

DEVELOPMENT PLAN

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

Unitary Development Plan - current status

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

STANDARD CONDITIONS

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

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (General Development Procedure) Order 1995.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

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

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

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

These reports are held on the relevant application file and are available for inspection during normal office hours at the Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett

Director of Development and Regeneration Services.

1.

Houghton

Reference No.: 08/01641/LAP Development by City(Regulation 3)

Proposal: Erection of a 1.8m high fence

Location: Land To The Rear Of 54-56 Dunelm Drive Houghton-le-Spring

Ward: Houghton

Applicant: Director Of Development And Regeneration

Date Valid: 10 June 2008

Target Date: 5 August 2008

Location Plan



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PROPOSAL:

Planning permission is sought for the erection of a fence to the rear of numbers 54-56 Dunelm Drive, Dairy Lane Estate, Houghton-Le-Spring, DH4 5QQ.

The fence would have a length of 26 metres, a width of 1.6 metres and a maximum height of 1.8 metres. The fence would serve to replace a pre-existing fence at this site removed due to being in a state of disrepair.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Final Date for Receipt of Representations: **08.07.2008**

REPRESENTATIONS:

One letter of representation has been received from the occupiers of 54 Dunelm Drive in support of the application, citing that the fence is required in order to alleviate problems of anti-social behaviour on this site.

No other comments or representations have been received.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments
EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

COMMENTS:

The main issues to consider in assessing the application are:

- the impact of the proposed fencing on the aesthetics of the streetscene;
- the visual amenities of neighbouring residents;
- the design, siting, scale and appearance of the proposed extension and;
- highway implications.

Impact on Streetscene and Visual Amenities of Neighbours

Whilst it is recognised that the fencing would have a prominent appearance when viewed from Dunelm Drive, it is considered that the relatively standard height of the fencing would not detract or erode the visual appearance of the streetscene of Dunelm Drive.

Furthermore the height and positioning of this fence to the south of 54 and 56 Dunelm Drive means that the development would not have any overbearing impacts upon these properties. The proposal is therefore considered to accord with policy B2 of the adopted UDP.

Design, Siting, Scale and Appearance

The proposed fencing would by virtue of its height, width and external appearance harmonise with existing fencing present to the rear of a number of properties within Dunelm Drive, notable examples of such fencing include numbers 48-52 and 60-68 Dunelm Drive. Notwithstanding this, an appropriate condition can be imposed requiring details of the colour of the fencing to be submitted to match the existing fencing, should Members be minded to approve

the application. As such, upon compliance with this condition, the design, siting, scale and appearance of the proposed fencing is considered to be acceptable and, thus, accords with policy B2 of the adopted UDP.

Conclusion

In relation to the above the proposed development is deemed to accord with policy B2 of UDP and would have negligible impact upon the existing streetscene.

It is, therefore recommended that Members approve the application accordingly 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, 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 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a RAL number of the colour of the fencing 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.

Reference No.: 08/01617/VAR Variation of Condition

Proposal: **Variation of condition 27 of permission 04/02864/FUL, Development of 20no junior sports pitches and associated changing facilities, carparking and landscaping.**

