

## **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.

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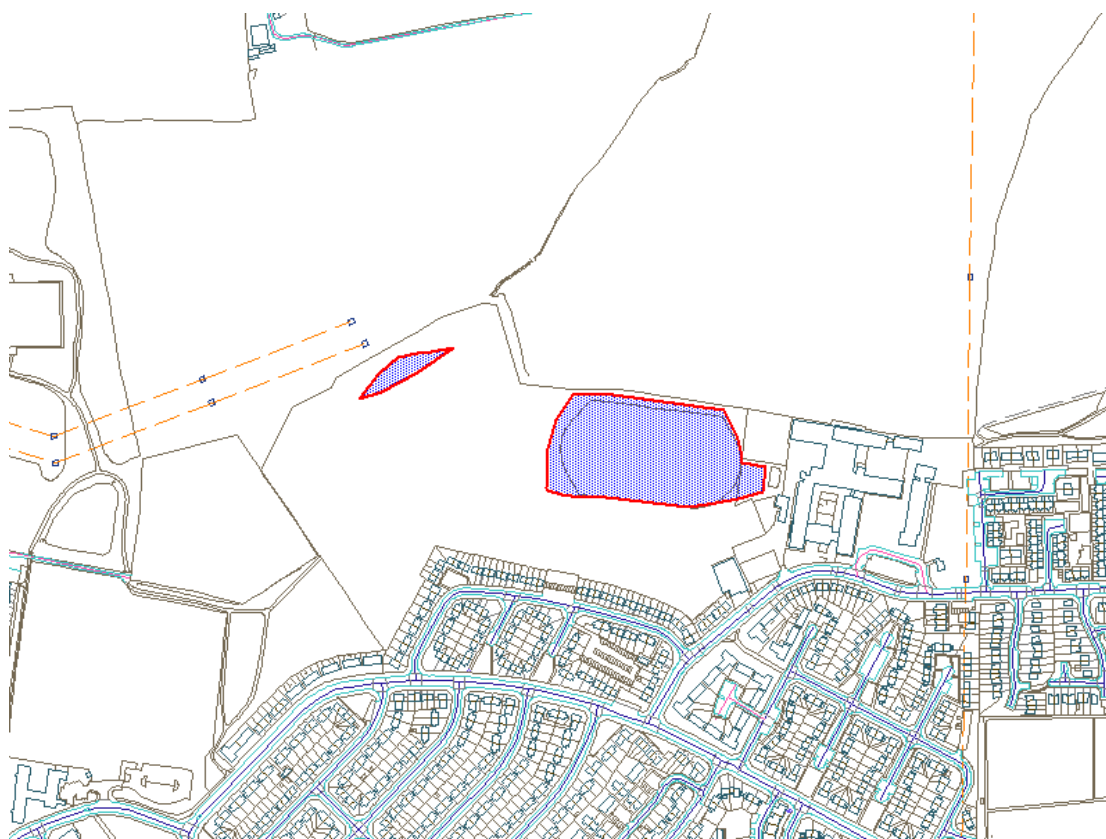
**Reference No.:** 09/01199/LAP Full Application

**Proposal:** Replacement of existing gravel pitch with sports pitch and remodelling of levels. (Part retrospective)

**Location:** Hylton Red House School Rutherglen Road Sunderland

**Ward:** Redhill  
**Applicant:** Childrens Services  
**Date Valid:** 19 May 2009  
**Target Date:** 14 July 2009

### Location Plan



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## **PROPOSAL:**

The application seeks consent for the replacement of a gravel playing pitch with a grass playing pitch and remodelling of levels on the school playingfield adjacent to Hylton Red House School, Rutherglen Road. Members may recall that a similar application was presented to them in July 2008 (planning reference 08/01602/LAP). Although planning application 08/01602/LAP was approved it was not possible for the playing pitch to be constructed as detailed in that application. The resubmission of the scheme has therefore been necessary.

The proposed engineering works are proposed as part of the wider redevelopment of Hylton Red House School under the "Building Schools for the Future" programme.

## **TYPE OF PUBLICITY:**

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

Sport England

Head of Community Services

Final Date for Receipt of Representations: 23.06.2009

## **REPRESENTATIONS:**

Neighbours

No representations received

Consultees

Sport England

Sport England is satisfied that the proposed development meets one of the exceptions of their policy in that the playing field which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality. Sport England therefore has no objection to the proposed development subject to a condition requiring the playing field to be brought in to use within twelve months of the occupation of the new school buildings.

## **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

L\_7\_Protection of recreational and amenity land

## **COMMENTS:**

The proposal, which is part retrospective, involves the removal of the former "redgra" (gravel) playing surface that no longer meets modern day sporting needs. It is proposed to reconstruct the sports pitch using spoil from the construction phase of the new school building, the spoil will be levelled and the surface reinstated as playingfield in accordance with a turf report (dated 16 March 2009) that was submitted with the planning application.

The proposed regrading and resurfacing of the playing field is considered to be of an acceptable standard for use as a playing pitch. Sport England has confirmed that the specification for the sports pitch is acceptable and it has no objection to the proposed development subject to a condition being attached to any approval granted requiring that the playingfield is brought in to use within 12 months of the new school building being occupied.

The remodelling of the playing pitch is very unlikely to have a detrimental impact upon residential or visual amenity and is considered to be acceptable in both respects.

The proposed development is therefore considered to be acceptable and is recommended for approval accordingly.

It is therefore recommended that Members resolve to grant consent in accordance with Regulation 3 of Town and Country Planning General Regs 1992 rather than simply approve.

