

## **DEVELOPMENT PLAN**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

### **Unitary Development Plan - current status**

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The CSDP and UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

## **STANDARD CONDITIONS**

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION**

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

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the City Development Directorate at the Customer Service Centre or via the internet at [www.sunderland.gov.uk/online-applications/](http://www.sunderland.gov.uk/online-applications/)

Peter McIntyre

Executive Director City Development

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**Reference No.:** 21/01778/LP3 Local Authority (Reg 3 )**Proposal:** **Erection of a new substation on the site of the relocation of Sunningdale SEN Primary School.****Location:** Land To West Of Silksworth Way And North Of City Way Sunderland**Ward:** Doxford**Applicant:** Mr Alan Rowan**Date Valid:** 27 July 2021**Target Date:** 21 September 2021

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**PROPOSAL:**

Members may recall that the host site has recently been subject to planning approval for the erection of a new school building (the relocation of Sunningdale School) which included the creation of new access, associated landscaping and vehicle parking on land to the west of Silksworth Way and north of City Way/Doxford Parkway, Sunderland (See planning ref: 21/00038/LP3).

Further to the consent granted above, planning permission is now sought for the erection of an electricity substation within the site. The substation is proposed to be located towards the north eastern perimeter of the site, providing a footprint of some 5.980m x 3.478m and a shallow pitched roof. The building, which would be finished in green, glass reinforced plastic, will be screened by a timber fence enclosure on all sides to a height of just over 3m.

**TYPE OF PUBLICITY:**

Site Notice Posted

**CONSULTEES:**

Network Management

Environmental Health

Final Date for Receipt of Representations: **06.09.2021****REPRESENTATIONS:**

Network Management - No observations offered

Public Health - No observations offered

Public representations

Further to a site notice being posted, no representations have been received

## **POLICIES:**

In the CSDP Plan the site is subject to the following policies;

BH1

## **COMMENTS:**

By virtue of section 38(6) of the Planning and Compulsory Purchase Act, 2004, the starting point for consideration of any planning application is the saved policies of the development plan. A planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

However, since the publication of the National Planning Policy Framework (NPPF), which, as paragraph 2 therein makes clear, is a material consideration for the purposes of Section 38(6) of the Act, the weight that can be given to the development plan depends upon the extent to which the relevant policies in the plan are consistent with the more up to date policies set out in the NPPF. The closer the relevant policies in the development plan to the policies in the NPPF, the greater the weight that can be given to the development plan.

The NPPF provides the Government's planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. At paragraph 7, the NPPF sets out that the purpose of the planning system is to contribute positively to the achievement of 'sustainable development' which is defined as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'.

Meanwhile, paragraph 8 states that in order to achieve sustainable development, the planning system has three overarching objectives - an economic objective, a social objective and an environmental objective - and these are to be delivered through the preparation and implementation of plans and the applications of the policies within the NPPF.

Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development and states that in respect of decision-making, this means authorities should:

- c) Approve applications that accord with an up to date development plan without delay; or
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
  - i) The application of policies in the NPPF that protect areas or assets of importance provides a clear reason for refusing the development proposed; or
  - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

## **Planning considerations**

The proposed development is required in connection with the operation of the replacement school. The structure will be of limited scale and massing and is to be screened by a timber enclosure to further minimise visual impact, both within the context of the grounds and from views into the site from the east. No residential properties are located within relative proximity to the structure.

Within the context of its setting, the development would have minimal impact on the character and appearance of the approved site layout and there would be no undue visual impact from the wider street scene. As a result of consultation with the relevant Council departments, both the Council's Highways team and Public Health Officer have raised no objections to the development.

## **Conclusion**

With regard to the above comments, it is considered that the implications of the development in relation to land use considerations, visual amenity, residential amenity and highway matters are acceptable. The proposal therefore complies with the requirements of the NPPF and CSDP Policies BH1 and ST3 and as such it is recommended that Members Grant Consent for the development under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions below.

**RECOMMENDATION:** GRANT CONSENT under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions below:

## **Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 The development hereby granted permission shall be carried out in full accordance with the following approved plans:
  - The site plan as proposed received 27.07.2021 (Plan ref: 0518020/Arch/125 Rev P1).
  - The floor plans and elevations as proposed received 27.07.2021 (Plan ref: 0518020/Arch/655 Rev P1).
  - The location plan received 27.07.2021 (Plan ref: 0518020/Arch/105 Rev P1).

In order to ensure that the completed development accords with the scheme approved and to comply with policy BH1 of the Core Strategy and Development Plan.