Location: Proposed Sports Pavillion Staddon Way Houghton Le Spring

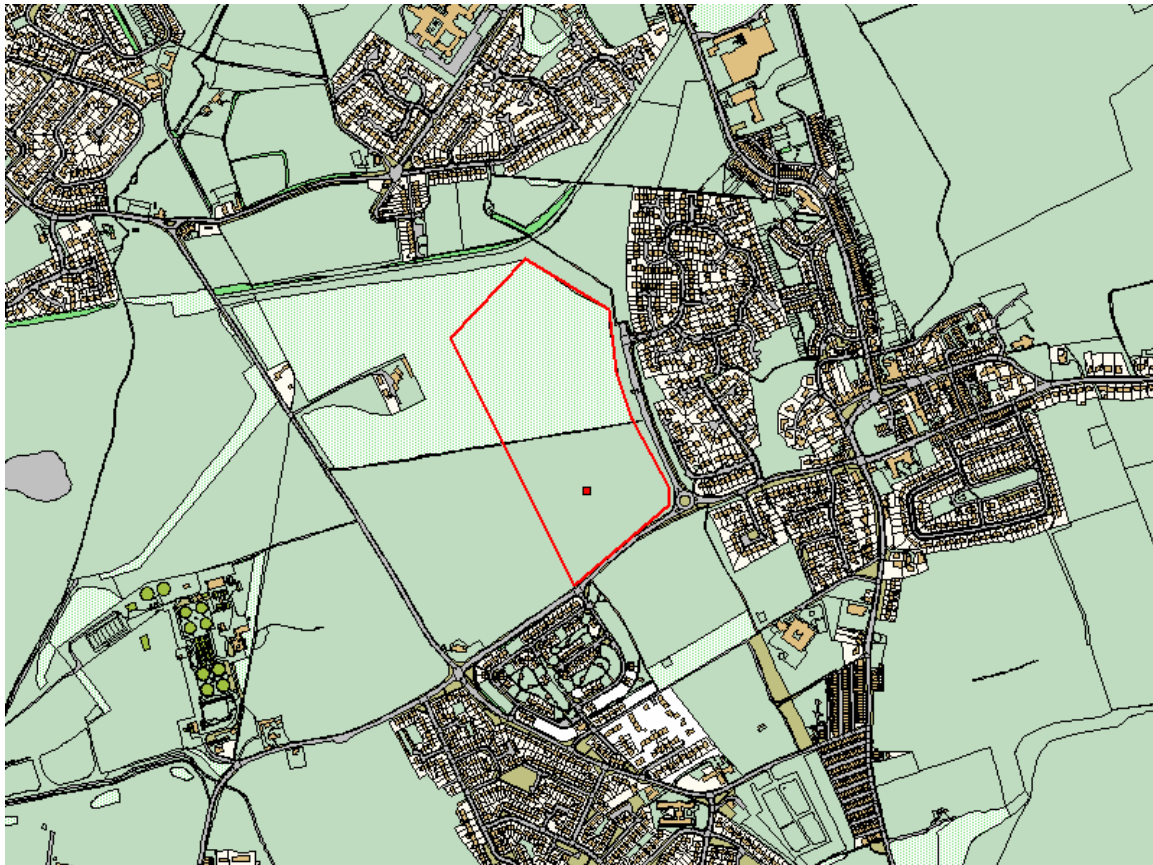
Ward: Houghton

Applicant: Russell Foster Tyne And Wear Youth League

Date Valid: 18 April 2008

Target Date: 13 June 2008

Location Plan



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PROPOSAL:

This is an application is made under Section 73 of the Town and Country Planning Act 1990 (as amended) to amend condition 27 of planning permission 04/02864/FUL granted 7th April 2005. Section 73 of the Act allows applications to be made to either remove or modify conditions previously applied to the

consent. Further section 73(2) makes it clear that the local planning authority shall consider only the question of those conditions, i.e. it may not enquire into the permission itself. Section 73 requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted. This does not prevent them from looking also at the wider considerations affecting the original grant of permission, however, the words make it clear that whatever decision is reached on the condition, the original permission must be left intact. Case law also indicates that the new application does not empower the authority to rewrite the permission altogether, although it would be possible to impose additional conditions on the new permission, but these would not be added to the old permission. This issue is considered further in the section below covering noise issues.

If the application is approved the applicant will have two planning permissions for the same proposal, one with condition 27 as originally worded and one with the amended wording for that condition.

Condition 27 of application 04/02864/FUL reads as follows `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.

The wording of the above condition means that the remediation works have to be carried out and completed as a single phase prior to any development commencing on site. However, the developer feels that there is a method and timescale benefit in phasing the works into 4 separate phases. The nature of the works proposed to be carried out in each of the phases is as follows:-

Phase 1 (Pitches 1 -15)

Remediation works proposed to commence (June 2008).

Laying of sports pitches proposed to commence (September 2008).

Proposed to commence operation (August 2009).

Phase 1, which covers the southern half of the site, was found in fact to be uncontaminated with respect to metals, inorganics and organics i.e. the appropriate safety standards for the tested contaminants were not exceeded. The survey and analysis reports, previously approved under condition 26, show that there is no need to undertake any remediation works within the area of phase 1. However, condition 28 covers the situation that if development works, such as levelling the pitches, were to reveal some unexpected contamination, then an additional method statement for the treatment of that contamination has to be submitted and approved by Sunderland City Council as Local Planning Authority.

Phase 2 (Changing Pavilion / Car Parking)

Remediation works proposed to commence (October 2008).

Construction of pavilion proposed to commence (November 2008).

Construction of external works proposed to commence (May 2009).

Proposed to commence operation (August 2009).

Phase 3

Remediation works proposed to commence (October 2008).

Laying of sports pitches proposed to commence (March 2009).

Proposed to commence operation (Spring 2010).

Phase 3 covers most of the northern half of the site (the proposed pitch area) and was also found to be uncontaminated with respect to metals, organics and inorganics. A previous site investigation of land just beyond the site boundary (following the line of the dismantled railway) detected the presence of slightly elevated metals (copper and nickel). This is detailed in Dunelm borehole location plan D1122/02 - borehole locations 3 and 4. However, this contamination has not been detected in samples taken within the site from the most recent site investigation (see Nt10128 /0004 hand augered borehole locations), i.e. all samples within and close to the site boundary showed safe concentrations of all metals.

Phase 4

No remediation works required within this area.

The purpose of the phasing is to allow the establishment of pitches 1-15 prior to operation of the site in August 2009.

The wording of the condition proposed by the developer is as follows-

'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 local planning authority, in the interests of residential amenity and to comply with policy EN14 of the UDP',

As members will appreciate this wording is unwieldy and unclear. Accordingly if the proposed amendment is accepted then the Council has the option to further alter that wording to its own satisfaction.

The application has been advertised accordingly.

TYPE OF PUBLICITY:

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

Forestry Commission

Great North Forest

Environment Agency

Director Of Community And Cultural Services

Sport England

Forestry Authority

Final Date for Receipt of Representations: **07.07.2008**

REPRESENTATIONS:

232 letters of objection have been received to the variation application, within the period for making representations (up to and including 7th July 2008). These include letters from the Tree and Wildlife Action Group and a Mr Green. Most of the objections raised relate to the proposed development as a whole and not to the variation of the condition. Those objections which do refer to the proposed amendment are considered below. In addition the issue of noise generated by the development is considered, but only in so far as whether a further condition should be attached requesting a noise survey and, if appropriate, details of noise attenuation measures.

POLICIES:

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

EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas

COMMENTS:

Following the receipt of many letters of objection relating to the whole proposal, it was decided to re-advertise and re-consult neighbours in order to clarify this point that the application under consideration is an application to vary a condition on the existing permission rather than re-application for permission for the overall development.

