

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

**AGENDA**

**Meeting to be held in the Committee Room No. 2 on  
Friday, 9<sup>th</sup> June 2006 at 3.30 p.m.**

**Part I**

| 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<br/>Planning Acts and Regulations made thereunder</b><br><br>Report of the Director of Development and<br>Regeneration (copy herewith). | 1    |
| 4.   | <b>Town and Country Planning Act 1990 – Appeals</b><br><br>Report of the Director of Development and<br>Regeneration (copy herewith).   | 45   |

**R.C. RAYNER,  
City Solicitor.**

Civic Centre,  
SUNDERLAND.

1<sup>st</sup> June, 2006.

**This information can be made available on request in other languages.  
If you require this, please telephone 0191 553 7994.**

## Development Control (North Sunderland) Sub-Committee

9<sup>th</sup> June 2006

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### REPORT ON APPLICATIONS

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#### REPORT BY DIRECTOR OF DEVELOPMENT AND REGENERATION

#### PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Director of Development and Regeneration for 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. Land To The Rear Of, Saint Georges Terrace
2. Land To Rear Of, Saint Georges Terrace
3. Site of Print Centre and adj land Fulwell Road
4. Unit 4 Roker Avenue
5. MTK Containers Ltd, West Quay Road

#### 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 Chairman or the Development Control Manager (ext. 1551) email address [dc@sunderland.gov.uk](mailto:dc@sunderland.gov.uk)

## **DEVELOPMENT PLAN**

Section 54A of the Town and Country Planning Act 1990 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 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration. These and other standard conditions are not normally included in the report to Committee. Consequently for the information of the Members these standard conditions are detailed below.

### **Full Planning Permission**

(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 to ensure that the development is carried out in a reasonable period of time.

(2) The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications in order to ensure that the development as carried out shall not vary from the approved plans.

### **Outline Planning Permission**

(1) The following matters are reserved for the subsequent approval of the local planning authority:- the siting, design, external appearance of the buildings and the means of access thereto, to enable the local planning authority to retain control over the development.

(2) Applications for the approval of reserved matters must be made no later than the expiration of three years, beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; (b) the expiration of two years from the final approval of the reserved matters, or in the case of an approval on different dates the final approval of the last such matter to be approved; to ensure that the development is carried out in a reasonable time.

## **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 Department of Development and Regeneration in the Civic Centre.

Philip J. Barrett

Director of Development and Regeneration.

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|-----------------------|--|
| <b>Reference No.:</b> | 06/00693/CON Conservation Area Consent   |
| <b>Proposal:</b>      | <b>Demolition of 14 Saint Georges Terrace to increase width of vehicular/pedestrian access to land to rear. Demolition and removal of various walls, fences, outbuildings and trees on land to rear of 14 Saint Georges Terrace and erection of 13 dwellings. (Resubmission)</b> |
| <b>Location:</b>      | Land To Rear Of Saint Georges Terrace Sunderland   |
| <b>Ward:</b>          | St Peters  |
| <b>Applicant:</b>     | Mr R Scott   |
| <b>Date Valid:</b>    | 22 February 2006   |

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**PROPOSAL:**

The application is for the demolition of no. 14 St Georges Terrace, in order to increase the width of the vehicular / pedestrian access to the land to the rear. Additionally, it is proposed to demolish various walls, fences outbuildings and remove trees, on the land to the rear of St Georges Terrace.

The site itself is located within the Roker Park Conservation Area. It forms the southernmost portion of an area of land which is bounded by the back lanes that serve St Georges Terrace, Roker Terrace, Ravine Terrace and Roker Park Terrace.

Originally, the site comprised of walled gardens for the surrounding terraced houses and whilst some of the plot boundaries have been largely retained, few of the plots remain in the ownership of the adjacent housing. There is currently little evident active use of the land as gardens. Looking at the whole of this land to the rear, the uses that are evident at present range from car parking, garages, outbuildings and vacant land. Upon inspection, large parts of the land as a whole appear unused and untidy.

The works' proposed aim is to improve access arrangements to the lanes / land to the rear and to clear the plots immediately to the rear of St Georges Terrace at the southernmost end of the land, in order to facilitate the erection of 13 no. dwellings. An application for Outline Planning Permission (06/00696/OUT) was submitted at the same time as this application and is being considered concurrently. Careful consideration has to be given to the proposal, not only for the Conservation based issues that are raised but also, should the demolition works prove to be acceptable that they do not preclude the development of the remainder of the land with buildings of a similar size, scale and design to that proposed in the outline application.

**TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications



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## CONSULTEES:

English Heritage

Final Date for Receipt of Representations: **01.06.2006**

## REPRESENTATIONS:

Neighbours

A petition containing 155 signatures together with 8 letters of objection have been received in relation to this application for Conservation Area Consent. A separate report in respect of the petition is contained within the agenda. The objector's main concerns are:-

- 1) Loss of house unacceptable within a Conservation Area.
- 2) Loss of stone setts to rear lane unacceptable within a Conservation Area.
- 3) The proposal would lead to an increased view of the rear lane and the rear of properties on Roker Park Terrace, when viewed from the southern side of St Georges Terrace.
- 4) Potential effects on residents health during demolition / construction works.
- 5) Potential loss of trees / wildlife habitat.

These concerns are considered in more detail in the comments section below.

#### Consultees

A response is awaited from English Heritage in respect of the proposal. It is anticipated that their comments will be reported at the Sub Committee meeting.

#### **POLICIES:**

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

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

B\_4\_Development within conservation areas

B\_6\_Measures to preserve and enhance conservation areas

B\_7\_Demolition of unlisted buildings in conservation areas

CN\_23\_Measures to conserve/ improve wildlife corridors

EC\_9\_Locations for Hotels and Conference centres.

L\_12\_Promotion of the recreational and tourist potential of the coast and riverside

#### **COMMENTS:**

At the April meeting of the Sub-Committee, Members resolved to visit the site. The visit took place on 21st April 2006

In determining this application, the key issues to consider are:-

- The principle of the demolition of 14 St Georges Terrace and the outbuildings / stone setts / walls to the rear.
- The suitability of the new development within the Conservation Area.
- The removal of trees on the land to the rear / threat to wildlife.
- Effects on health and welfare of existing residents.

The principle of demolition.

In order for the proposal to be considered acceptable, this application must show that the loss of the building will not harm the character and appearance of Roker Park Conservation Area and that its removal will facilitate a development that enhances the Conservation Area.

The supporting statement of justification for the demolition of 14 St George's Terrace is considered sufficient to satisfy the first requirement; that is that the loss of the building will not harm the Conservation Area. The statement rightly notes that the building bears little resemblance to its original form, having been extensively modified through various unsympathetic alterations and additions, and therefore does not make a positive contribution to the character and appearance of the Conservation Area. Thus, its loss will not detract from the value of the Conservation Area.

Objectors have stated that the building, along with other buildings in the terrace, could possibly be restored to its "former glory" and if this were to happen, then demolition would not be an acceptable proposition. From the planning perspective, the proposal has to be considered on its merits at the time of the application and as such, the above observation on the current condition of the terrace stands. Furthermore, examining St. Georges Terrace within the context of the Roker Park Conservation Area as a whole, it is evident that there is no particular special status placed upon this particular building, nor the terrace as a whole. None of the buildings in St Georges Terrace benefit from Listed Building status. Park Parade, Roker Park Road, Ravine terrace and Roker Park Terrace (the streets that immediately surround Roker Park) are all subject to an Article 4 Direction, which prevents any alterations being made to the fronts of the residential properties on these streets without a planning application first being submitted for determination. The reason for this is that at the time of requesting the Article 4 Direction, in 1996, it was demonstrated to the Secretary of State that these streets contained many of their original features and that there was a real risk that these would be lost, if the LPA was not allowed a degree of further control over developments on these streets. St Georges Terrace could have been included at the time of declaring the Article 4, but it was considered that the terrace had few original features worthy of retention and had already been extensively altered at that time.

The issue of a greater view into the rear lane and the buildings to the rear of Roker Park Terrace, when viewed from the opposite side of the road to St Georges Terrace has also been raised by objectors. Whilst it is indeed acknowledged that the access into the site at this point will be larger than at present, it is not considered that the additional view created will harm the Conservation Area. Upon inspection, it is apparent that the proposal could create a "glimpse" of the corner of the redeveloped site of the land to the rear, which is to feature a new 2.4 metre high limestone wall with new tree planting behind, which will be an improvement of the existing timber fencing in this location. Indeed, this increased width opening would form a "gateway" leading to the new development to the rear. In addition, it would make it apparent that this is the most appropriate route to use to access the site.

In view of the above, the proposed demolition of 14 St Georges Terrace is considered not to cause harm to the Conservation Area and is acceptable in principle. In order to ensure that the property is not demolished until a detailed and acceptable scheme to redevelop the whole southern section of the backland area is assured of taking place, a condition could be imposed, should members be minded to approve the application, requiring that it shall not be demolished before a contract for the carrying out of the development of the land to the rear has been made and full planning permission has been granted for the development to which that contract relates.

The suitability of the new development within the Conservation Area.

