

**Development Control (South Sunderland)
Sub-Committee**

21 May 2013

SUPPLEMENTARY REPORT ON APPLICATIONS

REPORT BY DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

This report is circulated a few days before the meeting and includes additional information on the following applications. This information may allow a revised recommendation to be made.

LIST OF SUPPLEMENTARY ITEMS

Applications for the following sites are included in this report.

South Sunderland

S1 Land at Doxford Park Estate, Mill Hill Road, Sunderland

**Development Control
(South Sunderland) Sub-Committee**

SUPPLEMENT

21 May 2013

Number:	S1
Application Number:	13/00333/SUB
Proposal:	Extra Care (42 no.) apartments with staff and communal facilities plus (40 no.) apartments and (14 no.) bungalows for older persons together with associated highways and landscaping works and stopping up of highway (Resubmission)
Location:	Land at Doxford Park Estate, Mill Hill Road, Sunderland

Further to the agenda report this supplement report considers those outstanding items, namely:

1. Land-use and Policy Considerations
2. Highway Considerations
3. Residential Amenity
4. Design and Layout Considerations
5. Ecology and Tree / Landscaping Considerations

1. Land-use and Policy Considerations

The National Planning Policy Framework (the NPPF) sets out the Government's Planning Policies for England and Wales, stating that planning applications must be determined in accordance with development plan unless material considerations indicate otherwise. Sustainable development is at the heart of the Government's objectives, and in this regard the planning system should perform an economic, social and environmental role.

The site is identified as white land in the Unitary Development Plan (UDP) and as such policy EN10 is applicable. Given that policy EN10 requires development to be compatible with the prevailing land use i.e. residential development within a residential estate, it is considered that the principle of development is acceptable. Furthermore, as the site is brownfield in nature within an urban area, in close proximity to existing facilities at the Doxford Park shopping centre; it is considered to represent sustainable development.

The proposal also forms part of a wider regeneration scheme which was subject to a Masterplan exercise and in relation to open space provision under policy H21 this has been planned out in a more strategic way rather than on a site by site basis. Therefore the open space provisions overall have been met, and in this development's instance via a green lung running through the site connecting northwards to the nearby park area.

In addition, policy H16 of the UDP states that the Council will negotiate with developers, on the basis of site suitability, for elements of affordable housing to be provided on major new housing sites of 50 dwellings or more. The Strategic Housing Market Assessment (SHMA) and recent Economic Viability of Affordable Housing Requirement Study, identify a need for 10% affordable dwellings on site at a 75% social rented / 25% intermediate split.

The proposed extra care apartments, apartments and bungalows are all 2 bedroomed with a mix of properties for sale and rent, which are split as follows:

Affordable rent	
Extra Care apartments	42
Elderly person apartments	40
Bungalows	4
Total	86

Sale	
Bungalows	10
Total	10

Affordable rent is rent which is higher than a standard social rent, but lower than market rent. The developer has more than met the requirements for affordable housing, providing 90% of the development as affordable and in light of this the proposed development is considered acceptable and in line with UDP policy.

Accordingly the proposed development is in accordance with relevant and main land use policy considerations and is therefore considered to be acceptable in principle.

Nevertheless, it will also be important to ensure an acceptable form of development in respect of highway engineering, residential amenity and design considerations, as well as ecology and tree/landscaping matters. These issues will be addressed in the following sections of this report.

2. Highway considerations

UDP policy T14 requires new development to be readily accessible by pedestrians and cyclists, whilst proposals should not cause traffic congestion or highway safety problems and make appropriate safe provision for access and egress.

As explained on the Agenda report the proposed development is essentially the same as that approved by Members in July of last year, save for an additional 2 apartments in the Extra Care element of the scheme. Furthermore, and as reported to Members during the consideration of 12/01283/FUL application, the level of parking associated with Extra Care facility was considered to be similar to the level of provision at similar Extra Care facilities

elsewhere in the City. Accordingly, it was considered to be acceptable in respect to highway engineering, and as this re-submitted application is increasing this element of the development by only two, this is still considered to be the case.