The existing planning permission (ref: 04/02864/FUL) was granted on 7th April 2005 for a recreational development comprising of 20no. junior sports pitches with associated changing facilities, car parking and landscaping. The permission was granted subject to 30 conditions. The present application is made under Section 73 of the Town and Country Planning Act seeks to vary condition 27 of this permission. Condition 27 of this permission relates to the requirement to carry out all of the works specified in the remediation statement in one phase prior to any development work commencing on site.

The application seeks to amend this condition so that the remediation works can be undertaken in four separate phases as indicated earlier in this report. Therefore the remediation works required as part of planning application 04/02864/FUL would be undertaken in four phases, with each phase taking place in three stages:-

- (1) excavation of clean topsoil and regrading of the landform to produce a level platform on which to build,
- (2) construction of pitches, sports pavilion, compound area and car park and including where required in the remediation strategy the emplacement of clean covers or hard standing (where the end use is car park); and
- (3) verification of the remediation works to ensure that user-sensitive areas do not contain any contamination which might pose a risk to human health, within 600mm of the finished surface and/or any contamination within 600mm of the finished surface as a result of imported soils.

These remediation proposals/methodology have been examined by consultants working on behalf of the Council's Environmental Health service and recommended for approval to discharge condition 26 attached to the original permission. That approval has recently been issued and condition 26 discharged.

The applicant has asked that condition 27 be amended as follows:-

'Unless otherwise agreed with the Local Planning Authority, no development approved by this permission, other than the works specified in the remediation works strategy, and any associated temporary site compound, access or infrastructure required to implement the remediation strategy, shall commence until the works specified in the remediation strategy have been completed in accordance with the approved scheme, and a report or reports validating the remediated site phase(s) has/have been approved in writing by the Planning Authority in accordance with condition 26, in the interest of residential amenity and to comply with Policy EN14 of the UDP. The remediation strategy may be implemented and approved in 4 separate phases shown on drawing 03/0031/02C. Development works in each phase area can be implemented in each phase once the remediation strategy works for that phase have been implemented and approved in accordance with this condition and condition 26'.

Representations

232 letters of objection to the proposal have been received. However, the majority of the objections raised relate to the principle of the whole development and not to the application to vary condition 27. As stated earlier in the report the local planning authority can only consider the question of the conditions subject to which planning permission should be granted. It cannot reconsider the merits of the 2004 application and subsequent permission.

A number of the objection letters whilst opposing the whole proposal have raised issues relating to the variation of the condition and these are considered below.

One objection letter basically states that "site remediation of the development site is now necessary because the ground investigations have identified contamination in one form or another". However, variation of the condition does not change the remediation proposals only their division into phases and order of when they take place.

The remaining issues raised by objectors to the proposed variation of the condition 27 are:-

1. The application to amend condition 27 cannot be looked at in isolation, rather conditions 19, 22 and 23 must also be considered.
2. The revised condition 27 would leave contamination on the site such as nickel, arsenic and copper.
3. No site investigation has been undertaken outside the application boundary or the land to be used for the temporary access.
4. There is a known landfill within 250m of the site.

Taking these in the above order it is advised that:-

1. Condition 19, 22 and 23 of the 2004 permission relate to the creation of acceptable visibility splays and access, the carrying out of an arboricultural survey and no tree felling to be undertaken without the prior written approval of the LPA respectively. This approval has already been given by the Council to the felling of the trees following submissions made to discharge conditions 22 and 23. A separate felling licence still needs to be granted by the Forestry Commission and at the time of writing this report that had not been given. Condition 19 relates to the permanent access to the development and refers to details being approved before the development commences. These details have already been approved and this access point will be employed to serve the compound proposed for phases 2-4 inclusive. Nevertheless, the temporary provision of a compound on land adjacent to a site with a planning permission, for the purpose of implementing that permission is permitted development under Class A Part 4 Temporary Buildings and Uses of the Town and Country Planning (General Permitted Development) Order 1995. A temporary access to this compound already exists as a farm land access and as the plant will only access the site once and leave it once no alterations to that access are required so no additional planning permission is required for use of the access.

2. Conditions 26, 27 and 28 of permission 04/02864/FUL were imposed to deal with any contamination that may be present on the site. Condition 26 requires a detailed desk study and site investigations to be carried out. Two site investigation assessments were carried out across the site (Phase I and Phase II). Phase I investigations involved the sampling and analysis of topsoil and made ground to ascertain the presence and concentrations of potentially present pollutants. A total of 8 test pits and 6 bore holes were excavated on the site. The test pits were located in the Phase 1 area, whilst the bore holes were situated in Phase 2 and 3 areas of the site. Phase II Site Investigations involved the sampling and analysis of made ground (ground at a depth of 0.2 - 0.6m) samples again for the presence and concentrations of potentially present pollutants. A total of 25 trial pits were excavated.

The above site investigations revealed that whilst there are metals and in-organics present there are no elevated concentrations of any of these elements / compounds and as such the risk to human health is considered to be negligible. In addition to the above study and investigations, remediation objectives were determined through a risk assessment details of which have all been agreed with the Local Planning Authority and as such condition 26 has been formally discharged. In reality the details approved to discharge condition 26 involve covering the low levels of contamination found with 600mm of soil or hardstanding (depending on the proposed after use) and this is an acceptable means of preventing the contamination reaching users of the site and has already been formally approved within the discharge of condition 26.

3. Condition 27 relates to the remediation works to be undertaken on the site whilst condition 28 will deal with any contamination not previously identified being found on the site during construction works. Between them these conditions and the submissions approved to discharge them will ensure that there would be no significant adverse impact on ground water or human health during construction activity and during use of the developed site.

