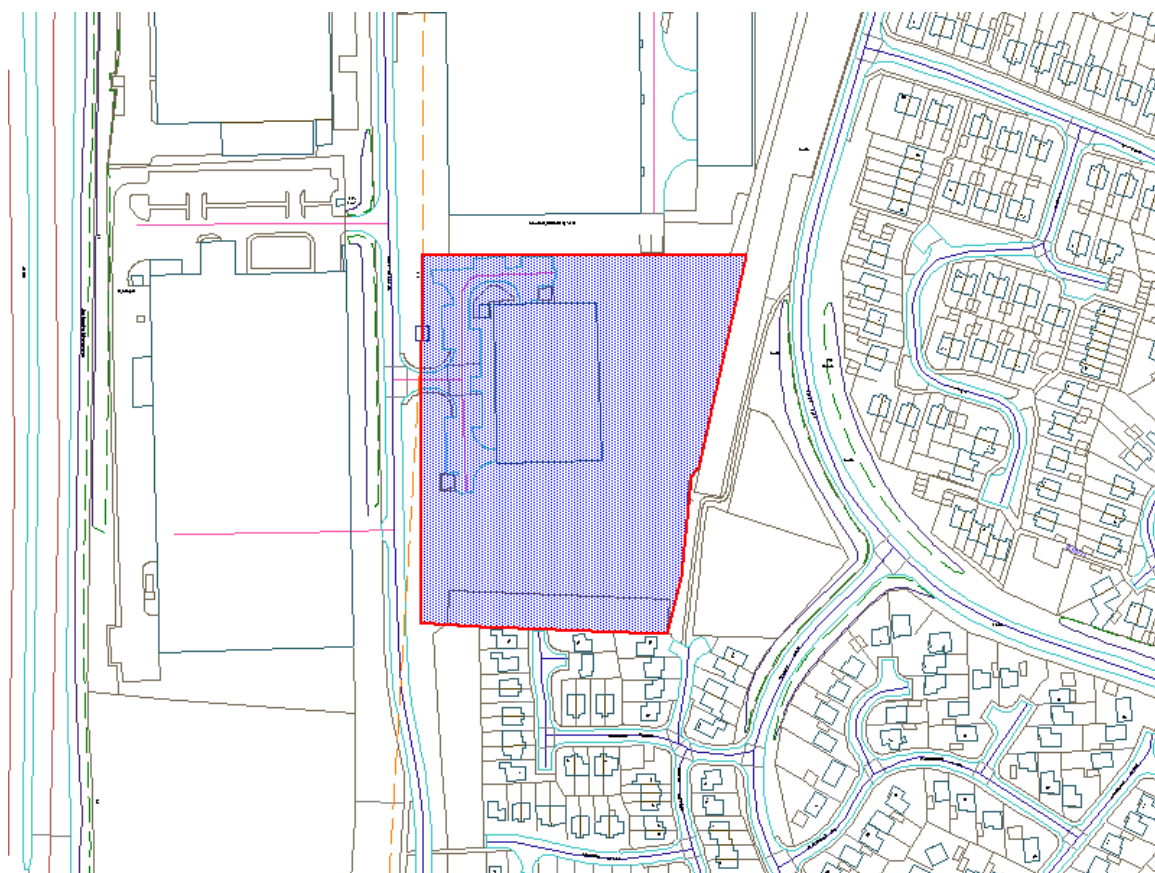
**Reference No.:** 09/02803/VAR Variation of Condition

**Proposal:** Variation of condition 5 of planning permission 07/01286/FUL to allow operating of warehousing and logistics Monday to Friday to operate 0600-2200 with vehicle loading restricted to 0745- 2000 Monday to Friday with no change required for Saturday, Sunday, and Bank Holidays as per the original planning permission (Amended Description)

**Location:** Smithers Oasis UK Ltd Crowther Road Crowther Washington NE38 0AQ

**Ward:** Washington South  
**Applicant:** Smithers-Oasis UK Ltd  
**Date Valid:** 30 July 2009  
**Target Date:** 24 September 2009

### Location Plan



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## **PROPOSAL:**

The application seeks to extend the hours of operation of the extended warehouse occupied by Smithers Oasis to 22.00 hrs from 18.00 hrs

Members may recall an application for full planning approval to erect a 4,400 square metre warehouse extension, 13 metre high, to an existing factory was granted planning permission in 2007 (07/01286/FUL refers). The proposal extended the then existing factory which is both a manufacturing and warehouse facility with parking and servicing arrangements contained within the forecourt area between the factory and Crowther Road.