The demolition of the outbuildings, walls and fences within the development site have also been justified in the supporting statement on the same grounds as the demolition of no. 14 St George sTerrace.

Generally, these structures add little to the Conservation Area's special interest; any structures of historic merit that contribute positively to the Conservation Area,

such as the brick/limestone boundary walls, are to be retained in the proposals. Objectors have expressed concern that the land owned by the applicant has been left to deteriorate and "revert to nature" over time and that if the site was better maintained then redevelopment would not be as much of a feasible prospect. Such factors would not affect the determination of an application. Even if the above scenario was the case, the use of the land would still be that of private gardens / parking areas and as such, any proposal would still have to demonstrate that it would enhance the Conservation Area, which it is considered the proposal would, by enhancing and improving the access road and site boundaries and also by introducing a superior planting scheme to that on site at present. These changes it is considered would be to benefit to any member of the public who would pass through this area.

With regards to the suitability of the proposal and to whether or not it would enhance the conservation area; as the application for the redevelopment is only in outline at this stage, it is not possible to undertake a full assessment of the scheme. This creates particular problems in determining this application as Conservation Area Consent cannot normally be given until detailed and acceptable plans to redevelop a site are in place. This requirement is in accordance with UDP policy and guidance in PPG15 and, thus, there would have to be exceptional circumstances to deviate from it. Indeed several objectors have queried the suitability of an outline planning application for the site, which lies within a Conservation Area.

At the pre-application stage it was agreed with the applicant that an outline application would be accepted in this instance, as an exception, to firstly establish whether the principle of development would be acceptable before an application for full planning permission be submitted. Such an exception is considered as being appropriate in this instance, due to the especially sensitive nature of the site and the complicated site ownership issues. Having regard to the outline application, it is apparent that there is a great deal more information than that which would normally be expected for such applications and as such, the amount of detail submitted is considered acceptable and adequate in the circumstances. Whilst there are no elevational drawings to show precisely what the buildings are going to look like, the proposed site layout plans and indicative floorplans show that an attractive inward-facing "courtyard" style development could be achieved without precluding development on the remainder of the land. The applicant has demonstrated through both the design report and via the submission of materials samples that the finishes used for the buildings and surface treatments would be sympathetic with the status of the surrounding environment and be of a very high quality, helping to enhance the appearance of the Conservation area.

The removal of trees on the land to the rear / threat to wildlife.

Following the inspection of both a submitted tree report and the site by the Council's Arboricultural Officer, it is apparent that of the 43 trees present, most are of low retention value, with 12 being of moderate retention value. The majority of these are self seeded sycamore trees. Whilst it is acknowledged that these still have reasonable life expectancy and in general contribute to the existing character of the site and the Conservation Area as a whole, it is considered that when fully mature, they would be of a scale inappropriate to this or any other development on the site. As such, it has been recommended that a



high quality, substantial replacement tree planting / landscaping scheme should be implemented, retaining some of the existing trees throughout, allowing for new planting of species more appropriate to the scale and form of the development, which would allow for any new planting to mature before the remaining trees reach the end of their lives. In order for such a scheme to prove successful, it would be necessary for an irrigation / automated watering system to be installed prior to planting. A method statement providing details of how such a system would operate could be required via the imposition of a condition, should Members be minded to approve the application.

With regards to any potential threat to wildlife, it is recommended that should the proposal be approved, then any subsequent Full / Reserved Matters applications would be required to be accompanied by a detailed ecological assessment of the site and all structures to be demolished in order to establish if there are any species protected by statute or by the Durham Biodiversity Action Plan and other species and habitats present. This survey should include appropriate analysis, recommendations and mitigation measures. Any detailed design scheme should also accommodate features to enhance biodiversity, such as bat boxes/bricks and sensitive timber treatments, which should be agreed before any final scheme is approved.

Effects on health and welfare of existing residents.

With regards the health and welfare of residents whilst the demolition works are ongoing (in particular, the residents of the adjoining property, no. 13 St Georges Terrace), this is something that cannot be taken into consideration when assessing this application, other than meeting the statutory Environmental Health requirements, which pay regard to hours of operation and the amount of noise / dust generated by activities on site. Such requirements can be controlled by the imposition of conditions. It should be noted that the applicant also has an obligation under The Party Wall etc. Act 1996 to notify all adjoining landowners of their intentions and to ideally reach a mutual agreement between themselves in respect of any works, so that any concerns raised are adequately addressed. The applicant is fully aware of this obligation and reference to it would be added as an informative on any consent issued, should Members be minded to approve the application.

Conclusion.

Taking the above matters into consideration, the proposal is considered to be acceptable in principle and would help to enhance the appearance of the Conservation Area and as such, should be granted consent, subject to the conditions set out below, pending receipt of the consultation response from English Heritage:-

**RECOMMENDATION: Approve**

**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,

to ensure that the development is carried out within a reasonable period of time.

- 2 The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications, to ensure that the development as carried out shall not vary from the approved plans.
- 3 Notwithstanding the submitted plans, no. 14 St Georges Terrace shall not be demolished until a contract for the undertaking of the development of the land to the rear has been made and full planning permission has been granted for the development to which that contract provides. Details of any such agreement shall be submitted to the Local Planning Authority prior to the commencement of any demolition works, in the interests of the Conservation Area and in accordance with Policy B4 of the UDP.
- 4 Before the development hereby approved is commenced details of the means of demolition shall be submitted to and approved by the Local Planning Authority. All works shall be carried out in accordance with the agreed details in order to protect the amenities of the area and to comply with policy B4 of the UDP.
- 5 Prior to the commencement of works on site, a detailed ecological / habitat survey shall be undertaken in order to establish if there are any species protected by the Durham Biodiversity Action Plan or any other species or habitats present. The survey shall be agreed in writing with the LPA, in interests of nature conservation and to accord with policy CN18 of the UDP.
- 6 Notwithstanding the submitted plans, all limestone / brick walling and stone setts to be demolished / removed are to be stored and re-used on site. Prior to the commencement of construction works, full details of the construction of all new walls and roads using the stored materials will be submitted to and agreed in writing by the LPA in order to achieve a satisfactory form of development and to comply with policy B4 of the UDP.
- 7 No tree shown to be retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 8 If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 9 The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment,

machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.

- 10 Before the development commences a method statement shall be submitted to the Local Planning Authority detailing the method of construction for any works to be undertaken within the crown spread of any trees on the site. Such details to include methods of excavation. All works shall be carried out in accordance with the agreed details in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 11 Before the trees which are the subject of this application are felled, details of the location, size and species of the replacement planting shall be submitted to and agreed with the Local Planning Authority along with a timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 12 No deliveries shall be taken at or despatched from the site outside the hours of 8:00-18:00 Monday to Friday, 08:00-13:00 Saturdays, nor at any time on Sundays, Bank or Public Holidays to ensure that nearby properties are not adversely affected by the development and that highway safety is not compromised and to comply with policies B2 and T14 of the UDP.
- 13 The demolition works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP

**PETITION REGARDING THE DEMOLITION OF 14 ST GEORGES TERRACE AND THE ERECTION OF 13 DWELLINGS AND PROPOSAL TO ERECT A 30 BEDROOM EXTENSION ON LAND TO THE REAR, OF ST GEORGES TERRACE, ROKER TERRACE, RAVINE TERRACE AND ROKER PARK TERRACE, SUNDERLAND.**

**REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION**

**1.0 PURPOSE OF REPORT**

1.1 The purpose of this report is to advise Members of the petition submitted to Full Council on 29<sup>th</sup> March 2006 by Councillor Walton.

**2.0 BACKGROUND**

2.1 Previous Applications 05/03797/OUT and 05/04032/CON were withdrawn by the applicant on 22.02.2006. Revised Applications for Outline Planning Permission and Conservation Area Consent to demolish no 14 St Georges Terrace and to erect 13 dwellings on land to the rear were submitted on 21.02.06 (Application no's 06/00696/OUT and 06/00693/CON). The applications are currently being considered and will be reported at the May Development Control North Sub Committee meeting on 11.05.2006.

**3.0 THE PETITION.**

3.1 The petition, which contains one hundred and fifty five signatures reads, "We, the undersigned, who are concerned about the Roker Conservation area and also residents within the vicinity of the area bounded by St. Georges Terrace, Roker Park Terrace, Ravine Terrace, and Roker Terrace object most strongly to the proposal by Mr R Scott to demolish 14 St Georges Terrace and build 8 mews and 5 town houses at the southern end of the site. Such a development would destroy the historical character of the area which is part of the Roker Conservation area and would create unmanageable amounts of vehicular traffic".

**4.0 COMMENTS**

4.1 Members should note that in addition to the petition, 23 letters of objection have also been received in relation to the applications. The following concerns have been raised:-

- New development within a Conservation Area is "out of character."
- The proposal is not the same density as the surrounding area and as such unacceptable.
- Outline Planning Permission is not acceptable for development within a conservation area.
- Loss of house, boundary walls and stone setts unacceptable within a Conservation Area.
- Loss of trees and habitat is unacceptable within a Conservation Area.
- Loss of "green space" is unacceptable – The land is not "brownfield).
- Loss of privacy as a result of the development.
- Increase in traffic / parking in rear lanes.