The scope of the investigations were required to cover the application site only and not any adjoining land unless considered necessary owing to the levels of contaminants found to be present on the site. With regard to the proposed

temporary access, no site investigation works of this land are required given that it is an existing farm access that will serve the site compound area from Coaley Lane.

4. The proximity of the development to a known landfill site was considered fully in the 2004 planning application and is therefore not relevant to the application currently under consideration. The approved scheme drawings included a gas membrane to be incorporated into the foundations of the proposed pavillion as a precautionary measure against any possible methane migrating from the landfill site. This is a standard precautionary measure.

A second letter makes points which will be addressed in the order in which they are raised. The first point relates to what is referred to as a stopping order and states that this cannot be overruled by the Town and Country Planning Act 1990. The whole point is that the developer already has a planning permission and the current application seeks to amend the wording of condition 27 so that remediation and development works can be undertaken in phases rather than all the remediation works being undertaken before any development works. The felling licence relates to woods occupying phases 2, 3 and 4. There are no trees on phase 1.

The felling licence and the planning permission are 2 completely separate consents needed to implement the development. If the felling licence is not granted the whole development will not go ahead because the developer could not even implement phase 1- the grass pitches, for the reason outlined earlier in this report and could not construct the changing rooms and car parks. In that respect any planning permission, even one with the amended condition 27, would not override the lack of a felling licence, so the objector's point would not apply. However, if the Council does not proceed to determine this application the applicant could appeal and apply for costs on the grounds that the Council acted unreasonably in not determining the application within the 8 week period, even if the lack of a felling licence ultimately meant that the development could not proceed.

The objector's second point, that the trees are 20 years old is incorrect; the trees are approximately 10 years old. If they were less than 10 years old when felled the applicant would be required to repay the grant paid to fund the planting. It is understood that if the trees have been up for at least 10 years the repayment is not required.

The objector's third point that the Forestry Commission was not consulted on the original permission is also not correct as both the Forestry Commission and the Forestry Authority were consulted before the original permission was granted.

The objector's final point is a little unclear. The objector alleges that "If phase 1 is allowed to proceed. Then we have no facilities, no vehicular access (inc car parking)". Earlier in this report it was made clear that the proposed compound is permitted development and that the access will be via an existing farm access. Car parking could be either on the compound or beside the mostly vacant housing at Beechwood Terrace, where there are no parking restrictions and a significant number of visitor parking spaces. The latter option would have the advantage of avoiding vehicular movements which would bring no mud onto Coaley Lane in periods of wet weather. The number of operatives required for the work would generally be 5 rising to up to 10 on occasions.

In summary therefore it is considered that the new objections raise no new issues in relation to the decision members are being asked to reach today.

NOISE ISSUES

As indicated earlier in the report an application under section 73 does allow the local planning authority to look at the wider question of conditions, providing it does so in a reasonable manner and does not alter the nature of the permission. The issue of noise is one issue raised by TWAG which could be looked at in this way. Accordingly the Council's Environmental Health and Consumer Protection Service have been asked to look at this matter using material attached to the TWAG objection letters (Technical Report of K Rabouhi, 21st February 2008) and relevant parts of the Environmental Statement submitted to the Forestry Commission, but on which they were consulted. The following is a summary of their observations and conclusions.

Wardell Armstrong Environmental Statement NT10128

An assessment has been undertaken using measured data taken from a similar facility to calculate the likely noise effect of the development.

The assessment has considered 3 aspects of the development, the noise from its construction, the effect of additional road traffic during its operation together with the effect of spectator and activity noise.

An assumption has been made that a maximum of 12 pitches will be used at any one time and that the remainder will be 'rested'. This is on the basis of information provided by Anthony Watson Architect's, agents to the applicant.

The conclusions of the report are

- that the impact from traffic following development will be insignificant in comparison with current levels.
- construction noise is likely to be audible at the nearest residential properties but will be controlled using the best practicable means and through the control of operating times, which are already attached to the planning permission granted in 2005.
- the impact of the noise from the activities proposed on the development including spectators and players has been concluded to be below current background noise levels and is therefore considered to have an insignificant impact.

The report has been undertaken in accordance with the current guidance in a logical and reasoned manner.

TWAG Noise Impact Report, Issue date 21 Feb 2008

An assessment has been undertaken of the likely impact caused by the proposed development on the residents of Newbottle Village. An assessment of traffic noise and construction noise does not appear to have been undertaken.

The assessment has been undertaken using a measurement taken at the side of the pitch at a similar facility together with noise modelling software and makes the assumption that 11 pitches will be in use at any one time. The assessment

has also been undertaken at a height of 5m presumably to represent the noise experienced at the residential properties at first floor level.

The conclusions of the report are that the proposed development will result in justifiable complaints to Sunderland City Council with regard to the noise associated with the activities undertaken on site.

The assessment has been undertaken using BS4142 'Method for rating industrial noise affecting mixed residential and industrial areas' 1997 which is a standard intended for use in assessing existing and new or modified premises rather than a proposed sporting development. In addition the Noise Exposure categories detailed in PPG 24 has been used which are not appropriate for the assessment of a sporting facility.

Environmental Services Comments

Having considered the findings of both reports the Head of Environmental Health and Consumer Protection Service is of the opinion that the impacts of traffic noise will be minimal and that whilst there will be some disturbance to local residents as a result of construction works at the site, this will be for a limited period and will be controlled by the use of best practicable means and the hours of operation.