The warehouse was developed to the south of the original unit on an area of grassed open space between the factory and a tree belt along the application site's southern boundary. Beyond that boundary are the residential properties of Mallard Close.

The applicant required the warehouse extension as part of the company's rationalisation of UK operations and to save on storage costs, as opposed to having to externally source storage. At the time the site operated very much on a day shift basis and the operator offered to limit the working hours; thus the following condition was imposed on the consent.

The warehouse extension shall not be operated for the purposes hereby approved between the hours of 18.00 and 7.45 on weekdays and Saturdays nor at any time on Sundays or Bank Holidays, in the interests of residential amenity and to comply with policy B2 of the Unitary Development Plan.

The applicant now wishes to vary this condition to allow working till 2200 hours though external loading will not occur after 2000 hours, the work continuing in the warehouse only till 2200 hours. The applicant has stated that whilst at the moment they operate a dayshift and recently a twilight shift the demand for the product is such that a two shift pattern is needed to allow the business to flourish. The two shift system will operate 0600-1400 hours and 1400-2200 hours.

Members visited the site on 2 September 2009.

## **TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Director of Community and Cultural Services

Final Date for Receipt of Representations: **24.08.2009**

## REPRESENTATIONS:

Neighbours.

Twelve letters of objection have been received from occupiers of Mallard Close and Blackcap Close, Ayton and Hexham and Simonburn, Oxclose relating to the following matters:-

- Objectors do not consider that the firm should be allowed to extend the working hours as the warehouse is close to a residential area.
- Noise will increase early in the morning and late at night. It is alleged that this is occurring at present and this matter is under investigation by the Enforcement Team.
- The proposal will result in an increase in HGV traffic on Crowther Road.
- Noise will increase as a result of the warning signals on reversing vehicles which it is alleged can already be heard from inside the house particularly at night.
- The potential for accidents on Crowther Road will increase due to vehicles parking indiscriminately on the road and verge outside the application premises.
- Consent could lead to the operation of the site on a 24 hour basis if the operator ignores the new time restriction as has allegedly happened to the previous restrictions.
- The development of the warehouse has left a mound of earth from which water runs off and gathers in the ground around the trees. This standing water could kill trees and make the warehouse more visible to surrounding residents.
- The firm has failed to project the necessary working hours correctly when submitting the application for the warehouse.
- The firm are already operating till 2330 and consent for the extended hours would simply be ignored.
- The firm should employ extra day shift staff instead of depending on overtime working.
- The tree barrier does not sufficiently screen the warehouse.
- Loading and unloading are carried on outside the premises unlike other operators in Crowther.
- Wagons would use Crowther Road more frequently to access the site and park causing damage to the road and allowing drivers to look into dwellings that back on to the road.
- The increase in traffic will cause potholes and damage to the drains.
- Wagon drivers will throw rubbish into the bushes encouraging rats to the area.
- A recent fire resulted in denied access to the home of a resident of Oxclose and this concern remains particularly with the larger premises and the added fear of non detection of a fire late at night.
- A resident of Hexham states the current levels of noise and vibration are unacceptable both in the house and garden without an increase in working hours.
- Increased traffic could lead to a deterioration of the road surface and thus further noise.
- The late night arrivals may use Crowther Road as a lorry park if drivers exceed their permitted driving hours.

Consultees.