- Problems with extra water creation / demand as a result of the development
- Potential damage to residents property during construction works.

## **5.0 CONCLUSION**

5.1 It is advised that the issues raised in relation to proposals to develop this land will be considered in the usual manner, in reports to the Sub Committee making a recommendation on the planning application.

## **6.0 RECOMMENDATION**

6.1 Members are recommended to note the contents of the report and agree that petitioners be notified of its contents and any forthcoming decisions on applications 06/00696/OUT and 06/00693/CON.

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| <b>Reference No.:</b> | 06/00696/OUT Outline Application   |
| <b>Proposal:</b>      | <b>Outline application for a residential development. (Resubmission)</b> |
| <b>Location:</b>      | Land To Rear Of Saint Georges Terrace Sunderland                         |
| <b>Ward:</b>          | St Peters  |
| <b>Applicant:</b>     | Mr R Scott   |
| <b>Date Valid:</b>    | 22 February 2006   |

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**PROPOSAL:**

The application is for Outline Planning Permission for a residential housing development on land to the rear of Saint Georges Terrace, Roker. The proposal seeks to agree the siting and layout and the means of access to the development only, with the design and external appearance reserved for subsequent approval at the reserved matters stage.

An application for Conservation Area Consent is also being considered concurrently with this application (06/00693/CON), for the demolition of no. 14 St Georges Terrace, in order to increase the width of the vehicular / pedestrian access to the site and for the demolition of various walls, fences and outbuildings, together with the removal of trees.

The site itself is located within the Roker Park Conservation Area. It forms the southernmost portion of an area of land which is bounded by the back lanes that serve St Georges Terrace, Roker Terrace, Ravine Terrace and Roker Park Terrace.

Originally, the site comprised of walled gardens for the surrounding terraced houses. Whilst some of the plot boundaries have been largely retained, few of the plots remain in the ownership of the adjacent housing. There is currently little evident active use of the land as gardens. Looking at the whole of this land to the rear, the uses that are evident at present range from car parking, garages, outbuildings and vacant land. Upon inspection, large parts of the land as a whole appear unused and untidy.

The works' proposed aim is to improve access arrangements to the lanes / land to the rear and to erect 13 no. dwellings on the land immediately to the rear of St Georges Terrace at the southernmost end of the land.

Briefly, this would comprise:-

The widening of the rear lane and its access, by demolishing 14 St Georges Terrace and sections of the existing boundary enclosure to the site.

The creation of a new / improved boundary treatment to the perimeter of the site, together with the introduction of a substantial landscaping scheme throughout the site.



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The erection of 3no. blocks of housing, arranged in the manner of an "inward-facing" courtyard development. The properties would consist of "mews houses" running along the boundaries of the site, where it adjoins the surrounding rear lanes; and larger "town houses" located within the north east corner of the site, backing onto the Roker Hotel Ballroom.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Northumbrian Water  
Director Of Community And Cultural Services  
English Heritage  
Final Date for Receipt of Representations: **01.06.2006**

#### **REPRESENTATIONS:**

Neighbours

A petition containing 155 signatures together with 15 letters of objection have been received in relation to this application for Outline Planning Permission. A

separate report in respect of the petition is contained within the agenda. The objector's main concerns are:-

- 1) New development within a Conservation Area is "out of character."
- 2) The proposal is not the same density as the surrounding area and as such unacceptable.
- 3) Outline Planning Permission is not acceptable for development within a conservation area.
- 4) Loss of house, boundary walls and stone setts unacceptable within a Conservation Area.
- 5) Loss of trees and habitat is unacceptable within a Conservation Area.
- 6) Loss of "green space" is unacceptable – The land is not "brownfield).
- 7) Loss of privacy as a result of the development.
- 8) Increase in traffic / parking in rear lanes.
- 9) Problems with extra water creation / demand as a result of the development
- 10) Potential damage to residents property during construction works.

These concerns are considered in more detail in the comments section below.

#### Consultees

Northumbrian Water has advised that the applicant should make early contact to discuss the proposed scheme. Concerns are raised with regards to capacity issues due to the number of properties and increase of hard surface that is proposed.

The Environment Agency raised no concerns.

A response is awaited from English Heritage in respect of the proposal. It is anticipated that their comments will be reported at the Sub Committee meeting.

#### **POLICIES:**

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

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments  
B\_2\_Scale, massing layout and setting of new developments  
B\_4\_Development within conservation areas  
B\_6\_Measures to preserve and enhance conservation areas  
B\_7\_Demolition of unlisted buildings in conservation areas  
CN\_23\_Measures to conserve/ improve wildlife corridors  
EC\_9\_Locations for Hotels and Conference centres.  
L\_12\_Promotion of the recreational and tourist potential of the coast and riverside

#### **COMMENTS:**

At the April meeting of the Sub-Committee, Members resolved to visit the site. The visit took place on 21st April 2006



In determining this application, the key issues to consider are:-

- The principle of Outline Planning Permission being acceptable.
- The principle of the new development within the Conservation Area.
- The status of the land / housing density requirements.
- The removal of buildings, walls and trees on the land and the threat to wildlife.
- Highways and Parking issues.
- Privacy / Amenity issues.
- Water / Drainage issues.
- Effects on health and welfare of existing residents and possible damage to property.

The principle of Outline Planning Permission being acceptable.

Several objectors have queried the suitability of an outline planning application for the site, which lies within a Conservation Area and suggest that an application for full planning permission would be more appropriate. UDP policy and guidance in PPG15 advise that there has to be exceptional circumstances in which to accept anything other than a full application.

At the pre-application stage it was agreed with the applicant that an outline application would be accepted in this instance, as an exception, to firstly establish whether the principle of development would be acceptable before an application for full planning permission be submitted. Such an exception is considered as being appropriate in this instance, due to the especially sensitive nature of the site and the complicated site ownership issues. It is apparent that there is a great deal more information than that which would normally be expected for such applications and as such, the amount of detail submitted is considered acceptable and adequate in the circumstances. Whilst there are no elevational drawings to show precisely what the buildings are going to look like, the proposed site layout plans and indicative floorplans show that an attractive inward-facing "courtyard" style development could be achieved without precluding development on the remainder of the land. The applicant has demonstrated through the design report that the envisaged design approach in terms of the style and architectural detailing etc of the new houses and also via the submission of materials samples that the development would be sympathetic with the status of the surrounding environment and is considered to be of a high standard, helping to enhance the appearance of the Conservation area.

The submitted details and design statement are considered to be sufficient to act as a design guide for the site and ensures that the development will enhance the Conservation Area.

However, whilst the proposal does indeed demonstrate the potential enhancement to the conservation area that the proposal could bring, it must be stressed that ultimately, the overall acceptability of the scheme will depend upon the detailed design of the buildings given its particularly sensitive location within Roker Park Conservation Area. Should members be minded to approve the application, it is essential that any full application submitted in the future is tied to the specific design principles established at this stage via the imposition of appropriate conditions, effectively preventing further applications for any other

forms of residential development, (apart from that being currently being considered) from being submitted in the future.

The principle of the new development within the Conservation Area.

The scheme has been subject to lengthy pre-application discussions with Council officers and is considered to achieve an appropriate design approach for the site in terms of its layout and building form, which would enhance the Conservation Area.

The general layout of the site, with the positioning of mews style cottages around its perimeter is considered to be acceptable, providing a desirable form of development. The layout is such that it would also enable access to be provided through the site to the remainder of the backland area if necessary, to allow for the potential future development of its northern part.

The provision of mews cottages and/or new brick/limestone walls along the southern and western perimeters of the site will reinforce and reinstate the traditional boundary treatment of the site and establish a similar degree of enclosure to the rear lane to that existing along the eastern boundary. This is considered to be a highly desirable arrangement. The construction of any new boundary walls can be conditioned to use, as far as possible, salvaged stone/brick from those sections of walls to be demolished around and within the site and any shortfall made up using new matching stone/brick.

Officers are of the same view of several of the residents that it is particularly important that the local magnesian limestone from the sections of wall to be removed from the centre of the site are saved and re-used, as it is of local historic significance and a very distinctive feature of the area. Whilst still quarried locally, the limestone no longer features the fossilised remains that historically characterised them. It is important therefore that the sections of wall to be removed are carefully dismantled and the stones set aside for re-use as above. Whilst the submitted plans indicate that this approach is to be taken, it is considered that it would be appropriate to impose a condition on any consent granted to ensure that this does happen.

The applicant has also indicated that high quality conservation standard materials would be utilised throughout the development. Materials samples of possible bricks to be used have been submitted to the satisfaction of Conservation Officers. Materials such as block paving and conservation grade paving are proposed for the courtyard area, adding to the distinctiveness of the proposed development, creating a high quality, attractive public realm. Conditions can be imposed to ensure materials of a satisfactory standard are used.

The status of the land / housing density requirements.