Regarding the remaining apartments and older person bungalows, these elements of the proposed development remain as previously approved, including the proposed parking arrangements. Engineering colleagues in Street Scene (Network Management) have also provided no observations or recommendations to this resubmitted scheme, as they do not consider there to be any significant or material changes from a highway engineering perspective.

In conclusion, the proposed increase of the development by two extra apartments within the Extra Care element is not considered to be materially different to the proposal as previously approved, and is therefore considered to be acceptable, in accordance with policy T14.

3. Residential Amenity Considerations

Policy B2 requires development proposals to provide for an acceptable amount of privacy amenity, whilst also protecting visual and residential amenity.

The western and southern perimeter of the proposed development overlooks Mill Hill Road and Doxford Park Way respectively, and in view of the fact that there will be 20m to 33m between the proposed development and these roads, it is considered that there will be an acceptable level of residential amenity afforded to the proposed residents. Furthermore, the open space provision and landscaping being proposed ensures a satisfactory degree of visual amenity.

Regarding the surrounding existing residential properties, which are located opposite along the northern and eastern perimeter blocks, it is considered that even though the site has a sloping gradient, with differences ranging from 5m to 6m in some instances, it is nevertheless considered that in view of the large interfacing distances, ranging from 47m to 60m in some places, and given the extensive amount of open space being proposed in and around the site that the minimum spacing requirements required by Supplementary Planning Guidance are more than being adequately accommodated.

It is therefore considered that the proposed development provides for an acceptable level of space, light, outlook and privacy and ensures the proposal is in accordance with policy B2 of the UDP.

4. Design and Layout Considerations

In assessing the design merits of the scheme UDP policy B2 requires the scale, massing and layout of new developments to respect and enhance the best qualities of the area.

- Layout

The layout of the proposal has been designed to retain and evolve a number of the design principles identified within the Doxford Park Masterplan. The proposal is designed to

provide a large-scale perimeter block structure which is compatible with earlier phases of the Doxford Park development scheme.

This perimeter block maximises opportunities to create a complete building frontage and enclosure across the site, whilst achieving active building frontages onto the linear park and landscaped amenity spaces thereby increasing natural surveillance and overlooking of these areas. The buildings fronting on to Doxford Park Way also create a 'gateway' public face to the Doxford Park re-development area. The layout of the proposal also allows for the creation of a large proportion of south-facing plots and hard/soft landscaping, designed to exploit the varied topography of the site providing substantial outwards views and maximising opportunities to achieve passive solar gain.

Pedestrian permeability is designed into the proposal through the provision of a number of accessible pedestrian footpath routes linking the existing phases of the renewal scheme with the wider Doxford Park area. These routes serve to improve access to both the Doxford Park local centre and existing public transport via improved connections to an existing bus stop located to the southern boundary of the site. Parking within the scheme is accommodated within the core of the perimeter block and is broken up into a number of small parking courts. The dominance of parking within the scheme is reduced through the provision of additional accommodation, landscaping and open amenity spaces.

- Scale and Massing

The 1-3 storey massing of the proposal provides an appropriate form of development, consistent with the design principles established within the Doxford Park Masterplan and within the wider context of the Doxford Park area. Situation of development with a three storey massing to the northern, western and south-western elements of the site is particularly welcomed and serves to realise other spatial aspects of the Masterplan. Furthermore variation between storey heights serves to respond positively to undulating topography of the proposal site.

- Architectural character

Through the architectural language of the proposal, the design has been focussed to provide references to the earlier phases of development within the Doxford Park renewal area, whilst at the same juncture providing a retirement village with its own unique character and identity.

In conclusion, the proposed development is considered to be acceptable in respect of its scale, massing and layout and in accordance with policy B2 of the UDP.

5. Ecology and Tree / Landscaping Considerations

UDP policy CN17 encourages the retention of trees in all new developments where possible, whilst policy CN22 highlights that development which would adversely affect any animal or plant species afforded special protection will not be permitted.