- 3 The external materials to be used in the development hereby approved shall be those set out within Section 7 of the application form unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with policy BH1 of the Core Strategy and Development Plan.

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**Reference No.:** 21/02039/LP3 Local Authority (Reg 3 )

**Proposal:** **The installation of temporary lighting on Wearmouth Bridge.**

**Location:** Wearmouth Bridge Bridge Street Sunderland

**Ward:** Hendon

**Applicant:** Ms Victoria French - Sunderland City Council

**Date Valid:** 26 August 2021

**Target Date:** 21 October 2021

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## **PROPOSAL:**

### **INTRODUCTION / BACKGROUND**

Planning permission is sought for the installation of temporary illuminated lighting on the Wearmouth Bridge in Sunderland. In the first instance it is proposed to turn on the lighting on 18th November 2021 and then turn it off on 3rd January 2022. However, this planning application seeks temporary planning permission until the end of March 2022 to allow the temporary lighting to also be used from January to March 2022 to commemorate any significant dates or support any outdoor events / activities during this time.

The primary aim of the temporary lighting installation is to illuminate the Wearmouth Bridge to create a route of light from the seafront to the City Centre as part of the Sunderland Illuminations Festival. Application for Listed Building Consent Ref: 21/02040/LB3 has also been submitted for the same temporary illuminated lighting installation.

The most recent planning permission and listed building consent for the temporary illuminated lighting installation (see planning history below) included a condition to control that it be installed for a limited period only until 31st March 2021 - and to require works to be removed and the bridge reinstated to its former condition on or before the expiry of this date. The acceptability of the scheme previously approved partly related to its temporary nature. However, the lighting installation has remained partly in situ beyond the 31st March 2021, with the lighting facing externally still attached to the bridge today. The applicant has confirmed in writing that the reason the temporary lighting was not removed on or before 31st March 2021 was due the unprecedented circumstances relating to the Covid-19 pandemic. The lock down and then changes to how organisations were operating / prioritising resulted in the lighting remaining in situ.

### **DESCRIPTION OF SITE AND SURROUNDINGS**

The Grade II listed Wearmouth Bridge was constructed in 1929. The bridge was constructed on the site of an iron bridge built in 1793 which was expanded by the eminent engineer Robert Stephenson in 1856. The current bridge retains some original features (balustrades) whilst encasing others in stronger abutments, and includes an additional columned arch. The bridge is a three pinned arch steel structure which sits on natural stone-faced concrete abutments.

The Wearmouth Bridge is located adjacent to the Grade II listed Monkwearmouth Railway Bridge, and it provides the main connection from the City Centre to the north.

## **THE PROPOSED DEVELOPMENT**

The temporary illuminated lighting installation consists of 100 no. silver coloured LED lighting bars which have an anodized and UV neutral polycarbonate cover fixed to each of the structural columns of the bridge, which face internally and externally, on both the eastern and western elevations. The LED lighting bars include a mixture of 10w and 20w bars of 1 metre and 2 metres in size which have a maximum output of 2000w.

The method of fixing for the lighting bars includes all areas where the bars are installed (the position of fixing brackets and stainless steel bands) being protected with hard-wearing rubber sheeting / bands to protect the paint finish on the lighting column/bridge support from abrasion.

It should be noted that the temporary illuminated lighting installation currently in situ has external facing lighting only. The internally facing lighting has previously been removed to accommodate an event being held on the bridge (at a time when the external lighting was still required). However, this application seeks planning permission for the temporary lighting installation to be both internally and externally facing, as per the previous applications.

## **PLANNING HISTORY**

September 2019 - Planning application Ref: 19/01304/LP3 and application for Listed Building Consent Ref: 19/01305/LB3 both granted for the display of lighting on the Wearmouth Bridge as part of the 2019 Sunderland illumination Festival. Permission was granted to display the lighting until 31st January 2020.

March 2020 - Planning permission Ref: 19/02037/LP3 and application for Listed Building Consent Ref: 19/02038/LB3 granted for the display of the lighting for an extended period until 30th March 2020. The applications were re-submitted because due to technical issues, the lighting switch on was delayed.

November 2020 - Planning permission Ref: 20/01490/LP3 and application for Listed Building Consent Ref: 20/01491/LB3 granted for the display of the lighting between 1st November 2020 and 31st March 2021.