Whilst lying within the Roker Park Conservation Area, the land that is subject to the application is not designated in the UDP as being anything different from the surrounding streets, unlike Roker Park itself and as such has a "white land" allocation. Furthermore, the land is not identified as a park, play area, "greenspace" or "open space" on the Council's Parks and Open Spaces Register. The land appears to have been divided up and in private ownership since the

surrounding houses were constructed and has never been used nor ever intended to be an area that was to be used in any communal manner. Whilst residents may have aspirations of the land being turned into an area of communal space for people to enjoy, ownership issues would seem to preclude such an idea coming to fruition. The area is well served with parks and open spaces, with both Roker Park and the large expanses of land at the sea front lying in very close proximity to site; the houses on Roker Park Terrace fronting onto Roker Park and the properties on Roker Terrace facing the Sea Front. UDP policy EN10 requires that all proposals on land where the plan does not indicate any proposals for change will need to be compatible with the principle use of the neighbourhood. The site is surrounded by housing and as such, the use of the land for residential development is acceptable in principle, subject to meeting design, layout, and conservation criteria.

Objectors have expressed concern that the land owned by the applicant has been left to deteriorate and "revert to nature" over time and that if the site was better maintained then redevelopment would not be as much of a feasible prospect. Such factors would not affect the determination of an application. Even if the above scenario was the case, the use of the land would still be that of private gardens and parking areas connected to the surrounding residential uses and as such, it has to be demonstrated that any proposal would enhance the Conservation Area. It is considered that the proposal would indeed achieve this by enhancing and improving the access road and site boundaries and by introducing a superior planting scheme to that on site at present. These changes it is considered would be of benefit to any member of the public who would pass through this area.

With regards to the density of housing proposed on the site, objectors have queried whether this is to an acceptable standard and is not too high and not inkeeping with the Conservation Area. The proposal achieves a density of approximately 29 dwellings per hectare, which is lower than that recommended in both draft PPS3 for suburban areas, (35 / 55 per hectare) and PPG3 30 / 50 dwellings per hectare). Due to the sensitive setting of the development, the lower density of the development proposed is considered to be acceptable and appropriate in this instance.

The removal of (i) buildings, walls and (ii) trees on the land and the threat to wildlife.

(i) Demolition works

In order for the proposal for redevelopment to be considered acceptable, this application must show that the loss of 14 St Georges Terrace and outbuildings / walls / trees will not harm the character and appearance of Roker Park Conservation Area and that its removal will facilitate a development that enhances the Conservation Area.

Generally, the structures shown as being removed add little to the Conservation Area's special interest. Any structures of historic merit that contribute positively to the Conservation Area, such as the brick/limestone boundary walls, are to be retained in the proposals.

The loss of 14 St George's Terrace is not considered to harm the Conservation Area. The submitted statement rightly notes that the building bears little resemblance to its original form, having been extensively modified through various unsympathetic alterations and additions, and therefore does not make a positive contribution to the character and appearance of the Conservation Area. Thus, its loss will not detract from the value of the Conservation Area. Further information regarding the status of 14 St George's Terrace within the Roker Park Conservation Area is included on the accompanying application for Conservation Area Consent.

The demolition of the outbuildings, walls and fences within the development site has also been justified in the supporting statement. All of the above are as such considered as being acceptable subject to a condition requiring that none of these works shall be undertaken until a contract for the carrying out of the development of the land to the rear has been made and full planning permission has been granted for the development to which that contract relates. Such measures would prevent any demolition works from going ahead until full details of a final scheme have been agreed.

(ii) The removal of trees on the land to the rear / threat to wildlife.

Following the inspection of both a submitted tree report and the site by the Council's Arboricultural Officer, it is apparent that of the 43 trees present, most are of low retention value, with 12 being of moderate retention value. The majority of these are self seeded sycamore trees. Whilst it is acknowledged that these still have reasonable life expectancy and in general contribute to the existing character of the site and the Conservation Area as a whole, it is considered that when fully mature, they would be of a scale inappropriate to this or any other development on the site. As such, it has been recommended that a high quality, substantial replacement tree planting / landscaping scheme should be implemented, retaining some of the existing trees throughout, allowing for new planting of species more appropriate to the scale and form of the development, which would allow for any new planting to mature before the remaining trees reach the end of their lives. In order for such a scheme to prove successful, it would be necessary for an irrigation / automated watering system to be installed prior to planting. A method statement providing details of how such a system would operate could be imposed via the imposition of a condition, should Members be minded to approve the application.

With regards to any potential threat to wildlife, it is recommended that should this outline proposal be approved, then any subsequent Full / Reserved Matters applications would be required to be accompanied by a detailed ecological assessment of the site to be undertaken in order to establish if there are any protected Durham Biodiversity Action Plan and other species and habitats present. This survey should include appropriate analysis, recommendations and mitigation measures. Any detailed design scheme should also accommodate features to enhance biodiversity, such as bat boxes/bricks and sensitive timber treatments, which should be agreed before any final scheme is approved.

Highways and Parking issues.

Concerns have been raised by residents concerning the additional traffic which the development would generate and the possible increase in on street parking

occurring. Parking for developments in this location are at a ratio of 1 per dwelling and 1 visitor parking space per every 3 dwellings. On this basis, 18 parking spaces would be required. The submitted plans show 21 car parking spaces, which includes an allowance for an extra 3, which are required for an existing bed & breakfast on Saint Georges Terrace. At present, this business has 3 spaces on site, which were imposed by planning conditions on an application for an extension to the building. Should the application be approved, it would be necessary for three of the 21 spaces to be reserved.

As such, the proposed parking arrangements are considered acceptable. Should the development give rise to increased parking in the rear lanes, it would always be possible for parking restrictions to be imposed by means of a traffic regulation order.

With regards to access arrangements, the proposed road widening works are considered to be acceptable. This provides the width of the carriageway being increased to 5.5 metres with a 1.8 metre wide footway running along the length of the rear of St Georges Terrace. The submitted plans show a strip of land reserved along both the east and west boundaries of the site to allow for further widening of the road, should any further applications come forward for the land to the immediate north. However, the preferred option for any such access at this stage would be from within the application site. It is intended that the area reserved at the western side of the site, including trees, would be maintained as verge at this stage. Should the need arise in the future for a footway to continue down this edge of the site, the trees present would have to be removed. This is considered as being acceptable as the trees in this location are of a low retention value and should the site be developed, replacement planting would be in place nearby and would be likely to be established by such a time.

Surface treatments are also considered as being acceptable, comprising of conservation grade paving and block paving within the development. The access road incorporates a raised table junction as a traffic calming measure and details are provided which show that any stone setts which are removed to facilitate this are reused where the road is currently cobbled and going to be widened, which is satisfactory. Conditions can be imposed to ensure such works are undertaken to the necessary highways requirements.

#### Water / Drainage issues.

Concerns have been raised with regards to drainage on site. Northumbrian Water have advised any surface water should be prevented from entering public surface water or combined sewers as they are close to running at capacity. It is considered that such measures could be achieved by using a S.U.D.S drainage system, or other innovative measures, which the applicant advises can be achieved. Such a scheme, the design of which can be secured via conditions, would address any drainage / water run off issues raised.

#### Privacy / Amenity issues.

Residents have queried the proposed heights of the buildings, which has been clarified by the applicant via the submission of indicative floor plans, which show the mews cottages as being no more than 2 storeys high, with the upper floor

within the roofspace (essentially making the houses 1.5 storeys high), and similarly, the townhouses as being no more than 2.5 storeys high. As such, the proposed buildings would be lower in height than the surrounding existing buildings and it is considered that through detailed design at a reserved matters stage, such storey heights could indeed be achieved without adversely affecting the amenities of existing residents or causing any loss of light or outlook. It is noted that a number of the existing dwellings that back onto the site do have rear offshoots with windows facing the site.

With regards to the spacing of the buildings, all distances between buildings when measured within the site are shown as being to an acceptable standard, in excess of 21 metres apart. All of the proposed dwellings facing onto the rear of those in Roker Park Terrace also achieve the 21 metre "main facing window" spacing standard, with the exception of the northernmost corner of plot 1. However, the reduced 18 metre distance in this instance is considered as being acceptable and not harmful to the existing dwellings in this location, as due to the orientation of the proposed building, they do not directly face one another. The mews houses proposed along the rear of St Georges Terrace, whilst being closer to the existing dwellings than those in Roker Park Terrace still achieve the 14m "main facing window to gable" spacing standard. This is considered acceptable in this instance, as it is envisaged that these buildings would not have windows within the wall at 1st floor level, only "Velux" style rooflights, thus minimising any privacy issues. It should be remembered that the main aspect of the development is that it is to be "inward – facing" and not reliant upon outlook from outside of the site. Should members be minded to approve the proposal, the appropriate conditions can be imposed to ensure the appropriate scale of development is achieved in future applications.

Effects on health and welfare of existing residents and possible damage to property.

With regards to the health and welfare of residents whilst the demolition works are ongoing (in particular, the residents of the adjoining property, no. 13 St Georges Terrace), this is something that cannot be taken into consideration when assessing this application, other than meeting the statutory Environmental Health requirements, which pay regard to hours of operation and the amount of noise / dust generated by activities on site. Such requirements can be controlled by the imposition of conditions. It should be noted that the applicant also has an obligation under The Party Wall etc. Act 1996 to notify all adjoining landowners of their intentions and to ideally reach a mutual agreement between themselves in respect of any works, so that any concerns that are had are adequately addressed. This applicant is fully aware of this obligation and reference to it would be added as an informative to any consent issued, should Members be minded to approve the application.

