
REPORTS FOR CIRCULATION

REPORT BY EXECUTIVE DIRECTOR OF ECONOMY & PLACE

1. PURPOSE OF REPORT

- 1.1 This report is circulated to the Committee. It includes additional information received after the preparation of the committee report. This information may allow a revised recommendation to be made.

2. LIST OF CIRCULATED ITEMS

- 2.1 Applications for the following sites are included in this report.

- 17/02418/HY3: Former Littlewoods, Commercial Rd, Sunderland
- 17/02311/FUL & 17/02312/LBC: 40-41 Frederick St, Sunderland

3. 17/02418/HY3: Former Littlewoods, Commercial Rd, Sunderland

- 3.1 The committee report recommended granting consent in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) subject to a series of issues being resolved. An update to these items will be presented below.

1. The applicant has submitted an amended plan which accords with the recommendations of the Council's Urban Design Officer.
2. The Council's Environmental Health Officer has advised that they consider the development to be acceptable subject to conditions. These conditions can be seen below.

- 3.2 The applicant has also submitted additional plans showing how a 2,500 square metre building could be accommodated on plot three. The applicant has further submitted a plan clarifying the extent of full / outline planning permission. These plans will form part of the officer

presentation to Members.

3.3 The recommendation would therefore now be

Minded to GRANT CONSENT under Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended) for the reasons set out in the report, the above update, the conditions set out in the original committee report and the additional / amended conditions below

Amendments to conditions

3.4 The deleted items are shown as ~~striketrough~~ and the additions as ***bold italics***

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

Proposed site plan, Rev A

~~Proposed site plan, Rev A (showing extent of full planning permission)~~

Proposed site plan, ZV454960 / 003 A

~~Proposed site plan Detail on plot 1 & 2, Rev A~~

Proposed site plan Detail on plot 1 & 2, Revisions B

Proposed site plans, Drawing No. 3833 10 01 A

Proposed floor plans, Drawing No. 3833 20 01 A

Proposed elevations, Drawing No. 3833 20 02 A

Roof Plan and Section - Block 1 (Units A-E) 1378 (00)03 P1

Elevations - Block 1 (Units A-E) 1378 (00)02 P2

Floor Plan - Block 1 (Units A-E) 1378 (00)01 P1

Proposed Site Layout Option 1 1378 SK01 P2

Roof Plan and Section - Block 2 (Unit F) 1378 (00)21 P1

Floor Plan and Elevations - Block 2 (Unit F) 1378 (00)20 P1

Roof Plan and Section - Block 3 (Unit G) 1378 (00)41 P1

Floor Plan and Elevations - Block 3 (Unit G) 1378 (00)40 P1

Roof Plan and Section - Block 4 (Unit H) 1378 (00)61 P1

Floor Plan and Elevations - Block 4 (Unit H) 1378 (00)60 P1

Roof Plan and Section - Block 5 (A.C.T. Offices) 1378 (00)83 P1

Floor Plans - Block 5 (A.C.T. Offices) 1378 (00)80 P2

North and South Elevations - Block 5 (A.C.T. Offices) 1378 (00)82 P1

West and East Elevations - Block 5 (A.C.T. Offices) 1378 (00)81 P1

Roof Plan and Section - Block 6 (Storage Shed) 1378 (00)91 P1

Floor Plan and Elevations - Block 6 (Storage Shed) 1378 (00)90 P1

Proposed Site Layout ACT Construction 1378 (90)01 P1

Recommendations made within the Ecological Appraisal by
Dendra Consulting Ltd

Seawall Outfall Detail, Drawing NF036_003 (Revision P1)

Proposed Surface Water Drainage - Option 2, Drawing No.
NF036 / 002 (Revision P3)
Proposed External Drainage Arrangement JCC18-041-100
(Revision A)
Plot 2 - Commercial Road PL02-ComRd-001 (rev. 0/-)

Reason: In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

8. No development shall commence on plot **one** until a statement identifying how energy saving measures will be incorporated into the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be included in the final build and maintained thereafter.

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

31. ***In terms of plot three***, no development shall commence until a Scheme of Work has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include defined routes for site deliveries and construction traffic. The Scheme shall also include details of site compounds, contractor parking, wheel washing and / or road cleaning operations.

Reason: To ensure, in accordance with Unitary Development Plan policy T14, the development hereby approved would not cause traffic congestion or highway safety problems.

Additional conditions

3.5 The recommended additional conditions are shown below:

32. No development shall commence on plot one until a Preliminary Unexploded Ordinance Assessment has been submitted to and approved in writing by the Local Planning Authority. The Assessment shall include a desk based report and recommendations for any mitigation that may be required.

Reason: To ensure accordance with Unitary Development Plan Policy EN14.

33. No development shall commence on plot one until a detailed Remediation Strategy and Verification Plan to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been

submitted to and approved in writing by the Local Planning Authority. The strategy shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the residential use of the land.

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

34. The development hereby approved on plot one shall not be occupied until the approved remediation works have been completed in accordance with the approved Remediation Strategy and a verification report that demonstrates the effectiveness of the remediation works and accords with the terms of the approved Verification Plan has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

and paragraph 109 and 120 of the National Planning Policy Framework.