## **TYPE OF PUBLICITY:**

Site Notice  
Press Notice

## **CONSULTEES:**

Tyne And Wear Archaeology Officer  
Historic England  
Network Management  
Hendon - Ward Councillor Consultation  
Environmental Health  
Nexus  
Newcastle International Airport  
Network Rail

Final Date for Receipt of Representations: **06.10.2021**

## **REPRESENTATIONS:**

### Publicity

The proposal has been advertised by way of two site notices posted on site and an advertisement in the local newspaper.

At the time of drafting this Committee report, no representations had been forthcoming regarding the proposal.

### Consultees

#### Transportation Development (the Local Highway Authority)

The installation of the lighting and temporary works will require traffic management (footway closure during installation / diversions). The applicant should be advised to contact Asset and Network Management to discuss. It is noted from the Design and Access statement that the inward facing lighting (onto the bridge deck) can be managed by a control unit, reducing the level of illumination if necessary and thereby reducing the risk of distraction / dazzle to motorists. The Sunderland Strategic Transport Corridor, (SSTC), an approved Council highway scheme abuts the site boundary.

### Historic England

The lighting installation works with the shape of the structure to create a striking night time illumination. This reinforces and celebrates the bridge's role as a landmark. However, the lights and their cabling create a lot of clutter on the structure which detracts from its appearance at close quarters, especially in daylight. The way it is attached to the structure is reversible and no lasting damage should occur, but it is not the kind of lighting installation that should be seen as permanent.

As per our original advice on this installation in September 2020 there is no objection to this proposal for an installation tied to a defined period and purpose but continuation of the installation for another year over a period of five months is not ideal and starts to question how temporary this installation is.

Lighting the bridge in a creative way that creates less clutter on the structure should be possible and could be retained in situ on a permanent basis, removing the need for renewals of planning permission. Doing so would better reflect the importance given to conservation through legislation and planning policy, for example Paragraph 193 of the National Planning Policy Framework which asks that great weight be given to the conservation of designated heritage assets.

As for this application we have no objection to one further installation for the coming winter period but would not support its retention and / or replication in following seasons.

### Conservation Team

Wearmouth Bridge is a hugely prominent landmark listed building spanning the River Wear and is an iconic symbol of Sunderland's industrial heyday. It is a proud example of the City's engineering feats of the early 20th century.

Whilst in principle showcasing the bridge through an appropriate lighting scheme is encouraged, there are concerns over the visual impact of so many lighting LED Bars strapped to all the slender columns across the span of the bridge. Collectively it is considered that the lighting fittings will have an overly noticeable visual effect on the proportions of the columns and overall historic structure of the listed bridge, resulting in harm to the original designed form, structural detailing, appearance and significance of the bridge. As a permanent scheme the lighting proposal would not therefore be considered acceptable. However, as a temporary lighting scheme as part of the wider illuminations programme, the harm to the listed building would be time-limited due to its reversibility and short-term visual impact. The public benefits of the proposal to help promote the City and attract visitors to it as part of the Illuminations Festival is considered to outweigh the temporary harm to the significance of the listed building.

On balance the proposed lighting installation is acceptable, provided the lighting is removed at the end of the proposed period of display. It is noted that this temporary solution has now been extended twice, so it is important that a more sensitive permanent solution is provided for consideration next year.

#### Environmental Health

No objections to the proposal. It is recognised that consideration has been given to the prevention of adverse impacts upon highway users, and that independent lighting control units are proposed. The applicant is requested to note there is a need to ensure that outward facing lighting does not cause glare nuisance to nearby residential properties by way of incorrect fixing angle or power output. Particularly sensitive properties would be considered as those apartments overlooking the bridge at the A1018 and Bridge Crescent junction on the south bank.

Case Officer Comments: The applicant's agent has stated that the angle of the lighting has been considered and will be as previously installed for previous applications. No complaints have been received from residents following previous events.

#### Tyne and Wear Archaeology Officer

No archaeological work required in relation to the proposed development.

#### Nexus

No objections to the proposals, however the following comments are made:

1. Any traffic controlling measures on the Wearmouth Bridge should be kept to a minimum during installation or dismantling of lights so that bus services are not disrupted.
2. Access to St Peter's Metro Station should not be obstructed.
3. No lighting proposed should directly interfere with the line of sight of train and Metro drivers using the adjacent Monkwearmouth Railway Bridge. Excessive glare has the potential to dazzle or effect the line of sight of Metro drivers and risks the operation of the Metro in Sunderland.

#### Network Rail

Network Rail has no objection in principle to the development. The scheme proposed is similar to last years' temporary lighting for the structure. With this in mind, we would be satisfied if a monitoring condition could be attached to any planning permission - the same as Condition 3 that



was attached to planning permission Ref: 20/01490/LP3. This is to enable mitigation measures to be put in place should there be any concern generated by the lights in respect of the operational railway safety, such as glint and glare issues for train drivers.