Conclusion.

The proposed development has both negative and positive effects on the Conservation Area. On the negative side the dwelling and some sections of original walling are to be demolished and some trees are to be felled. On the positive side, the plot of land is to be brought into beneficial use, access to the site and the rear of the houses in St Georges Terrace will be improved and a high

quality landscaped development will be achieved which has the potential to act as a catalyst for the further enhancement of the remainder of the area of the former walled gardens. In weighing up the various issues, it is considered that on balance, the scheme is acceptable and would help to enhance the overall appearance of this part of the Roker Conservation Area. Consequently, Members are recommended to grant consent subject to the conditions set out below, pending receipt of the consultation response from English Heritage :-

## **RECOMMENDATION: Approve**

### **Conditions:**

- 1 Details of the following matters shall be submitted for the subsequent approval of the Local Planning Authority:- the design and external appearance of the buildings.
- 2 The submission of the matters specified in (1) above must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the matters specified above or in the case of approval on different dates, the final approval of the last such matter to be approved, to ensure that the development is carried out within a reasonable period of time.
- 3 Notwithstanding the submitted application and plans, the permission hereby granted is for the erection of 8 no. 1.5 storey mews houses and 5 no. 2.5 storey town houses in the positions marked on the approved plan, in order to protect the both the character of the Conservation Area and the amenities of the neighbouring residential properties and to comply with policies B2 and B4 of the Unitary Development Plan.
- 4 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 5 Notwithstanding the submitted plans, all limestone / brick walling and stone setts to be demolished / removed are to be stored and re-used on site. Prior to the commencement of construction works, full details of the construction of all new walls and roads using the stored materials will be submitted to and agreed in writing by the LPA in order to achieve a satisfactory form of development and to comply with policy B4 of the UDP.
- 6 Details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.

- 7 Before the development hereby approved is commenced, plans showing the provision of a raised table junction in the position marked on the approved plan (02/031/12/C) together with details of the visibility splays to the new access to the site shall be submitted to and approved in writing by the Local Planning Authority, in the interests of highway safety and to comply with policy T14 of the UDP.
- 8 Before the development, hereby permitted, is commenced, a plan showing the provision of at least 21 car parking spaces within the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority. The car parking shall be laid out in accordance with the approved plan before the buildings are occupied. The area shall then be available for such use at all times and shall be used for no other purpose, in the interests of highway safety and to comply with policy T14 of the UDP.
- 9 The development shall not commence until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and the development shall not be occupied until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site and to comply with policy B24 of the UDP.
- 10 Notwithstanding the provisions of the current Town and Country Planning General Permitted Development Order, no porches, extensions erection of boundary enclosures or other development shall be undertaken to the dwelling hereby permitted without the prior written consent of the Local Planning Authority, in order that the Local Planning Authority may retain control over the development. and to comply with policy B2 of the UDP.
- 11 The construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.30 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP
- 12 No deliveries shall be taken at or despatched from the site outside the hours of 08:00 and 18:00 nor at any time on Sundays, Bank or Public Holidays to ensure that nearby properties are not adversely affected by the development and that highway safety is not compromised and to comply with policy B2 and T14 of the UDP.
- 13 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
- 14 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of



landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the UDP.

- 15 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 16 Prior to the commencement of works on site, a detailed ecological / habitat survey shall be undertaken in order to establish if there are any species protected by the Durham Biodiversity Action Plan or any other species or habitats present. The survey shall be agreed in writing with the LPA, in interests of nature conservation and to accord with policy CN18 of the UDP.
- 17 No tree shown to be retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 18 If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 19 The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 20 Before the development commences a method statement shall be submitted to the Local Planning Authority detailing the method of construction for any works to be undertaken within the crown spread of any trees on the site. Such details to include methods of excavation. All works shall be carried out in accordance with the agreed details in the interests of visual amenity and to comply with policy CN17 of the UDP.

- 21 Before the trees which are the subject of this application are felled, details of the location, size and species of the replacement planting shall be submitted to and agreed with the Local Planning Authority along with a timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 22 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the UDP.
- 23 Notwithstanding the submitted plans, the development hereby approved shall be constructed concurrently and not in a phased manner, in the interests of the Conservation Area and residential amenities , in order to comply with Policies B2 and B4 of the UDP.
- 24 Details of the the provision of a play areas and equipment to be provided on site shall be submitted to and approved in writing by the Local Planning Authority before the development commences. If play facilities are not to be provided on site, then the developer shall make provision to enter into a legal agreement with the Council under Section 106 of the Town and Country Planning Act, in ordre to provide such facilities elsewhere, in order to achieve a satisfactory form of development and to comply with policy H21 of the UDP.

Development Control (North)  
Sub Committee  
09<sup>TH</sup> June 2006

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REPORTS FOR CIRCULATION

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REPORT BY DIRECTOR OF DEVELOPMENT AND  
REGENERATION

PURPOSE OF REPORT

This report is circulated to the Sub Committee Meeting. It includes additional information received after the preparation of both the report on applications and the supplement. This information may allow a revised recommendation to be made.

LIST OF CIRCULATED ITEMS

Applications for the following sites are included in this report.

North

1. Land To The Rear Of, Saint Georges Terrace
2. Land To The Rear Of, Saint Georges Terrace

City of Sunderland

North Sub-Committee

**REPORTS FOR CIRCULATION**

**North**

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**Number:** 1

Application Number: 06/00693/CON

Proposal: Demolition of 14 Saint Georges Terrace to increase width of vehicular/pedestrian access to land to rear. Demolition and removal of various walls, fences, outbuildings and trees on land to rear of 14 Saint Georges Terrace and erection of 13 dwellings. (Resubmission)

Location: Land To The Rear Of, Saint Georges Terrace

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As reported on the main agenda, a consultation response has been awaited from English Heritage. This was received on 06.06.06.

English Heritage has no objection to the principle of development on this land. It is agreed that 14 St. George's Terrace does not make a positive contribution to the character or appearance of the conservation area.

Reference is made to the importance of the narrow access to the backland area and that the demolition of the building would open up this access, creating a wider view to the rear of the terraced housing. English Heritage query if the option of a separate access and egress have been considered using the two lanes on St. George's Terrace.

Records show that the proposal has undergone significant pre-application consultations, with involvement from the Council's Conservation Team & Highways Engineers. The use of more than one access to the backland site was considered right at the outset when this land was first identified for development several years ago. The most appropriate and safest solution for satisfactory access to the site was decided to be the creation of a single two-way access would is considered to reduce the risk of traffic levels increasing on the rest of the antiquated highway layout within the backland area. Subsequent guidance, including draft guidance set out in the Roker Park Conservation Area Character Study has acknowledged this preferred

approach and it is expected that should any further proposals for other backland plots come forward in the future, they would be accessed via this one, two-way access.

As such, the proposal is considered as being acceptable and appropriate and would enable further proposals for the remainder of the backland plots to come forward in the future.

**RECOMMENDATION:- APPROVE** subject to conditions as set out in Agenda report.



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|---------------------|--|
| Number:             | 2  |
| Application Number: | 06/00696/OUT   |
| Proposal:           | Outline application for a residential development.<br>(Resubmission) |
| Location:           | Land To The Rear Of, Saint Georges Terrace                           |

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As reported on the main agenda, a consultation response has been awaited from English Heritage. This was received on 06.06.06.

English Heritage has no objection to the principle of development on this land and fully agrees that the buildings should be contemporary in style but utilising materials traditional to the conservation area. Reference is made to the importance of the existing plot boundaries, the setted surface at the proposed access into the site and that they consider the proposed layout to have been influenced by highways issues and not the characteristics of the locality.

The separate plots in this backland area are indeed an important part of the historic garden layouts. Consideration has been made in this respect, and a large section of the central plot boundary wall to the north of the site is to be retained. Any material from the walls which are going to be removed is to be reused on site for external boundary enclosures. Similarly, should any further plots be brought forward for development in the future, a similar approach would be expected to be taken, seeking to retain sections of walls where possible.

In respect of the setted surface, the re-use of these within the new access road has already been identified and conditions have been imposed to ensure this.

As discussed in the report for the associated application for Conservation Area Consent, the most appropriate and safest solution for satisfactory access to the site is considered to be via a single, two-way access in order to reduce the risk of traffic levels increasing on the rest of the highway layout within the backland area. Due to these necessary highway constraints, the overall siting and layout of the buildings is considered to be acceptable and consistent with previous advice given by the LPA in this respect.

As such, the proposal is considered as being acceptable and appropriate and would enable further proposals for the remainder of the backland plots to come forward in the future.