With regard to the noise impact on local residents from the use of the facility Environmental Health and Consumer Protection Service is of the opinion that the facility will not result in a statutory noise nuisance being created at nearby residential properties. Noise from the site may be audible at times from the facility but not at a level that would support formal action by his department.

The properties situated on Staddon Way are screened from the development at ground floor level. Whilst there is a direct line of sight between the first floor of these properties and the proposed development, the ground floors and gardens are separated from the site by a bund and fencing. The assessment undertaken on behalf of TWAG has modelled the situation at 5m above ground level to assess the likely effect of the development at first floor level, which is not protected by the proposed bund and has compared the results with the required level for bedrooms at night. As the facility does not have approval for flood lighting it cannot be used at night, which for noise purposes is defined as between 11pm to 7 am.

It has been demonstrated within the Wardell Armstrong report that the noise levels likely to be experienced at ground floor level at the properties on Straddon Way will not result in a significant disturbance to residents.

Whilst the properties on the Coaley Lane side of the site are not separated from the development by a bund or close boarded fencing the expected noise levels at these properties will lie below the level above which noise levels would be regarded as not acceptable for the use and enjoyment of gardens.

Considering the facility will predominantly be used at weekends (organised games will all take place at weekends) and during the football season the Environmental Health and Consumer Protection service is satisfied that the likely noise impact from the development will not be at a level that would require statutory noise nuisance action by this department.

CONCLUSION

Examination of the objections shows that none of the matters raise any planning reason to refuse this application to vary the condition. To be a relevant objection it would have to say why phasing the remediation would be an inferior approach to the present requirement of doing all remediation works before the development works start and none of the objections do that. Furthermore, if the remediation works are phased this would allow the overall works (and hence any possible disturbance to the residents) to be undertaken over a shorter period of time. If all the remediation works have to be done before any development works, as presently required, then the playing field seeding cannot be commenced until those works have all been validated. With phasing the pitches could be seeded in September of this year, following the regrading of the site of the pitches. This would be before any trees are removed from the site. If a licence is granted these trees can only be removed outside the period March to September to minimise disruption to nesting birds, unless an ecologist confirms that there are no active nests present. Without phasing the sowing of the pitches cannot, therefore, take place until next year (2009), thus lengthening the construction period.

It was also considered that developing the site in phases, with Phase 1 having a separate site compound, would reduce disturbance to people using the right of way that crosses the middle of the site, since without the phased approach the construction traffic would have to cross the footpath regularly throughout the Phase 1 works as it travelled from the compound already approved to the Phase 1 site.

Further it is concluded from the section above on Noise Issues that it would be unreasonable to require, through a condition, the formal submission of a noise assessment because the local planning authority has already had established that there will be no further requirement to attenuate noise beyond those details of a landscaped bund already approved as part of the landscape details. It should be noted, however, that if a statutory noise nuisance were to occur the Environmental Health and Consumer Protection Service would still be able to intervene under statutory powers regardless of any planning permissions.

It is therefore recommended that the proposal to amend condition 27 is approved.

However, the wording proposed by the applicants for the amended condition is considered to be unwieldy and confusing. Under section 73 the Local Planning Authority can decide to approve or to refuse the alteration proposed by the developer or to further alter the wording as it sees fit. Following consultation with the City Solicitor the following wording is being recommended for the amended condition.

"The remediation works specified in the approved Remediation Statement shall be undertaken sequentially in four phases as detailed in Drawing 03/0031/02C and the submitted Design and Access Statement. The approved development works shall thereafter be undertaken in the same four phases as shown on Drawing 03/0031/02C and Design and Access Statement and these phased development works shall not be commenced until a report has been submitted to and approved in writing by the local planning authority that the relevant remediation works for that particular phase have been completed and validated,

in the interests of residential amenity and to comply with policy EN14 of the UDP."

RECOMMENDATION:

The remediation works specified in the approved Remediation Statement shall be undertaken sequentially in four phases as detailed in Drawing 03/0031/02C and the submitted Design and Access Statement. The approved development works shall thereafter be undertaken in the same four phases as shown on the said drawing and these phased development works shall not be commenced until a report has been submitted to and approved in writing by the Local Planning Authority that the relevant remediation works for that particular phase have been completed and validated, in the interests of residential amenity and to comply with policy EN14 of the UDP.

If the recommendation is accepted a decision notice will be issued which includes the reworded condition 27 and all of the other 29 conditions (30 conditions in total) attached to the permission granted on 7th April 2005.

RECOMMENDATION: Approve the change of the wording of condition 27 to:-

- 27 The remediation works specified in the approved Remediation Statement shall be undertaken sequentially in four phases as detailed in Drawing 03/0031/02C and the submitted Design and Access Statement. The approved development works shall thereafter be undertaken in the same four phases as shown on Drawing 03/0031/02C and Design and Access Statement and these phased development works shall not be commenced until a report has been submitted to and approved in writing by the Local Planning Authority that the relevant remediation works for that particular phase have been completed and validated, in the interests of residential amenity and to comply with policy EN14 of the UDP.