Newcastle Airport

No objections to the proposal.

## **POLICIES:**

In the CSDP the site is subject to the following policies;

BH1  
BH7  
BH8  
HS1  
ST2 and ST3

## **COMMENTS:**

### **PLANNING POLICY AND LEGISLATIVE CONTEXT**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The current development plan comprises the Core Strategy and Development Plan (2015-2033) adopted in January 2020, the 'saved' policies within the City of Sunderland Unitary Development Plan (UDP) adopted in 1998 and the UDP Alteration No. 2 (Central Sunderland) adopted in 2007, and the International Advanced Manufacturing Park (IAMP) Area Action Plan (AAP) 2017-2032.

The National Planning Policy Framework (NPPF) (20th July 2021) is a material consideration for the purposes of Section 38(6) of the Act. It provides the Government's planning policy guidance, and so the assessment of a planning application should have regard to it.

### **ASSESSMENT OF PROPOSAL**

The main issues relevant to the assessment of this planning application are as follows:

- o Principle of the proposed development;
- o Design and impact on visual amenity;
- o Impact on heritage assets;
- o Impact on residential amenity; and
- o Impact on highway, rail and air traffic safety

Principle of the proposed development

Planning permission and listed building consent has previously been granted for the installation of the same temporary illuminated lighting installation on the Wearmouth Bridge. The acceptability in principle of this illuminated lighting installation for a temporary period of time has therefore already been established.

#### Design and visual impact

Policy BH1 'Design quality' of the adopted Core Strategy and Development Plan (CSDP) states that to achieve high quality design and positive improvement, development should be of a scale, massing, layout, appearance and setting which respects and enhances the positive qualities of nearby properties and the locality.

The temporary illuminated lighting installation will emphasise the route from the seafront into the City Centre as part of the Sunderland Illuminations Festival. Given that the proposal is temporary, it is considered that it is acceptable in appearance. It accords with Policy BH1 of the adopted CSDP in relation to its design and visual impact.

#### Impact on heritage assets

Policy BH7 of the Council's adopted CSDP states that the Council will ensure that the historic environment is valued, recognised, conserved and enhanced, sensitively managed and enjoyed for its contribution to character, local distinctiveness and sustainable communities - including by giving weight to the conservation of heritage assets (designated and non-designated) based on their significance in accordance with national policy; and capitalising in an appropriate and sensitive manner on the tourism potential of heritage assets.

Policy BH8 of the Council's adopted CSDP states that development affecting heritage assets (both designated and non-designated) or their settings should recognise and respond to their significance and demonstrate how they conserve and enhance the significance and character of the asset(s), including any contribution made by its setting where appropriate. It states that development affecting a listed building, including alterations and additions, should be sympathetic and complementary to its height, massing, alignment, proportions, form, architectural style, building materials and setting. Development adjacent to Conservation Areas should be of high design quality, to respect and enhance their established historic townscape / built form and setting.

Paragraph 202 of the NPPF states that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

As previously stated, the Wearmouth Bridge is Grade II listed, as is the adjacent Monkwearmouth Railway Bridge. The application site is also close to Sunderland Old Riverside Conservation Area.

Both Historic England and the Council's Conservation Team have stated that the illuminated lighting installation causes harm to the original designated form, structural detailing, appearance and significance of the Grade II listed Wearmouth Bridge, but that it would be acceptable for a temporary period given the public benefits that it would provide as part of the Sunderland Illuminations Festival. They have advised that the proposed lighting installation is acceptable, provided it is removed at the end of the proposed period of display. They have also stated that this temporary solution has now been extended twice, so it is important that a more sensitive permanent solution is provided for consideration next year.

It is considered that the temporary lighting installation does cause harm to the appearance and significance of the Grade II listed bridge, which is one of the City's most recognisable landmarks. This is because it is highly visible against the cylindrical columns and overall historic structure of the bridge. Indeed, the lighting installation would not be acceptable if it was to be retained on a permanent basis. However, any harm to the listed building will be time-limited due to its reversibility (no fixings are drilled into the supporting columns) and short-term visual impact. The temporary lighting installation will also provide public benefits, lighting up this iconic symbol of the City, and helping to promote the City and to attract visitors to it as part of the Sunderland Illuminations Festival. It is considered that these public benefits are sufficient to outweigh the temporary harm to the appearance and significance of the Grade II listed bridge.