**RECOMMENDATION: APPROVE** Subject to conditions set out in Agenda report.

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|-----------------------|---|
| <b>Reference No.:</b> | 06/01403/FUL Full Application   |
| <b>Proposal:</b>      | <b>Demolition of existing premises and erection of 34 no. 2 bedroom and 1 no. 1 bedroom apartments in 2 and 3 storeys with surface car parking and amendments to vehicular accesses. (REVISED SCHEME)</b> |
| <b>Location:</b>      | Site Of Print Centre And Adjac Land Fulwell Road Gladstone Street Roker Sunderland  |
| <b>Ward:</b>          | St Peters   |
| <b>Applicant:</b>     | Prestigious Living (N.E) LTD  |
| <b>Date Valid:</b>    | 4 May 2006  |

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**PROPOSAL:**

The application is for the erection of two apartment blocks in two and three storeys to provide 35 one and two bedroomed apartments with surface car parking for 35 cars.

The site, comprising 0.26 hectares, is currently occupied in part by a printing company and its associated retail outlet (stationery). The premises comprise a variety of single and two-storey buildings. The southern part of the application site comprises a cleared site, previously occupied by a car maintenance firm. This area is fenced in and has advertisement hoardings to its southern boundary. The adjacent north-west corner is occupied by The Cambridge public house.

The site is located in a predominantly residential area of Fulwell. The surrounding residential properties are predominantly two-storey terraced properties with some bungalow and semi-detached house types, particularly to the south west.

The site is an island bounded on all sides by pedestrian and vehicular highway in the form of a one way system, at the junction of Fulwell Road, Roker Baths Road and Gladstone Street.

There is an extant planning permission on the site for demolition of the existing buildings and the erection of a new factory and offices for the current site owners. This was approved in November 2003 (Ref: 03/0244/FUL).

Members may recall that an application for 35 one and two bedroomed apartments in 2 and 3 storeys was approved by members at the October 2005 meeting of the Sub-Committee (05/03239/LEG).

The application currently under consideration is virtually identical to the approved scheme. However, minor amendments in the form of slight modifications to the footprint of the proposed building have warranted a fresh application.



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Also, although the total number of units proposed remains as 35, one apartment originally proposed as one bedroomed has been altered to form a two bedroomed apartment.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Northumbrian Water  
Director Of Education  
Director Of Community And Cultural Services  
Crime Prevention Officer  
Environment Agency

Final Date for Receipt of Representations: **07.06.2006**



## **REPRESENTATIONS:**

### **Neighbours**

To date two letters of objection have been received in connection with the application. The objections contained within these letters are on the grounds of:

Excessive number of storeys ;  
Loss of privacy;  
Overlooking; and  
Increased traffic, congestion and detrimental impact upon highway safety.

## **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 consider when assessing this application are:

Policy Context  
Scale, Massing and Design  
Highway Issues

Policy context.

The proposed development site is located in an area designated as white land on the adopted Unitary Development Plan Proposals Map. In such areas, development which closely reflects the predominant existing land use is considered to be generally acceptable. (Policy EN10) The predominant land use in this area is residential. The proposed residential development is therefore considered to be acceptable in policy terms. As the scheme is for more than 10 units and does not make any provision for children's play it will be necessary for the applicant to enter into an agreement under section 106 of the Town and Country Planning Act 1990 to make a financial contribution of £21794 towards the upgrading of existing or provision of new play equipment off site.

The scale, design and massing of the proposed development.

The proposed development is in the form of two blocks of apartments. Block A is located to the southern end of the site. The proposed front elevation of Block A faces the gable end of 75 Gladstone Street, which will be located approximately 21 metres away. The majority of this block is at three/two and a half storeys (maximum height 11.8 metres) with the eastern most elevation dropping down to two storeys opposite numbers 88 - 94 Gladstone Terrace, which are themselves

two storey terraced properties. The maximum height of the two storey element of Block A is 7.8 metres, the ridge height of the existing properties on Gladstone Terrace is approximately 7.5 metres.

The two storey apartments facing onto Gladstone Terrace are designed in order that they reflect the design and form of the existing two-storey terraced properties on Gladstone Street, with front entrance doors being positioned at regular intervals and windows at ground and first floor level.

Block B is arranged in an "L" shape at the north east corner of the site. Block B comprises three storey apartments fronting the junction of Roker Baths Road and Gladstone Street and two storey properties fronting Gladstone Street.

The proposed development does not meet the Council's normal minimum separation distance of 21 metres between main facing elevations which is generally required by SPG for two storey new residential development. However, at 13 metres, the proposed separation distance reflects the traditional street pattern of the surrounding terraces and is considered to be acceptable. The majority of the three storey elements of the development do not directly face the main elevations of the surrounding residential properties. Where the three storey elements of the buildings do face main elevations on existing properties a distance of not less than 26 metres is retained between the two. Three storey development is therefore considered to be acceptable and unlikely to result in any loss of residential amenity for any near neighbouring property.

Subject to a minimal number of minor amendments to the design of the proposed apartments. The proposed development is considered acceptable in terms of scale, massing and design and it is unlikely that the proposed development will have any detrimental effect upon the residential amenity of any near neighbouring property.

### Highway Issues

The proposed development is located in what is effectively a traffic island with a one way traffic system circulating clockwise around the site. The development proposes a single access located opposite number 96-98 Gladstone Terrace. Vehicles utilising the parking facilities at the site will be required to enter and exit via this single access.

There are 35 apartments proposed and 35 parking spaces provided. Car parking provision on this 1:1 basis is considered acceptable. There is also sufficient space provided for refuse vehicles etc to successfully manoeuvre within the site.

There is visitor parking available in the existing parking areas which are to be retained following development to the north and south of the site. Visitor parking provision within the site is therefore considered adequate.

The proposed development is considered acceptable in terms of access, parking and highway safety.

### Conclusion

The proposed development of 35 apartments is considered acceptable in principle. The design, layout and highway arrangements for the proposed

development are also considered acceptable and proposal represents a very minor deviation from the most recently approved application on the site (05/03239/SUB). The publicity in connection with this application does not expire until 15th June 2006. In order that the application may be determined within the statutory time period it is requested that Members delegate the final decision regarding this application to the Director of Development and Regeneration who is minded to approve the application subject to the conditions set out below. Any new objections received will be referred to Members.

**RECOMMENDATION: DELEGATE to Dir. of Dev and Regeneration**

**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, to ensure that the development is carried out within a reasonable period of time.
- 2 The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications, to ensure that the development as carried out shall not vary from the approved plans.
- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 6 No fewer than 35 car parking spaces shall be retained on the site for the lifetime of the development. In order to comply with the requirements of UDP policy T22 and in the interest of highway safety.

- 7 No development shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the local planning authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 8 No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 9 Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 10 Before the development hereby approved commences details of the submitted boundary treatment to the western boundary of the site shall be submitted in writing to and approved in writing by the Local Planning Authority in the interest of visual amenity and to comply with the requirements of policy B2 of the UDP.

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|                       |   |
|-----------------------|---|
| <b>Reference No.:</b> | 06/01728/FUL Full Application   |
| <b>Proposal:</b>      | <b>Change of use to printer showroom and offices. Erection of boundary fence, alterations to front and side elevations and installation of mezzanine floor.</b> |
| <b>Location:</b>      | Unit 4 Roker Avenue Sunderland  |
| <b>Ward:</b>          | St Peters   |
| <b>Applicant:</b>     | Mr Peter Watchman   |
| <b>Date Valid:</b>    | 3 May 2006  |

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**PROPOSAL:**

The application site is the former Brunswick Shoes retail outlet on Fulwell Road. The building is currently vacant and the proposal intends to bring this retail outlet back into use through a change of use into a printer showroom and office. The application also includes alterations to the front and side elevations and the installation of a mezzanine floor level and the enclosure of the existing car park by 2m high steel black plastisol coated panel fencing. This car park will be accessed in the same way as previously, however this will be restricted as it will also incorporate metal gates.

The proposed change of use incorporates 179.14 square metres of office space (B1) at the Mezzanine level, whilst the ground floor is to be subdivided into three rooms. The smallest room, 128.64 square metres, will be the storage area (B8) and will be subject to deliveries. Whilst the middle room will be 248.71 square metres and accommodate the production facilities (B2), including 7 printing machines. The third room will be the main public entrance to the premises and will accommodate the receptionist and print designers, with a floor space of 135.16 square metres.

**TYPE OF PUBLICITY:**

Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

No Consultations Are Required

Final Date for Receipt of Representations: **07.06.2006**

**REPRESENTATIONS:**

No representations have been received to date.



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## POLICIES:

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

NA\_44\_Allocation of land for mixed use development

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

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

T\_22\_Parking standards in new developments

## COMMENTS:

The following issues need to be examined in the consideration of this application:

- a) Principle of the proposed use
- b) Design of the proposal
- c) Highways issues
- d) Residential amenity

- a) Principle of the proposed use

This part of Fulwell Road is currently occupied by retailing (A1), showrooms, and car repair uses. The Unitary Development Plan states that if any redevelopment is proposed, uses and layout which respects the proximity of housing to the east

would be preferred, such as light industry (B1). The proposal does include an element of B1 in terms of the provision of office space associated with the printing operations. It is recognised the proposal does incorporate an element of B2 and B8 in terms of the production and storage facilities. However it is not considered that these would have a greater impact than the previous use of the premises. Consequently the proposal is considered to be acceptable in terms of the UDP policies.