Reference No.: 08/02245/LAP Development by City(Regulation 3)

Proposal: **Installation of 2 CCTV cameras fixed to 8 metre columns.**

Location: Barnwell Primary School Whitefield Crescent Sunderland

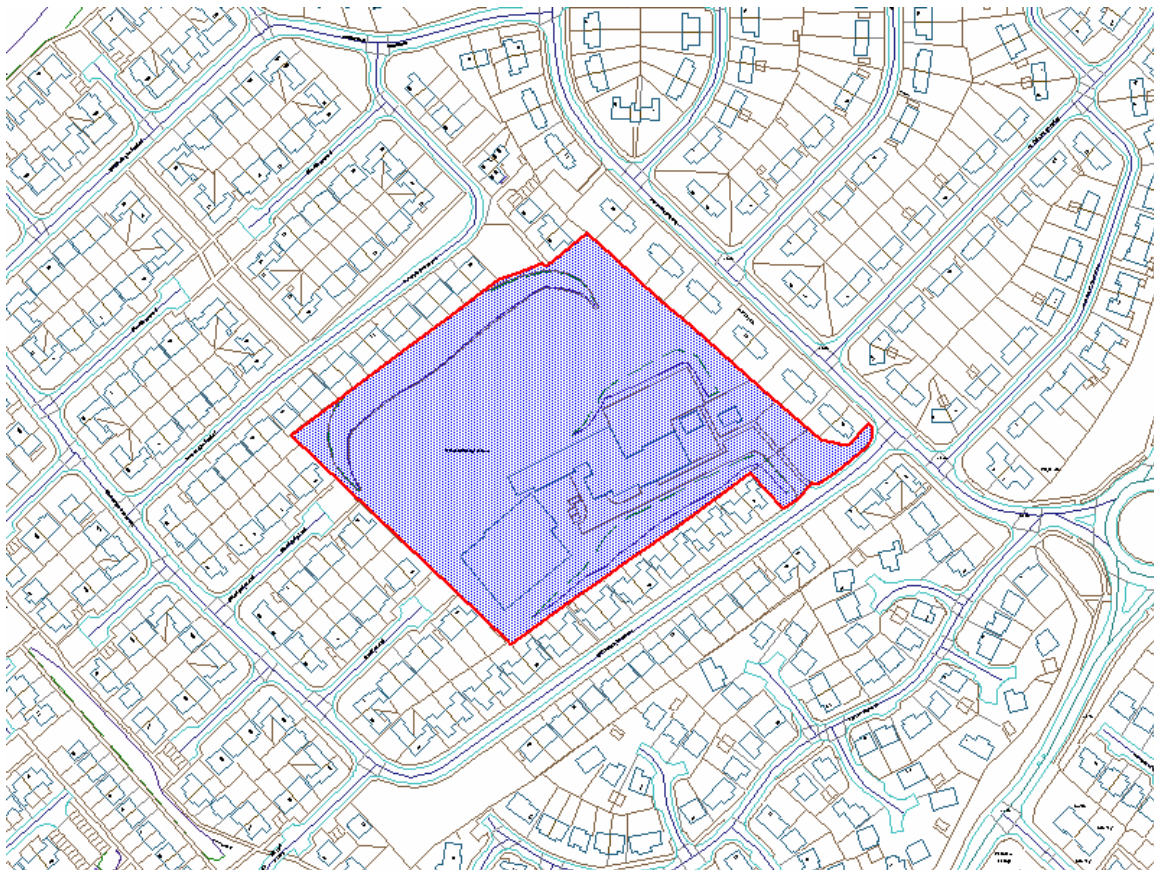
Ward: Shiney Row

Applicant: Director Of Community And Cultural Services

Date Valid: 19 June 2008

Target Date: 14 August 2008

Location Plan



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PROPOSAL:

The application relates to the erection of two 8m high CCTV cameras at Barnwell Primary School, Whitefield Crescent, Penshaw, Houghton-le-Spring

One camera will be sited adjacent to the north eastern boundary directly south west of 25 Avondale Avenue, at a distance of 4.5m from the boundary with the school and number 25. The other will be sited south west of the school

caretaker's house, at a distance of 16.5m north west of the boundary with 6 Whitefield Crescent.

Each CCTV camera will be attached to an 8 metre galvanised steel column, fixed in the ground by a concrete foundation base.

The camera will be a Dennard 2060 model taking the form of a dome. The camera is highly durable and is vandal resistant.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services

Final Date for Receipt of Representations: **22.07.2008**

REPRESENTATIONS:

Neighbours

One letter of objection has been received expressing concerns relating to;

- Location
- Height
- Monitoring
- Abuse
- Property Values
- Potential for re-siting and re-design.

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_23_Design of street furniture, surface treatments, traffic signs and road markings

T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

CF_5_Provision for primary and secondary schools

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

COMMENTS:

The main issues to consider in assessment of this application are;

1. Planning Policy
2. Residential Amenity
3. Visual Amenity
4. Highway Implications

The application is being given further consideration. However, it is anticipated that a recommendation will be made on the supplement.

RECOMMENDATION: Dir.of Dev. and Regeneration to Report

Reference No.: 08/02282/LAP Development by City(Regulation 3)

Proposal: **Erection of single storey extension to provide a textiles workshop.**