As advised by Historic England and the Council's Conservation Team, it is considered that the proposal is suitable on a temporary basis only and so it is recommended that a condition be attached to any planning permission to require the removal of the lighting and associated works by 31st March 2022. It is also recommended that an informative to applicant be attached to any planning permission to advise them that a more sensitive permanent solution for lighting installations on the bridge should be considered for 2022/23.

In terms of the impact of the proposal on the setting of the Monkwearmouth Railway Bridge and on the character and appearance of the Sunderland Old Riverside Conservation Area, since the proposal is for a temporary period of time only it is considered that this harm will not be significant. In any case it is considered that the public benefit of having the bridge illuminated for a temporary period outweighs any such harm.

Given the temporary nature of the illuminated lighting installation, it is considered that it is satisfactory in relation to Policies BH7 and BH8 of the adopted CSDP and that it accords with guidance in the NPPF.

#### Impact on residential amenity

Policy HS1 'Quality of life and amenity' of the adopted CSDP states that development must demonstrate that it would not result in any unacceptable adverse impacts which cannot be addressed through appropriate mitigation, including arising from illumination.

Policy BH1 'Design quality' of the CSDP seeks to ensure that development retains acceptable levels of privacy and ensures a good standard of amenity for all existing and future occupiers of land and buildings.

Environmental Health have raised no objections to the proposal. They have advised that the applicant should be aware that there is a need to ensure outward facing lighting does not cause glare nuisance to nearby residential properties by way of incorrect fixing angle or power output.

The temporary lighting installation is positioned a good distance away from nearest residential properties. Given the nature of the proposal and separation distances, it is considered that it will have no unacceptable impacts on the amenities of the occupiers of neighbouring properties including in relation to glare nuisance. It is recommended that an informative to applicant be attached to any planning permission to make them aware that outward facing lighting must not cause glare nuisance to nearby properties by way of incorrect fixing angle or power output.

It is considered that the proposal accords with Policies HS1 and BH1 of the adopted CSDP in relation to impact on residential amenity.

## Impact on highway, rail and air traffic safety

Policy ST2 'Local road network' of the CSDP states that development should have no adverse impacts on the local road network, stating that proposed development must ensure that there would be a safe and adequate means of access, egress and internal circulation, turning arrangements, and ensure that it would not create a severe impact on the safe operation of the highway network.

Policy ST3 'Development and transport' of the CSDP states that development should provide safe and convenient access for all road users.

The Council's Transportation Development team (the Local Highway Authority) has raised no objections to the proposal. However, they have advised that traffic management will be required in relation to the installation of the temporary lighting. It is recommended that an informative be attached to any planning permission to remind that applicant of this. They have also noted that the inward facing lighting (onto the bridge deck) can be managed by a control unit, reducing the level of illumination if necessary and thereby reducing the risk of distraction / dazzle to motorists.

Network Rail have raised no objections to the proposal, subject to a condition to enable mitigation measures to be put in place should there be any concern generated by the lights in respect of the operational railway safety, such as glint and glare issues for train drivers. This is the same condition that was attached to the most recent planning permission Ref: 20/01490/LP3 for the temporary lighting. It is therefore recommended that this condition be attached to any planning permission.

Nexus have raised no objections to the proposal. However, they have advised that traffic controlling measures on the Wearmouth Bridge should be kept to a minimum, access to St. Peter's Metro Station should not be obstructed, and no lighting proposed should directly interfere with the line of sight of train and Metro drivers using the adjacent Monkwearmouth Railway Bridge. It is recommended that an informative be attached to any planning permission to remind the applicant of this.

The lighting installation will have no upward projection, and so Newcastle Airport have raised no objections.

Given that the Council's Transportation Development team, Network Rail, Nexus and Newcastle Airport have raised no concerns, it is considered that the illumination of the temporary lighting installation will not cause any harm in terms of distraction or dazzle to users of the road and rail network, or to air traffic. Subject to the compliance with the recommended condition suggested by Network Rail, it is considered that the proposed development will cause no unacceptable impacts and so it accords with Policies BH1, ST2 and ST3 of the adopted CSDP, and guidance within the NPPF.

## Conclusion

Given that the proposed lighting installation is for a temporary period of time, and given the public benefits that it will provide relating to the Sunderland Illuminations Festival, it is considered to be acceptable in relation to impact on the appearance and significance of the Grade II listed Wearmouth Bridge, other nearby heritage assets and the surrounding area. It will also be acceptable in relation to impact on residential amenity, and highway, rail and air traffic safety. It accords with the relevant policies within the adopted CSDP and guidance within the NPPF.