#### b) Design of the proposal

The proposal does include alterations to the external appearance of the building. However, such alterations relate to the sides of the building which face toward the existing car park and Fulwell Road. The elevation facing the car park will incorporate the access to the reception/design area. It is proposed to remove the existing door and replace this with six first floor windows and five ground floor windows and entrance door. The elevation facing Fulwell Road will be altered to incorporate two windows, one to the ground floor and one for first floor. In addition these two elevations will include flat silver panels across the upper storey and facing brick across the ground floor. It is also proposed to have aluminium windows and door frames.

#### c) Highway Issues

The proposal originally intended to erect metal gates for vehicular and pedestrian access to the west of the western elevation. However, part of the road the proposed gates would have enclosed is adopted highway. As a consequence the position of the gates had to be moved further back in line with the western elevation and at the immediate entrance to the car park.

#### d) Residential amenity

In this respect there are no alterations proposed for the elevation facing toward the nearest residential properties in Gladstone Street. Therefore it is considered that the proposed alterations will not impact upon the privacy/amenities of the adjacent residential properties.

In addition the deliveries will occur to the side facing towards Fulwell Road, which will further limit the impact upon the adjacent residential properties. The proposed fencing will be two metres in height on top of a dwarf wall and will enclose the existing car park. The fencing is similar to that used for the refurbishment of the nearby residential tower blocks at Dame Dorothy by the Sunderland Housing Group and is considered acceptable.

#### Conclusion

The proposed application represents an acceptable change of use in this mixed use area. The design, layout and highway arrangements for the proposed development are also considered acceptable.

The publicity and consultations with respect to this application do not expire until 7th June 2006, after the preparation of this report. Any objections received will be reported to Members.

It is recommended that Members approve the scheme subject to the conditions set out below.

## **RECOMMENDATION: Approve**

### **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, to ensure that the development is carried out within a reasonable period of time.
- 2 The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications, to ensure that the development as carried out shall not vary from the approved plans.
- 3 The development shall be carried out in complete accordance with the amended plan received 22.5.2006, as agreed with the Local Planning Authority, in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.
- 4 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.



5.

North  
Sunderland

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|                       |  |
|-----------------------|--|
| <b>Reference No.:</b> | 06/01752/SUB Resubmission  |
| <b>Proposal:</b>      | <b>Erection of 7 no hybrid units, industrial workshop space to ground floor, office space to first floor</b> |
| <b>Location:</b>      | MTK Containers Ltd Alda House West Quay Road<br>Sunderland Enterprise Park                                   |
| <b>Ward:</b>          | Southwick  |
| <b>Applicant:</b>     | UK Land Estates LTD  |
| <b>Date Valid:</b>    | 8 May 2006   |

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#### **PROPOSAL:**

This application site was formerly part of the Southwick Shipyard off West Quay Road. It is proposed to erect seven "hybrid" units for B1/B2 uses on part of the site previously occupied by MTK Containers Ltd.

The proposed units provide industrial space at ground floor level with office space on the first floor. The proposed units are relatively small and would provide ideal start-up premises and/or premises for smaller businesses. Six units are proposed at 1005 sq.m (3,300 sq.ft) and one unit proposed at 1,360 sq.m (4464 sq.ft) gross.

Members may recall planning consent (05/03400/FUL was granted for the erection of 10 ' hybrid ' units under a consent granted on 4 November 2005. The applicant has resubmitted the scheme with a request to reduce the number of units from 10 to 7 by omitting the three units from the south of the site.

The units are proposed in a modern "hi-tech" style, making use of composite cladding, aluminium and glass.

Access is proposed to be taken from the roundabout at the junction of West Quay Road and Crown Road. Parking is provided adjacent to the units.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Urban Regeneration Company  
County Archaeologist  
Environment Agency  
Director Of Community And Cultural Services  
Port Manager  
Northumbrian Water



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**Final Date for Receipt of Representations: 07.06.2006**

## **REPRESENTATIONS:**

County Archaeologist.

The County Archaeologist has confirmed that as part of the previous application an archaeological desk based assessment has been submitted and that a programme of trial trenching is required to determine if subsurface remains of "The Quay" survive. A specification for the trenching for UK Land Estates has been provided but the work has yet to be undertaken. The number of archaeological trenches has been reduced to take into account the fact that the number of proposed units has been amended. A condition requiring the completion of these archaeological works prior to development starting will need to be imposed on any consent granted, as the site is within an area of potential archaeological importance.

Environment Agency.

The Environment Agency originally objected to the proposal as no technical information or flood risk assessment (FRA) has been provided with the

application but subsequently withdrew the objection as the original application addressed this matter.

The Environment Agency has requested that if Members are minded to grant planning permission the following condition should be included on any planning permission granted.

'Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the LPA. Roof water shall not pass through the interceptor in order to prevent pollution of the water environment.'

The EA has also requested that the sewerage undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

A copy of the letter has been forwarded to the agent and a note will be added to any consent regarding the latter item.

Sunderland Arc.

Sunderland Arc has no comments to make on the application.

## **POLICIES:**

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

EC\_1\_General Support for economic development proposals and initiatives  
EC\_2\_Supply of land and premises for economic development purposes  
EC\_3\_Support for new and existing economic activity  
EC\_4\_Retention and improvement of existing business and industrial land  
NA\_2\_Recycled employment site  
B\_2\_Scale, massing layout and setting of new developments  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
CN\_23\_Measures to conserve/ improve wildlife corridors  
T\_22\_Parking standards in new developments

## **COMMENTS:**

Principle of the Use

The proposed development is acceptable in principle, being in accordance with Policy NA2 (2) which allocates the site and surrounding area for B1 and B2 purposes.

## Design

The design and external appearance of the units is considered to be appropriate to the area.

## Highway Issues

It is considered that the scheme is acceptable in highway engineering terms subject to two matters being addressed:

1. The alternative parking provision proposed in respect of the former MTK building (198 spaces adjacent to the building) being implemented before any of the proposed units are occupied.
2. The provision of a pedestrian route (footway) connecting the development site to the existing footways on Crown Road/West Quay Road.

It is considered that these matters can be adequately controlled by the imposition of appropriate conditions on any consent granted.

## Conclusion

The scheme is considered to be acceptable however the period for the receipt of representations does not expire until 15 June 2006, this date occurs after the Sub-Committee meets. In order that the application can be determined in the statutory period Members are recommended to delegate the application to the Director of Development and Regeneration to grant planning permission subject to conditions relating to the matters indicated below. In the event that objections are received after the meeting the application will be reported to the next available meeting.

## **RECOMMENDATION: DELEGATE to Dir. of Dev and Regeneration**

### **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, to ensure that the development is carried out within a reasonable period of time.
- 2 The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications, to ensure that the development as carried out shall not vary from the approved plans.
- 3 Prior to the commencement of development, topographical and sectional drawings indicating that the finished floor levels of the buildings hereby approved are to be laid a minimum of 150mm above 7.60AOD shall be submitted for the consideration and approval of the Local Planning

Authority. The floor levels shall be provided in accordance with the approved details in order to mitigate flood risk of the units and to comply with UDP policy EN11.

- 4 Drawings to indicate the provision of a pedestrian footway connecting the site with existing footways on Crown Road/West Quay Road shall be submitted for the consideration and approval of the Local Planning Authority. The footway shall be provided in accordance with the details as approved prior to any of the units hereby approved being occupied, in the interests of pedestrian safety and in order to comply with UDP policy T14.
- 5 Before development commences on the application site, the replacement parking provision proposed for the former MTK building shall be set out as in accordance with the details shown on drawing no: 1374/200:01 Rev 01, in the interests of highway safety and the free flow of traffic and in order to comply with UDP policy T14.
- 6 No development work shall take place until a programme of archaeological work has been completed. This shall be carried out in accordance with a specification provided by the County Archaeologist. The archaeological report(s) shall be submitted to and approved by the Local Planning Authority before works commence. as the site is located within an area identified as being of potential archaeological importance. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded and to comply with policy B14 of the UDP.
- 7 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policy T14 of the UDP.
- 8 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 9 Details of all walls, fences or other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.

- 10 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces, including pedestrian access to the riverfront, which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2; of the UDP.
- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 12 Prior to being discharged into any watercourse, surface water sewer or soakway systems, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, before the development is commenced, in order to prevent pollution of the water environment and to comply with policy EN12 of the approved UDP.
- 13 The areas of car parking proposed within the site shall be laid out in accordance with the approved details prior to the occupation of any of the units hereby approved, in the interests of highway safety and the free flow of traffic and in order to comply with UDP policy T14.