Location: Oxclose Community School Dilston Close Oxclose Washington

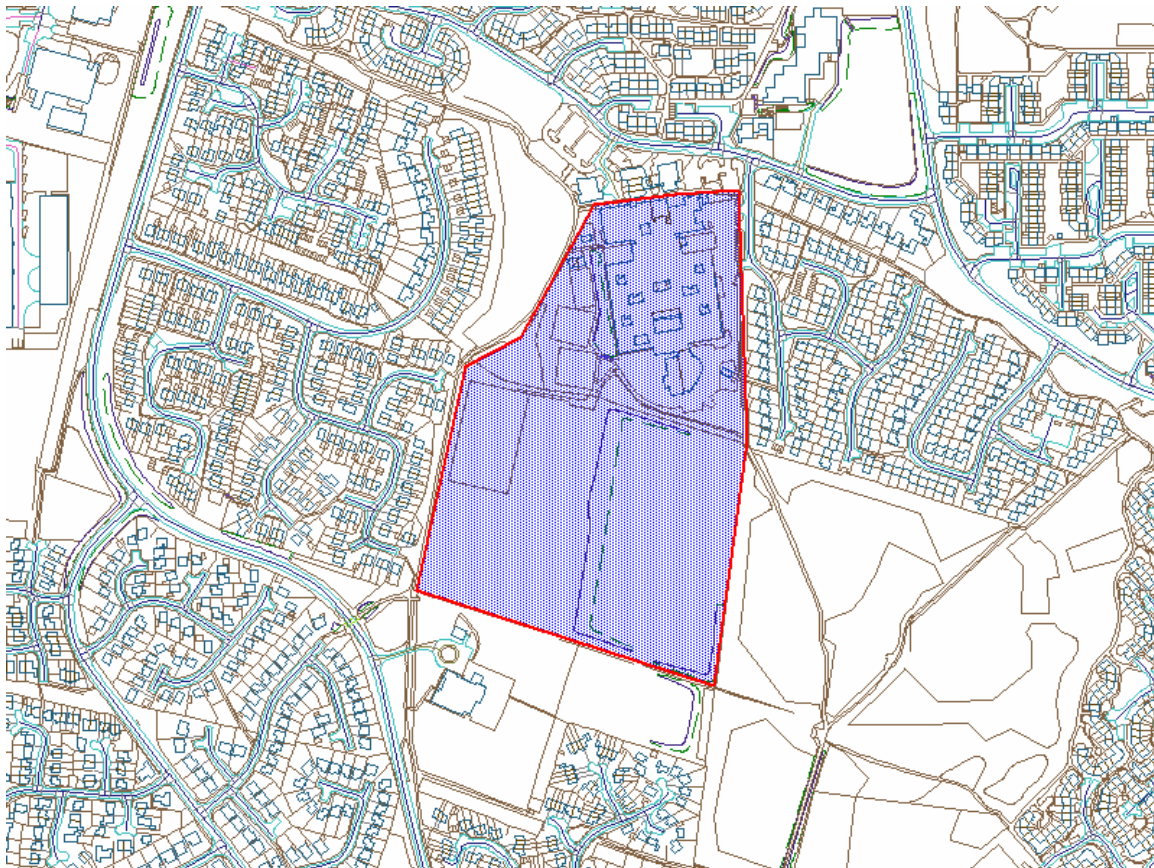
Ward: Washington South

Applicant: Dr Helen Paterson

Date Valid: 17 June 2008

Target Date: 12 August 2008

Location Plan



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PROPOSAL:

Planning permission is sought for the erection of a single storey extension to provide a textiles workshop for 11 - 16 year olds. The extension would measure 4.6m by 10m (approx.) and would adjoin a western section of the existing school. The extension would incorporate a 3.9m high flat roof which would be level with that of the section of the school to which it would adjoin. Two windows are proposed in the north facing elevation.

The site incorporates a large comprehensive school of varying heights which is accessed off Raby Road to the north. The section of school to which the proposed extension would adjoin is single storey in height and perforated steel security fencing exists to the west of this section of the school. Residential estates and large areas of open space surround the site.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Director Of Community And Cultural Services

Final Date for Receipt of Representations: **15.07.2008**

REPRESENTATIONS:

No third party representations have been received.

POLICIES:

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

B_2_Scale, massing layout and setting of new developments

T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

COMMENTS:

The main issues to consider in assessing the application are the impact of the proposed extension on the aesthetics of the streetscene and the visual amenities of neighbouring residents, the design, siting, scale and appearance of the proposed extension and highway implications.

Impact on Streetscene and Visual Amenities of Neighbours

The proposed extension would provide a floor area of 41.8 square metres, would be level in height with the section of school to which it would adjoin and would be situated within a recessed area of the school. As such, the extension would not be visible from the public realm and would be only partially visible from the residential properties on Chipchase to the west of the site, so will have no adverse impact on the visual amenities of the streetscene or the occupiers of the neighbouring dwellings. A small tree is to be removed to cater for the proposed extension, which is young and offers little, if any, amenity value. The proposal is therefore considered to accord with policy B2 of the adopted UDP.

Design, Siting, Scale and Appearance

The proposed extension would tie-in with the roof of the section of the building to which it would adjoin and would partially in-fill a substantial recess in the western building line of the school. Annotations on the proposed plan, sections and elevation (drawing no. ARCH/001) indicate that the extension would be constructed using the same brickwork as that of that of the main school building. Notwithstanding this, for the avoidance of doubt an appropriate condition can be imposed requiring the materials to be used to construct the extension to match those of the existing school, should Members be minded to approve the application. As such, upon compliance with this condition, the design, siting, scale and appearance of the proposed extension is considered to be acceptable and, thus, accords with policy B2 of the adopted UDP.

Highway Implications

Whilst the proposal is anticipated to cater for one additional teacher and 20 additional pupils, it is considered that sufficient parking provision exists within the site to cater for this minimal increase. As such, it is not considered that the proposed extension would have any impact on highway safety through additional vehicular or pedestrian movement in the area. The scheme therefore accords with policy T14 of the adopted UDP.