**RECOMMENDATION:**

For the reasons given in this report it is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, Members grant planning permission for the proposal subject to the conditions listed below, and subject to no objections being received in any representations submitted as a result of the publicity undertaken.

**Conditions:**

- 1 This permission shall be granted for a limited period until 31st March 2022 from the date hereof and the works authorised shall be removed and the bridge reinstated to its former condition at or before the expiry of the period specified in this permission.

In order to protect the visual significance of the listed structure in accordance with Policies BH1, BH7 and BH8 of the adopted CSDP.

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

- Location Plan received 26/08/2021
- Site Plan received 26/08/2021
- Drawing No. 20/NB024/001 (Existing Elevation Plan) received 26/08/2021
- Technical Drawing received 26/08/2021
- Drawing No. 20/NB024/001 (Proposed Elevation Plan) received 09/09/2021

In order to ensure that the completed development accords with the scheme approved and to comply with Policy BH1 of the adopted Core Strategy and Development Plan.

- 3 Access to the lighting scheme hereby approved shall be provided to Network Rail for the purposes of assessment of its effect upon the nearby railway line. In the event that Network Rail identifies an unacceptable effect upon the railway line and its operation from the lighting scheme, appropriate measures to alleviate the effect will be required. Written details of any measures required shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Network Rail) and shall be fully implemented, at the expense of the developer, to a timetable to be first agreed in writing with the Local Planning Authority (in consultation with Network Rail). The approved measures shall be retained for the lifetime of the development and removed at the same time as the lighting scheme.

In the interests of the rail driver safety and to comply with Policy BH1 of the adopted Core Strategy and Development Plan.

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**Reference No.:** 21/02040/LB3 Listed Building Consent (Reg3)

**Proposal:** **The installation of temporary lighting on Wearmouth Bridge**

**Location:** Wearmouth Bridge Bridge Street Sunderland

**Ward:** Hendon

**Applicant:** Ms Victoria French - Sunderland City Council

**Date Valid:** 26 August 2021

**Target Date:** 21 October 2021

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## **PROPOSAL:**

### **INTRODUCTION / BACKGROUND**

Listed Building Consent is sought for the installation of temporary illuminated lighting on the Wearmouth Bridge in Sunderland. In the first instance it is proposed to turn on the lighting on 18th November 2021 and then turn it off on 3rd January 2022. However, this application seeks temporary Listed Building Consent until the end of March 2022 to allow the temporary lighting to also be used from January to March 2022 to commemorate any significant dates or support any outdoor events / activities during this time.

The primary aim of the temporary lighting installation is to illuminate the Wearmouth Bridge to create a route of light from the seafront to the City Centre as part of the Sunderland Illuminations Festival. A planning application Ref: 21/02039/LP3 has also been submitted.

The most recent planning permission and listed building consent for the temporary illuminated lighting installation (see planning history below) included a condition to control that it be installed for a limited period only until 31st March 2021 - and to require works to be removed and the bridge reinstated to its former condition on or before the expiry of this date. The acceptability of the scheme previously approved partly related to its temporary nature. However, the lighting installation has remained partly in situ beyond the 31st March 2021, with the lighting facing externally still attached to the bridge today. The applicant has confirmed in writing that the reason the temporary lighting was not removed on or before 31st March 2021 was due the unprecedented circumstances relating to the Covid-19 pandemic. The lock down and then changes to how organisations were operating / prioritising resulted in the lighting remaining in situ.

### **SITE DESCRIPTION**

The Grade II listed Wearmouth Bridge was constructed in 1929. The bridge was constructed on the site of an iron bridge built in 1793 which was expanded by the eminent engineer Robert Stephenson in 1856. The current bridge retains some original features (balustrades) whilst encasing others in stronger abutments, and includes an additional columned arch. The bridge is a three pinned arch steel structure which sits on natural stone-faced concrete abutments.

The Wearmouth Bridge is located adjacent to the Grade II listed Monkwearmouth Railway Bridge, and it provides the main connection from the City Centre to the north.

## **PROPOSAL**

The temporary illuminated lighting installation consists of 100 no. silver coloured LED lighting bars which have an anodized and UV neutral polycarbonate cover fixed to each of the structural columns of the bridge, which face internally and externally, on both the eastern and western elevations. The LED lighting bars include a mixture of 10w and 20w bars of 1 metre and 2 metres in size which have a maximum output of 2000w.

The method of fixing for the lighting bars includes all areas where the bars are installed (the position of fixing brackets and stainless steel bands) being protected with hard-wearing rubber sheeting / bands to protect the paint finish on the lighting column/bridge support from abrasion.