## 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 NUMBER | ADDRESS  | APPLICANT/DESCRIPTION   | DATE SITE VISIT REQUESTED | LAST ON AGENDA | COMMENTS                     |
|--------------------|--|---|---------------------------|----------------|------------------------------|
| 04/01568/OUT       | Sunderland Association Football Club Stadium Of Light Sunderland | Sunderland AFC<br>Erection of ten storey hotel incorporating two storey academy in existing parking area. | 04.03.2005                | 03.10.04       | Awaiting further Information |





# APPEALS RECEIVED FOR NORTH SUNDERLAND

BETWEEN 01/04/06 AND 30/04/06

| CASE NUMBER | ADDRESS | DESCRIPTION OF APPEAL | DATE RECEIVED |
|-------------|---------|-----------------------|---------------|
|-------------|---------|-----------------------|---------------|

BACKGROUND PAPERS

RELEVANT NOTIFICATION LETTERS

# APPEALS DETERMINED FOR NORTH SUNDERLAND

BETWEEN 01/04/06 AND 30/04/06

| CASE NUMBER  | ADDRESS                                     | DESCRIPTION OF APPEAL  | INSPECTORS          |            |
|--------------|---|--|---------------------|------------|
|              |   |  | DECISION            | DATE       |
| 05/02539/SUB | 194 Newcastle Road<br>Sunderland SR5 1QD    | Formation of vehicular access onto a classified road (Resubmission)  | Appeal<br>Dismissed | 19/04/2006 |
| 05/01591/FUL | 102 Hartington Street<br>Sunderland SR6 0LJ | Erection of front and rear dormers.  | Appeal<br>Dismissed | 07/04/2006 |
| 05/01638/FUL | 51 Marina Avenue<br>Sunderland SR6 9AH      | Erection of a rear conservatory, a front porch and a two storey side extension to provide garage and kitchen with additional bedrooms above. | Appeal<br>Dismissed | 20/04/2006 |

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## BACKGROUND PAPERS

RELEVANT DECISION LETTERS AS ATTACHED



# Appeal Decision

Site visit made on 4 April 2006

by **Michael R Moffoot** DipTP MRTPI DipMgt MCMI

an Inspector appointed by the First Secretary of State

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Date: 19 April 2006

**Appeal Ref: APP/J4525/A/05/2005155**

**194 Newcastle Road, Sunderland SR5 1QD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr B Simpson against the decision of Sunderland City Council.
- The application Ref. 05/02539/SUB, dated 29 July 2005, was refused by a notice dated 19 September 2005.
- The development proposed is new vehicular access to site.

## Decision

1. I dismiss the appeal.

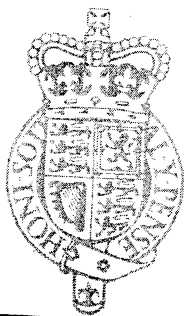
## Reasons

2. Newcastle Road in the vicinity of the appeal site is subject to a 40mph speed limit and comprises a heavily trafficked dual carriageway that is part of the principal A1018 route connecting Sunderland and Tyneside. The site lies about 100 metres from the signal controlled junction of Newcastle Road, Thompson Road and Charlton Road in this predominantly residential area.
3. Amongst other things, Policy T14. of the *City of Sunderland Unitary Development Plan 1998* states that development proposals should not cause highway safety problems and should make appropriate safe provision for access and egress by vehicles. Whilst I consider that the site would be large enough to accommodate turning in order for a car to exit in forward gear, the variation in levels between the site and the carriageway, the gradient and alignment of the proposed access and the proximity of the crest on the main road to the north would result in severely restricted visibility for an emerging driver, thus endangering pedestrians, road users on the southbound section of Newcastle Road and those in the vehicle leaving the site. In particular, it is likely that the skewed access arrangement would require an emerging vehicle to swing across into the outside lane of the dual carriageway, which would be an extremely hazardous manoeuvre on this busy route. Furthermore, vehicles slowing to enter the appeal site would endanger following road users on a section of Newcastle Road where forward visibility is restricted.
4. Reference has been made to on-street parking in the area and I have taken into account the various accesses in the locality that have been drawn to my attention, some of which appear to be long established while others may be more recent. However, many of these examples serve to illustrate the hazardous highway conditions that such practices and developments can create, and none provides justification for the appeal proposal, whilst it is for the police

or highway authority to control illegal or dangerous parking. I also acknowledge the personal circumstances of the appellant, who is a disabled badge holder. However, such circumstances will seldom outweigh the more general planning considerations, as works of a permanent nature will remain long after the personal circumstances have ceased to be material. Finally, I do not consider that the practical difficulties of occasional deliveries to the appeal property or security concerns relating to parking on nearby Mill Bank are sufficient to outweigh the harm to highway safety and conflict with development plan policy that would occur if the appeal were to be allowed. I have considered all other matters raised, but find nothing to alter my decision.



INSPECTOR



# Appeal Decision

Site visit made on 28 February 2006

by **Richard McCoy** BSc MSc DipTP MRTPI IHBC

an Inspector appointed by the First Secretary of State

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Date 6 7 APR 2006

**Appeal Ref: APP/J4525/A/05/1192793**  
**102 Hartington Street, Roker, Sunderland**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Forster against the decision of Sunderland City Council.
- The application Ref 05/01591/FUL, dated 6 June 2005, was refused by notice dated 28 July 2005.
- The development proposed is the erection of front and rear dormer extensions to roof.

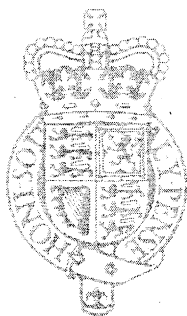
## Decision

1. I dismiss the appeal.

## Reasons

2. The general locality is typified by rows of single storey cottages, known as "Sunderland cottages", many of which have dormer roof extensions.
3. Policy B2 of the City of Sunderland Unitary Development Plan (UDP) adopted 1998 requires that the scale, massing, layout or setting of extensions should respect and enhance the best qualities of nearby properties and the locality. This is further amplified by Supplementary Planning Guidance (SPG), *Development Control Guidelines*, which states that front dormer extensions to traditional Sunderland cottages will not be acceptable, except where the street scene is now dominated by existing dormer extensions. The SPG has been adopted following consultation and I give it considerable weight in this matter.
4. In my opinion the siting, scale and design of the proposed dormers, would be visually obtrusive and harmful to the appearance of the host building and the locality, as they would dominate both elevations of this small, elegant building. This is especially the case in this part of Hartington Street where less than 50% of properties have been extended in this way. I therefore believe that this proposal would be detrimental to the architectural integrity of the cottage and harmful to the character and appearance of the traditional streetscape, contrary to Policy B2 of the UDP and the advice of the SPG.
5. I have taken into account comparable developments in the general vicinity. However, their presence does not persuade me to allow a further extension that I have found to be harmful to the local townscape. In addition, I consider the appellant's desire to maximise potential living space to be outweighed by the harm the proposal would cause and I dismiss the appeal.

Inspector



# Appeal Decision

Site visit made on 28 February 2006

by **Richard McCoy** BSc MSc DipTP MRTPI IHBC

an Inspector appointed by the First Secretary of State

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Date

**Appeal Ref: APP/J4525/A/05/1192803**

**51 Marina Avenue, Fulwell, Sunderland**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr R Barrow against the decision of Sunderland City Council.
- The application Ref 05/01638/FUL, dated 8 June 2005, was refused by notice dated 27 July 2005.
- The development proposed is garage, kitchen and two bedrooms and rear conservatory.

## Decision

1. I dismiss the appeal.

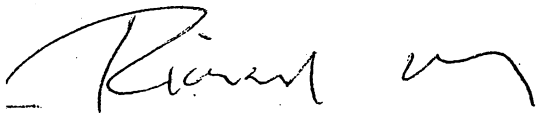
## Procedural matter

2. The appellant has submitted a revised drawing with his statement. I understand that this has been considered as part of a separate application for planning permission. I will therefore decide the appeal on the basis of the original details before me.

## Reasons

3. The appeal site is located in a cul-de-sac of semi-detached houses. The two-storey side extension would be erected in the gap between No 51 and the neighbouring property boundary. In my opinion, the size and position of the proposal, level with the front building line, would create a dominant feature on the side of the property. In this position, the proposal would also be visually obtrusive when viewed as part of the host building and as part of the pair of semi-detached houses. I consider that this would be contrary to Policy B2 of the City of Sunderland Unitary Development Plan (UDP), adopted 1998, which requires extensions to respect the best qualities of the locality, harmonising with the host building and its surroundings. In addition, the proposal would result in a terracing effect, contrary to the advice in the adopted supplementary planning guidance (SPG) *Development Control Guidelines*, to which I attribute considerable weight.
4. Of further concern would be the lack of driveway space on which to park a car, without part of the car overhanging the highway. This would result in an obstruction to the footway, causing danger and inconvenience to pedestrians. In my view, this would be contrary to Policy T14 of the UDP and the SPG, which seek to preserve highway safety by ensuring adequate space is provided for the parking of a vehicle within the curtilage of the property.
5. Therefore, I conclude that the proposal would cause harm to the character and appearance of the original dwelling and its wider surroundings and would compromise highway safety.

In reaching my decision, I have taken into account the design of existing two storey side extensions in the street, but they do not persuade me to allow a further extension that would clearly be harmful to the appearance of the local street scene. I have also taken into account the appellant's need for additional living accommodation but I do not consider this to be a justification for a scheme that would materially harm the character of the area and for these reasons I dismiss the appeal.

A handwritten signature in black ink, appearing to read 'Richard', followed by a stylized flourish.

Inspector