Conclusion

For the reasons given above, it is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, Members grant consent for the proposal subject to the conditions listed 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, 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 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs and windows shall be of the same colour, type and texture as those used in the existing building, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

Reference No.: 08/02751/LAP Development by City(Regulation 3)

Proposal: **Erection of a three-storey school building ,
refurbishment of existing block and creation of
covered courtyard.**

Location: Biddick School Sports College Biddick Lane Fatfield
Washington

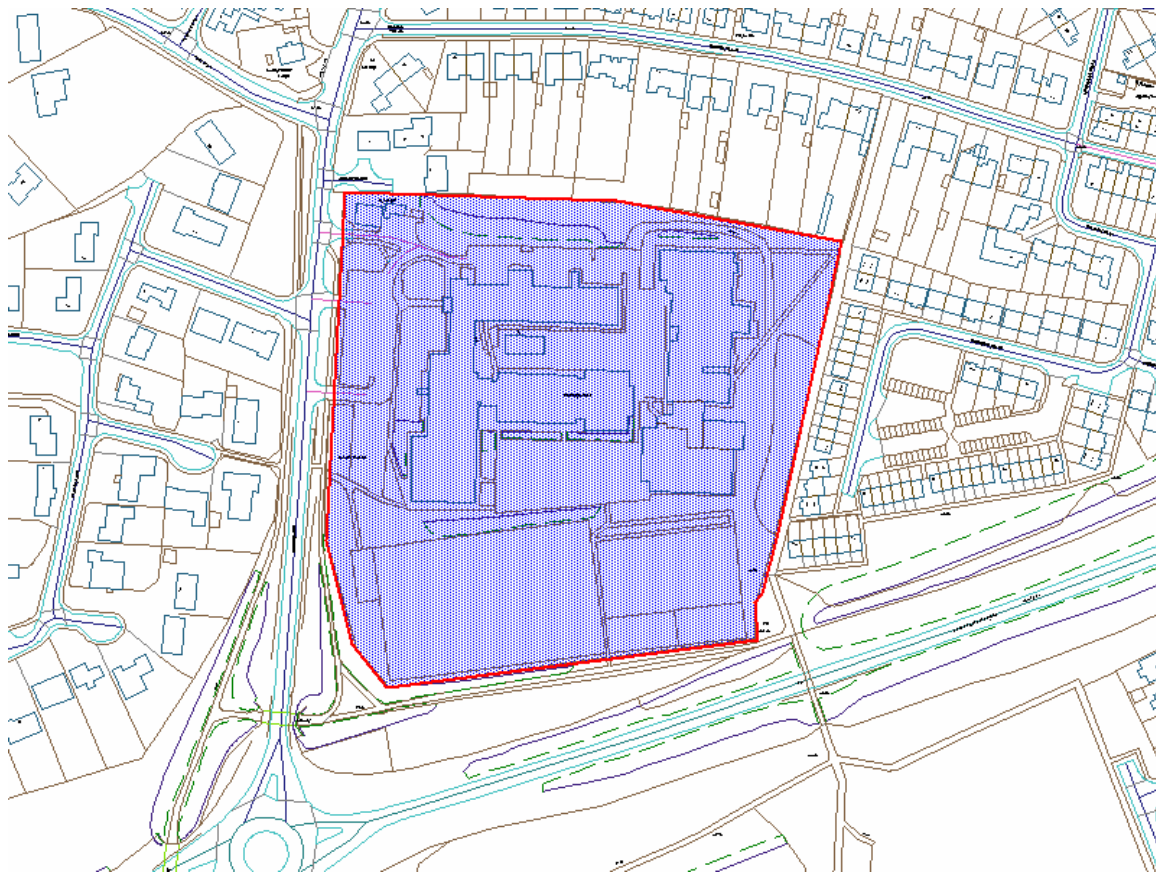
Ward: Washington Central

Applicant: Sunderland City Council

Date Valid: 10 July 2008

Target Date: 4 September 2008

Location Plan



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PROPOSAL:

The application seeks consent for the erection of a three storey school building, refurbishment of an existing school block and the creation of a covered courtyard within the school grounds. The replacement school building and refurbishment is proposed as part of the wider Building Schools for the Future programme that is ongoing across the city.

The application site is the existing Biddick School in Washington which was constructed in the 1970's and is positioned centrally upon the application site with sports pitches to the south and playingfields located across Northumberland Way.

There is a general fall across the site from north-west to south-east of 1:22 metres. The existing school is arranged on half level plateaus to accommodate the topography of the site, leading to serious access issues for the physically impaired.

The proposed new school building seeks to improve facilities for the school and the wider community and seeks to increase accessibility across the whole site.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Sport England
Northumbrian Water
Director Of Community And Cultural Services
Director Of Childrens Services

Final Date for Receipt of Representations: **04.08.2008**

REPRESENTATIONS:

No representations received to date.
Publicity in connection with this application does not expire until 04.08.08

POLICIES:

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

COMMENTS:

The main issues to consider when assessing this application are:

Principle of development
Highway and Access arrangements
Impact on residential amenity
Impact on school playing fields
Design and visual amenity

Principle of development

The application site is currently occupied by an existing school building. The use of the site is therefore established and the principle of the development considered acceptable and in accordance with policy L7 of the adopted UDP.

Other considerations

Further consideration is being given to the remaining issues set out above and to the concerns raised in the representations received. It is anticipated that these considerations will be concluded prior to the meeting of the Sub-Committee and reported accordingly on the supplement report.

RECOMMENDATION: Dir. of Dev. and Regeneration to Report