It should be noted that the temporary illuminated lighting installation currently in situ has external facing lighting only. The internally facing lighting has previously been removed to accommodate an event being held on the bridge (at a time when the external lighting was still required). However, this application seeks planning permission for the temporary lighting installation to be both internally and externally facing, as per the previous applications.

## **PLANNING HISTORY**

September 2019 - Planning application Ref: 19/01304/LP3 and application for Listed Building Consent Ref: 19/01305/LB3 both granted for the display of lighting on the Wearmouth Bridge as part of the 2019 Sunderland illumination Festival. Permission was granted to display the lighting until 31st January 2020.

March 2020 - Planning permission Ref: 19/02037/LP3 and application for Listed Building Consent Ref: 19/02038/LB3 granted for the display of the lighting for an extended period until 30th March 2020. The applications were re-submitted because due to technical issues, the lighting switch on was delayed.

November 2020 - Planning permission Ref: 20/01490/LP3 and application for Listed Building Consent Ref: 20/01491/LB3 granted for the display of the lighting between 1st November 2020 and 31st March 2021.

## **TYPE OF PUBLICITY:**

Site Notice Posted  
Press Notice

## **CONSULTEES:**

Tyne And Wear Archaeology Officer  
Historic England  
Network Management  
Hendon - Ward Councillor Consultation

Final Date for Receipt of Representations: **06.10.2021**

## **REPRESENTATIONS:**

### **Publicity**

The proposal has been advertised by way of two site notices posted on site and an advertisement in the local newspaper.

At the time of drafting this Committee report, no representations had been forthcoming regarding the proposal.

### **Consultees**

#### Historic England

The lighting installation works with the shape of the structure to create a striking night time illumination. This reinforces and celebrates the bridge's role as a landmark. However, the lights and their cabling create a lot of clutter on the structure which detracts from its appearance at close quarters, especially in daylight. The way it is attached to the structure is reversible and no lasting damage should occur, but it is not the kind of lighting installation that should be seen as permanent.

As per our original advice on this installation in September 2020 there is no objection to this proposal for an installation tied to a defined period and purpose but continuation of the installation for another year over a period of five months is not ideal and starts to question how temporary this installation is.

Lighting the bridge in a creative way that creates less clutter on the structure should be possible and could be retained in situ on a permanent basis, removing the need for renewals of planning permission. Doing so would better reflect the importance given to conservation through legislation and planning policy, for example Paragraph 193 of the National Planning Policy Framework which asks that great weight be given to the conservation of designated heritage assets.

As for this application we have no objection to one further installation for the coming winter period but would not support its retention and / or replication in following seasons.

#### Conservation Team

Wearmouth Bridge is a hugely prominent landmark listed building spanning the River Wear and is an iconic symbol of Sunderland's industrial heyday. It is a proud example of the City's engineering feats of the early 20th century.

Whilst in principle showcasing the bridge through an appropriate lighting scheme is encouraged, there are concerns over the visual impact of so many lighting LED Bars strapped to all the slender columns across the span of the bridge. Collectively it is considered that the lighting fittings will have an overly noticeable visual effect on the proportions of the columns and overall historic structure of the listed bridge, resulting in harm to the original designed form, structural detailing, appearance and significance of the bridge. As a permanent scheme the lighting proposal would



not therefore be considered acceptable. However, as a temporary lighting scheme as part of the wider illuminations programme, the harm to the listed building would be time-limited due to its reversibility and short-term visual impact. The public benefits of the proposal to help promote the City and attract visitors to it as part of the Illuminations Festival is considered to outweigh the temporary harm to the significance of the listed building.

On balance the proposed lighting installation is acceptable, provided the lighting is removed at the end of the proposed period of display. It is noted that this temporary solution has now been extended twice, so it is important that a more sensitive permanent solution is provided for consideration next year.

Tyne and Wear Archaeology Officer

No archaeological work required in relation to the proposed development.

## **POLICIES:**

In the CSDP the site is subject to the following policies;

BH1  
BH7  
BH8  
HS1  
ST2 and ST3

## **COMMENTS:**

### **PLANNING POLICY AND LEGISLATIVE CONTEXT**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant Listed Building Consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The current development plan comprises the Core Strategy and Development Plan (2015-2033) adopted in January 2020, the 'saved' policies within the City of Sunderland Unitary Development Plan (UDP) adopted in 1998 and the UDP Alteration No. 2 (Central Sunderland) adopted in 2007, and the International Advanced Manufacturing Park (IAMP) Area Action Plan (AAP) 2017-2032.