Director of Community and Cultural Services (Environmental Health)

Has raised no objections to the proposal and has advised that the recommendations in the Noise Assessment submitted as part of the application should be implemented as reported below.

## **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments

EC\_1\_General Support for economic development proposals and initiatives

EC\_3\_Support for new and existing economic activity

WA\_1\_Retention and improvement of established industrial / business area

## **COMMENTS:**

The main issues to consider in determining this application are:

- The use of the site and
- The impact upon residential amenity.

### **The Use of the Site**

The application site is located within the Crowther industrial Estate and has such is subject to policies WA1 and EC4 which seek to retain and enhance the area for employment purposes. The original designation of the industrial estate being made by the former Washington New Town Development Corporation.

The original factory unit is not subject to any restriction on the hours of operation in common with the other industrial units on the Crowther Industrial Estate.

At the time of the application for the extension, dayshift working hours were 0745 - 1800 and the applicant agreed to this being confirmed by way of a planning condition in relation to the extension only.

The firm has now extended its operation into Northern Europe and expects sales to grow by 30 per cent after taking on the business of a sister company in Denmark. The firm has added 15 to its workforce of 115 and is expected to add four more by next year. The warehouse, grant aided from the northern development agency One North East has allowed this expansion and further capital investment in machinery has taken place.

The applicant now wishes to extend the hours of operation until 22.00hrs. However, it has been indicated that no external loading will occur after 20.00hrs. General storage work within the warehouse will cease at 22.00hrs. Members will be aware from the site visit that the general warehouse activity produces little

noise, rather it is the reversing of HGV's and fork lift trucks which create intermittent noise through their engines and reversing warning signals.

In terms of the use of the site the proposal is considered to be acceptable and in line with other operations on the Crowther Industrial Estate and thereby is in accordance with policies WA1 and EC4.

#### Affect on Residential Amenity.

The principle impact on residential amenity is in respect of the potential noise and disturbance from the external working at the warehouse. The warehouse was developed on land which had been landscaped on initial development of the industrial estate, although being covered by the industrial allocation and it was always recognised that it could be used for industrial purposes. That area of land is the area of the Crowther Industrial Estate which is closest to the residential properties of Mallard Close, the two being separated by a well established tree belt.

At the instruction of Smithers-Oasis UK Ltd, Noise and Vibration Associates (NVA) have carried out 24 hour monitoring and assessment of noise levels prevailing around the southern boundary of the Smithers-Oasis Warehouse

The purpose of the exercise was to establish background noise levels whilst also monitoring noise associated with the warehouse operation (loading/unloading HGV delivery vehicles external to the warehouse building and activity within the warehouse itself).

Accordingly, monitoring was carried out over a 24 hour period at the site boundary closest to residential properties most likely to be affected by warehouse noise in accordance with the appropriate guidance - British Standard 4142

Continuous noise monitoring at a selected monitoring, was carried out continuously over a 24 hour period from Thursday 16 July 2009 (12:00). This time period was selected to include typical daytime and twilight (until 23:30hrs) shift working.

The statistical analysis was directly carried out within the Sound Level Meter (Type I Precision Grade) to yield Equivalent Continuous Noise Levels (L), Percentile Noise Levels and a maximum/minimum (Slow and Fast meter response) noise levels throughout consecutive 5 minute measurement periods. Additionally a threshold of 70dB (A) was set, above which monitoring would switch to consecutive 1 second periods until noise dropped below 70dB (A). In this manner any potentially significant transient noise events (i.e. night time maxima) would be monitored in detail.

The weather was warm, with absolutely still conditions for most of the monitoring period. Still conditions were sought as the measurement position was necessarily within the tree boundary and any noise associated with leaves rustling in the wind was to be avoided. Unfortunately the 24 hour monitoring period included 3 heavy downpours of rain.

Noise at the monitoring position is dominated by a relatively constant drone of distant road traffic on the A1 (M), with the sporadic effects of local traffic on

Crowther Road. Any noise from warehouse activities would be super-imposed on this background.