- Ecological considerations

As was reported to Members in the consideration of planning application 12/01283/FUL and even though Natural England did not consider this scheme to have affected any statutorily protected species or landscapes, it was noted that the submitted survey, which has also been submitted in support of this resubmission, was undertaken in 2009 and as such, was not considered to be up to date.

In response, the applicant explained that as the pre-existing residential buildings on the site had long been demolished any updated report would simply reflect the 2009 report's assessment i.e. the site is of low ecological value. As such, given the application site is now being prepared for development following the approval of the 12/01283/FUL development, the low ecological value view is considered to remain valid. Furthermore, Natural England has not responded to the resubmitted application consultation request.

Nevertheless, it has also been noted that in the Environment Agency's consultation response to the current scheme comments have been made in respect to fact that the Agency's records may indicate the potential for great crested newt in the area. However, this great crested newt comment was for information purposes only, as the Agency's offered no objection to the proposal overall.

It is thought that the Agency has raised the potential for great crested newt in light of a pond in Doxford Park, which is located to the north of the Morrison's Supermarket and is therefore separated from the application site by significant hardstanding and built development. It is considered likely that the proposed development will not represent a risk to this protected species. Nevertheless, it is considered prudent that the applicant submits a reasoned risk assessment to clarify this and it anticipated that this will be received in time to report its findings at the Committee Meeting.

- Tree considerations

As stated in the submitted Arboricultural Impact Assessment of Trees Report it will be necessary to remove some of the existing trees to facilitate the proposed development and in order to establish a higher level of arboricultural management for the site, as some of the trees have structural defects and limited life expectancy or they are poor quality specimens and their removal would ultimately benefit the adjacent better trees. To mitigate these removals the Tree Report advises that new planting should take place throughout the site, and as such should Members be minded to approve a landscaping condition could be inserted on the approval notice.

Furthermore, subsequent to submitting this resubmission application, the applicant is now proposing to remove two additional trees in order to facilitate a service diversion in light of an existing Northumbrian Water sewer running directly between the two trees in question i.e. the two mature trees located at the junction of the proposed development with Mill Hill Road. It is considered that as these trees are not protected by a Tree Preservation Order and given the fact that they need to be removed in order to facilitate the development i.e. to divert existing infrastructure, their removal is considered on balance acceptable. Nevertheless, a suitable replanting scheme for the loss of these two trees, within the

vicinity, will be expected as part of the proposed submission to discharge the landscaping condition, should Members be minded to approve.

Regarding the retained trees the Tree Report details protective barriers which should be erected prior to any works starting on site. In addition, the report also details that where removal of hard surfacing is proposed within root protection areas special long reach machinery should be used or be removed manually using hand tools.

The Tree Report also considered the presence of bats and found no visual signs to indicate their presence, whilst no nesting birds were present at the time of inspection. Nevertheless, the report has highlighted to the applicant that if any evidence of bats are found work must stop immediately and Natural England should be contacted, which should Members be minded to approve could be reaffirmed to the applicant as an informative on the decision notice. Regarding birds the report also highlighted the developer's obligation to carry out visual checks prior to works, and again if Members are minded to approve a condition could be included which restricts the removal of trees on the site to the period from August to the end of February i.e. outside the bird breeding season.

It is therefore considered that on balance the proposed development has no significant adverse impact on trees within the site which would justify a refusal of planning permission, and subject to the expected confirmation of the awaited reasoned risk assessment, in light of the Environment Agency's informative comment in respect of great crested newts, it is not considered to adversely affect protected species.

Conclusion

It is considered that the principle of the development is acceptable and represents a form of development which is not considered to have a significantly adverse impact on residential and visual amenity and highway safety considerations. Regarding the ecological considerations, and as reported above, a reasoned risk assessment is expected in advance of the Committee Meeting, and it is envisaged that this will confirm that the proposed development does not adversely affect protected species given the low ecological value of the site and as such it is anticipated that the report for circulation will recommend approval subject to the conditions tabled.

RECOMMENDATION: Deputy Chief Executive to Report