The National Planning Policy Framework (NPPF) (20th July 2021) is a material consideration for the purposes of Section 38(6) of the Act. It provides the Government's planning policy guidance, and so the assessment of a planning application should have regard to it.

### **ASSESSMENT OF PROPOSAL**

The main issue relevant to the assessment of the application is the impact of the proposal on the historic character and fabric of the designated heritage asset which in this case is a Grade II listed Wearmouth Bridge.

Policy BH7 of the Council's adopted CSDP states that the Council will ensure that the historic environment is valued, recognised, conserved and enhanced, sensitively managed and enjoyed for its contribution to character, local distinctiveness and sustainable communities - including by

giving weight to the conservation of heritage assets based on their significance in accordance with national policy; and capitalising in an appropriate and sensitive manner on the tourism potential of heritage assets.

Policy BH8 of the Council's adopted CHDP is specifically relevant to heritage assets and advises that development affecting heritage assets should recognise and respond to their significance and demonstrate how they conserve and enhance the significance and character of the asset. It states that development affecting a listed building, including alterations and additions, should be sympathetic and complementary to its height, massing, alignment, proportions, form, architectural style, building materials and setting.

Paragraph 202 of the National Planning Policy Framework (NPPF) (dated 20th July 2021) states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Both Historic England and the Council's Conservation Team have stated that the illuminated lighting installation causes harm to the original designated form, structural detailing, appearance and significance of the Grade II listed Wearmouth Bridge, but that it would be acceptable for a temporary period given the public benefits that it would provide as part of the Sunderland Illuminations Festival. They have advised that the proposed lighting installation is acceptable, provided it is removed at the end of the proposed period of display. They have also stated that this temporary solution has now been extended twice, so it is important that a more sensitive permanent solution is provided for consideration next year.

It is considered that the temporary lighting installation does cause harm to the appearance and significance of the Grade II listed bridge, which is one of the City's most recognisable landmarks. This is because it is highly visible against the cylindrical columns and overall historic structure of the bridge. Indeed, the lighting installation would not be acceptable if it was to be retained on a permanent basis. However, any harm to the listed building will be time-limited due to its reversibility (no fixings are drilled into the supporting columns) and short-term visual impact. The temporary lighting installation will also provide public benefits, lighting up this iconic symbol of the City, and helping to promote the City and to attract visitors to it as part of the Sunderland Illuminations Festival. It is considered that these public benefits are sufficient to outweigh the temporary harm to the appearance and significance of the Grade II listed bridge.

As advised by Historic England and the Council's Conservation Team, it is considered that the proposal is suitable on a temporary basis only and so it is recommended that a condition be attached to any Listed Building Consent to require the removal of the lighting and associated works by 31st March 2022. It is recommended that an informative be attached to any Listed Building Consent to advise them that a more sensitive permanent solution for lighting installations on the bridge should be considered for 2022/23.

Given the temporary nature of the illuminated lighting installation, it is considered that it is satisfactory in relation to Policies BH7 and BH8 of the adopted CSDP and that it accords with guidance in the NPPF.

## CONCLUSION

Given that the proposed lighting installation is for a temporary period of time, and given the public benefits that it will provide relating to the Sunderland Illuminations Festival, it is considered to be acceptable in relation to impact on the appearance and significance of the Grade II listed

Wearmouth Bridge. It accords with the relevant policies within the adopted CSDP and guidance within the NPPF.

**RECOMMENDATION:** For the reasons given in this report it is recommended that Members grant Listed Building Consent for the proposal subject to the conditions listed below, and subject to no objections being received in any representations submitted as a result of the publicity undertaken.

**Conditions:**

- 1 Listed Building Consent shall be granted for a limited period until 31st March 2022 from the date hereof and the works authorised shall be removed and the bridge reinstated to its former condition at or before the expiry of the period specified in this permission.

In order to protect the visual significance of the listed structure to comply with Policies BH1, BH7 and BH8 of the adopted Core Strategy and Development Plan.

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

- Location Plan received 26/08/2021
- Site Plan received 26/08/2021
- Drawing No. 20/NB024/001 (Existing Elevation Plan) received 26/08/2021
- Technical Drawing received 26/08/2021
- Drawing No. 20/NB024/001 (Proposed Elevation Plan) received 09/09/2021

In order to ensure that the completed development accords with the scheme approved and to comply with Policies BH1, BH7 and BH8 of the adopted Core Strategy and Development Plan.