The effect of heavy downpours of rain were recorded at 15:10, 03:00, 04:00 and 07:00. The increase in noise being due to heavy rain falling directly on the weatherproof microphone housing. These sections of data are therefore meaningless. Prior to 15:10 the prevailing LA and LA90 Noise Levels can be seen to be of the order of 57-59dB (A) and 55-57dB (A), respectively.

After the rain stops (around 17:00), noise levels can be seen to be slightly increased to the order of 59-62dB (A) and 57-59dB (A). The increase being (presumably) due to wet roads and traffic flow.

After 21:00, there is a general reduction of noise levels until around 02:00 when a background noise level (LA90) of some 48dB (A) prevails. After 02:00, noise levels gradually increase once again due to road traffic flow.

- Assessment of Noise at Closest Residential Premises.

Inspection of the trends in the noise data obtained and comparison with the activity log at the warehouse do not indicate any significant components due to warehouse activities. Indeed, anomalous increases in noise at around 20:00hrs and 03:00 hrs that may have been significant were when there was no activity external to the warehouse (7pm to 9:45pm and overnight,). Similarly, skip activity, HGV access and unload between 1pm and 2pm does not give rise to any measurable increase in noise levels monitored.

The assessment identified significant noise is present from road traffic on the A1M (170 metres west,) and sporadically from traffic on Crowther Road. This was clearly evident when members visited the site.

24 hour noise monitoring has been carried out at a worst case site boundary position most likely to be affected by warehouse noise that may affect closest residential property (North West corner of Mallard Close). No evidence of any significant noise from normal warehouse activity (07:00-23:00, inclusive of a twilight shift) can be seen from the data collected.

The Director of Community and Cultural Services has informed there were complaints in March 2008 regarding construction site noise but none regarding general factory noise since.

It is accepted that the noise from the reversing indicator signals on vehicles is intrusive although only intermittent. It is also one which could occur within the residential street from reversing delivery vehicles mini-buses and similar vehicles.

The noise assessment in accordance with British Standard 4142:1997 concluded that no evidence was obtained of warehouse noise (internal or external) being sufficiently in excess of background levels to give rise to complaints.

The assessment also recommends, as an extra safeguard measure, that the provision of a close boarded fence on top of the retaining wall adjacent to the loading area would screen the properties at the North West extreme

of Mallard Close further. It is considered appropriate to impose a condition to require the implementation of that recommendation should Members be minded to approve the application.

**Conclusion.**

A representative has recently been appointed by local residents and is forwarding further comments on this application for consideration. It is anticipated that this information will be reported on the supplement to this report along with a recommendation.

**RECOMMENDATION: Director of Development and Regeneration to Report**

**Reference No.:** 09/03047/LAP Development by City(Regulation 3)

**Proposal:** **Erection of a single storey extension to the front of the training centre to provide new entrance/reception area, single storey extension to workshop, located to the west of the site and additional doorway in south facing elevation. (AMENDED DESCRIPTION)**