36. No development shall commence on plot two until a Preliminary Unexploded Ordinance Assessment has been submitted to and approved in writing by the Local Planning Authority. The Assessment shall include a desk based report and recommendations for any mitigation that may be required.

Reason: To ensure accordance with Unitary Development Plan Policy EN14.

37. No development shall commence on plot two until a detailed Remediation Strategy and Verification Plan to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the residential use of the land.

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

38. The development hereby approved on plot two shall not be occupied until the approved remediation works have been completed in accordance with the approved Remediation Strategy and a verification report that demonstrates the effectiveness of the remediation works and accords with the terms of the approved Verification Plan has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

40. No development shall commence on plot three until a Preliminary Unexploded Ordinance Assessment has been submitted to and approved in writing by the Local Planning Authority. The Assessment shall include a desk based report and recommendations for any mitigation that may be required.

Reason: To ensure accordance with Unitary Development Plan Policy EN14.

41. No development shall commence on plot three until a detailed Remediation Strategy and Verification Plan to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the residential use of the land.

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

42. The development hereby approved on plot three shall not be occupied until the approved remediation works have been completed in accordance with the approved Remediation Strategy and a verification report that demonstrates the effectiveness of the remediation works and accords with the terms of the approved Verification Plan has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

44. The development hereby approved shall only open between 7am and 7pm.

Reason: To ensure accordance with Unitary Development Plan policy EN5.

4. 17/02311/FUL: 40-41 Frederick St, Sunderland

- 4.1 The committee report recommended that Members be minded to approve subject to a series of issues being resolved. An update to these items will be presented below.

1. The Council's Ecologist has advised that they now have no

objections.

2. Although a response has not been received from the Lead Local Flood Authority to the re-consultation, officers are of the opinion that the proposed development should not be refused on drainage grounds. The application proposes a change of use which reduces the amount of buildings through the demolition of a substantial single storey extension to the rear; whilst the hard surfacing to the rear otherwise remains the same. The agent has noted that the proposed development would involve repairs to the guttering and down pipes to improve the efficiency of surface water drainage.
3. Although a response has not been received from the Environmental Health Officer to the re-consultation, officers are of the opinion that the proposed development should not be refused on noise grounds. The site lies within an area where the local plan, via policy SA55B.1 of UDP2, identifies residential as being a predominant use. There are not any extremely noisy uses within the immediate vicinity of the site that would warrant a noise survey being necessary.
4. The Conservation Officer has advised that they have no objections; subject to conditions ensuring the provision of a method statement and materials. These conditions are recommended for attachment to the listed building consent.
5. The applicant has submitted a letter from the current owner of the property outlining that large parts of the building have been empty for the past 4-5 years, with the building “primarily unoccupied for the past 2 years”. The applicant has also submitted an e-mail from a firm of chartered surveyors which identifies that there “is extremely limited demand for office suites of this size within the centre in its current format and condition” and there exists “a growing trend for demand for alternative uses particularly of a residential nature”. Officers are of the opinion that the additional information noted above provides a substantive enough material consideration to outweigh the conflict with Sunnyside Planning and Development Framework Policy SPDF6.

4.2 The recommendation would therefore now be

Members be minded to approve for the reasons set out in the report, the above update, the conditions set out in the original committee report and the additional / amended conditions below.

Amended conditions

The deleted items are shown as ~~striketrough~~ and the additions as

bold italics

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

Proposed ground floor plan proposed basement floor plan
(Drawing No. 03, Rev *)

Proposed first and second floor plans (Drawing No. 04, Rev *)

Proposed elevations (Drawing No. 06, Rev *)

Recommendations within submitted Bat Risk Assessment

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

5. 17/02312/LBC: 40-41 Frederick St, Sunderland

- 5.1 The committee report recommended that Members be minded to approve subject to the receipt of a positive response from the Conservation Officer. The Conservation Officer, as noted above, has recently advised that they have no objections; subject to conditions ensuring the provision of a method statement and materials.

- 5.2 The recommendation would therefore now be:

Members be minded to approve; for the reasons set out in the report, the above update, the conditions set out in the original committee report and the additional conditions below.

3. No demolition of the single storey extension to the rear of the building shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include the means of separation, methods for making good any damage and proposed treatments of surfaces (including brick cleansing and method for reinstatement of the basement light wells).

Reason: To ensure, in accordance with paragraph 130 of the National Planning Policy Framework, the development hereby approved sustains and enhances the significance of the heritage asset.

4. No development shall commence on the skirtings, roof lights and windows, until cross section drawings of the roof lights, skirtings and windows have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure, in accordance with paragraph 130 of the National Planning Policy Framework, the development hereby approved sustains and enhances the significance of the heritage asset.

5. No development shall commence on the exterior of the building until a brick sample has been submitted to and approved in writing by the Local Planning Authority. The approved brick shall thereafter be used in the development hereby approved.

Reason: To ensure, in accordance with paragraph 130 of the National Planning Policy Framework, the development hereby approved sustains and enhances the significance of the heritage asset.

6. No development shall commence on the exterior of the building until details of the mortar mix have been submitted to and approved in writing by the Local Planning Authority. The approved mortar mix shall thereafter be used in the development hereby approved.

Reason: To ensure, in accordance with paragraph 130 of the National Planning Policy Framework, the development hereby approved sustains and enhances the significance of the heritage asset.