**Location:** Harraton Centre Firtree Avenue Harraton Washington

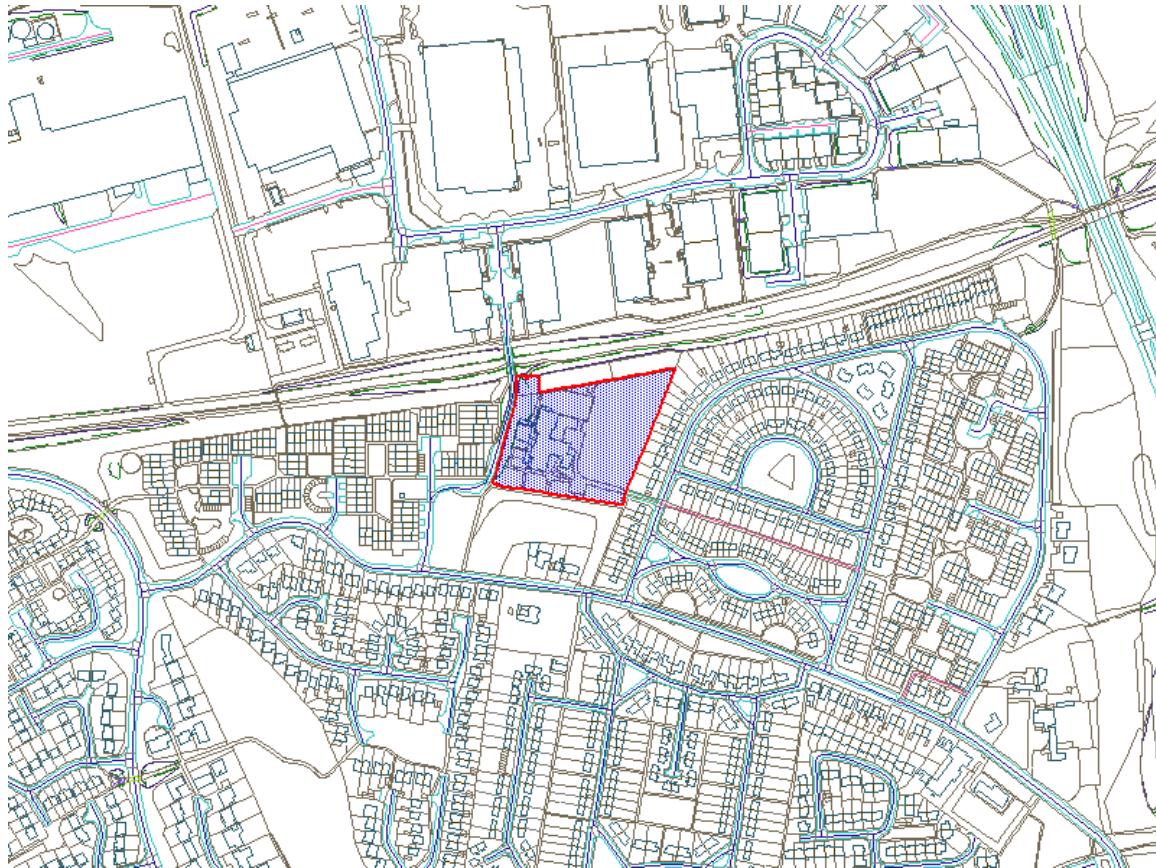
**Ward:** Washington East

**Applicant:** Executive Director of Children's Services

**Date Valid:** 18 August 2009

**Target Date:** 13 October 2009

#### Location Plan



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#### PROPOSAL:

Planning permission is sought to erect 2no. extensions to the south and southeast sections of the Harraton Centre. The proposed extensions would together provide an additional 335sqm of gross internal floorspace, which constitutes a 24% increase in the gross internal floorspace of the Centre as existing.

The proposed single-storey extension to the front (south) of the training centre to provide a new entrance / reception area would in-fill the area between the existing common room and hair salon area in front of the existing staff room, office and reception. The extension would measure 12.2m by 8.3m and would be set back 900mm from the front building line of the common room and 8.2m from that of the hair salon area. The extension would comprise a 3.1m high flat roof which is 200mm lower than both adjoining structures. It would be constructed using natural timber cladding and powder metal coated window/door frames and fascia. A main reception, waiting area, office, interview room and storage space would be incorporated within the proposed extension.

The proposed extension to the workshop situated to the west part of the site would provide a new joinery training facility, would project 18.8m beyond the southern elevation of the workshop and would be of equal width (12.65m) and height (max. 5.2m to ridgeline and 4.3m to eaves) to the existing workshop. Whilst the extension is relatively high, it would provide only a single level of an industrial scale. The extension would be constructed using profiled metal cladding and a profiled metal roof above an 850mm high section of facing brickwork, all of which would match the external materials of the existing workshop unit. A 3m high flat-roofed in-fill would be incorporated attaching the proposed workshop with the main Centre building.

In addition, the application proposes the insertion of an external double doorway in the south facing elevation of a part of the building adjacent to the aforementioned workshop

The application site was previously occupied by Harraton Primary School and is currently used as a vocational training centre for 14 - 18 year olds. Access in and out of the site exists via Firtree Avenue to the east, a residential street. Further residential properties exist to the west of the site beyond a road which links Vigo Lane, via Sycamore Avenue, and Wear Industrial Estate; a substantial slope exists along the western boundary of the site, so this road is situated notably above the majority of the application site. A substantial area of open space exists to the south of the site and there are allotment gardens to the north with a dismantled railway beyond, alongside which runs the Consett and Sunderland Railway Path. Approximately 1.5m high galvanised steel fencing borders the site.

Planning application no. 06/03121/FUL was approved in September 2006 for the erection of a detached structure for building skills training on an area formerly used as a playground to the west of the main school building. Subsequently, application no. 08/00147/LAP was approved in March 2008 for two modest extensions to the north and west of the school to provide a new technicians storeroom and to extend an existing metal workshop. Planning permission for a motor vehicle training workshop unit to the east of the main school building was granted in April 2008 through planning application no. 08/00802/LAP and a subsequent application (ref. 08/04306/LAP) was approved in January 2009 to insert 4no. additional windows in the first floor of this workshop.



**TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

Northumbrian Water

Final Date for Receipt of Representations: **17.09.2009**

**REPRESENTATIONS:**

No third party representations have been received to date.

**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

**COMMENTS:**

The main issues to be considered in assessing the application are:-

- Design of the proposed extension on the external appearance of the centre
- Highway/parking implications.

Design.

In order to properly assess this issue due regard must be given to policy B2 of the adopted Unitary Development Plan (UDP). Policy B2 states, 'the scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'.

The proposed entrance / reception area extension comprises an in-fill which would match the design and scale of the parts of the Centre to which it would adjoin. This extension would not project beyond the southern elevations or height of the adjoining sections of the Centre and, as such, would not appear particularly prominent. The proposed frontage of this extension, whilst not in-

keeping with the adjacent sections of the building, is considered to be of positive, contemporary design and is considered to be acceptable in this context. This extension would require the removal of a semi-mature tree which appears to be of good health, however, given its siting within a recessed area it is not considered that this tree offers significant amenity value to the Centre or the streetscene.

The proposed workshop extension would be in-keeping with the existing structure in terms of design, scale and external materials. Whilst it would constitute a substantial extension, it must be noted that the most prominent west elevation faces onto a substantial earth bank, which would largely screen the workshop and, when viewed from the highway on top of this bank, the workshop would not appear unduly excessive in scale. Consideration was given to incorporating fenestration or another means of 'breaking up' the west elevation, which would otherwise appear as a substantial expanse of cladding. However, this was not considered necessary in this instance given the existence of the aforementioned bank, which significantly reduces the prominence of the workshop. Consideration was also given to incorporating landscaping along the western boundary in order to screen the workshop, however this was not considered a desirable option given that such screening would prohibit the natural surveillance of the western side of the workshop via the adjacent highway.

For such reasons, upon condition that suitable samples and/or a schedule of the external materials to be used to construct the proposed extensions be submitted and approved by the LPA, it is not considered that the proposal would compromise the external appearance of the Centre, in accordance with the requirements of policy B2 of the adopted UDP.

#### Highway/Parking Implications.

Details of existing and projected staff and pupil numbers have been requested from the agent, acting on behalf of the applicant, which have yet to be forthcoming. As such, there is currently insufficient information in order for the LPA to make a reasonable assessment of the highway/parking implications of the proposal. Accordingly, it is anticipated that this matter will be addressed on a supplement to this report, incorporating any consultation and third party responses received in the intervening period and a recommendation on the application.

### **Conclusion**

While the design of the proposed extensions is considered to be acceptable, further clarification of the potential highway and parking implications of the development are awaited.

It is anticipated that the above issues will be reported, together with a recommendation, on the supplement.

### **RECOMMENDATION: Director of Development and Regeneration to Report**