## **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 The development hereby approved shall be fully constructed (in accordance with the STRI report "Appraisal for redevelopment of playing field" dated 16.03.09) and brought in to use within 12 months of the new school building (planning approval 09/00852/LAP) being occupied. In the interest of achieving a satisfactory form of development on site, to ensure that any ground condition constraints are mitigated to ensure provision of an adequate quality playing field and to accord with Policy L7 of the adopted UDP.

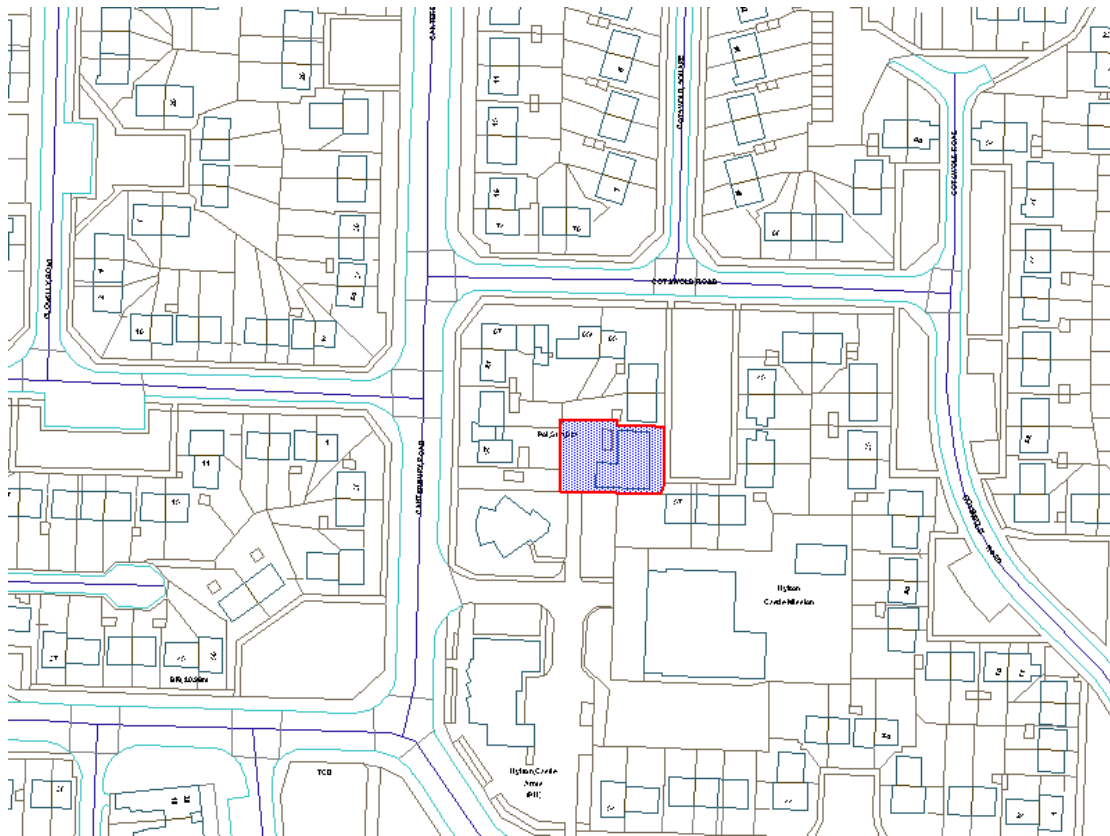
Reference No.: 09/02337/LAP Development by City(Regulation 3)

**Proposal:** Erection of a two storey extension and single storey extension to the rear (Resubmission) (Amended description)

**Location:** 59 Cotswold Road Sunderland

**Ward:** Castle  
**Applicant:** Sunderland City Council  
**Date Valid:** 24 June 2009  
**Target Date:** 19 August 2009

### Location Plan



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### PROPOSAL:

Planning permission is sought for the erection of two storey and single storey extensions to the rear of 59 Cotswold Road, which is a Social Services run children's home in Castletown. The property is detached and is situated in a cul de sac of residential dwellings surrounding a green. Vehicular access is to the rear, off Canterbury Road. There are several car parking spaces available within

the rear amenity area of the property. A previous application (ref: 09/01720/LAP) for a similar extension was withdrawn by applicant due to concerns raised by officers relating to the impact of the two storey element of the proposal on adjacent residential occupiers.

The property has an L-shaped footprint and has been extended in the past with a two storey extension to the rear. The current proposal involves the erection of an additional 37 square metres of floor area to the rear (west) elevation of the property. This takes the form of a two storey extension that would adjoin the existing two storey offshoot, across the middle of the rear elevation. It would project 3.6 m and is 4.5 m wide and is designed with a pitched roof that ties in to the main roof at 1.7 m above eaves level. This part of the development would create an extended kitchen/diner on the ground floor with a staff bedroom above. The single storey extension would adjoin the new two storey extension and extends across the remainder of the rear elevation, almost to the gable end of the property. It is 2.1 m in width and projects 2.6 m from the rear wall and would provide for an extended utility room. The extension is designed with a monopitch roof and with brick and tile materials to match the existing property. The home provides accommodation for 7 resident children and 2 resident staff, with the overall number of bedrooms being unaffected by the proposal.

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

Neighbour Notifications

#### **CONSULTEES:**

Final Date for Receipt of Representations: **15.07.2009**

#### **REPRESENTATIONS:**

Neighbours - No representations have been received to date. However, any received will be reported at the meeting.

#### **POLICIES:**

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

T\_22\_Parking standards in new developments

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

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood

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

CF\_1\_Ensuring that land / buildings are available for community facilities

#### **COMMENTS:**

The main issues to consider in determining this application are:-

Land use  
Highway safety/parking  
Effect on residential amenity  
Effect on visual amenity

Land use

Policy EN10 of the UDP is applicable to the proposal. This states that proposals for development in areas where there are no proposals for change will need to be compatible with the principle use of the neighbourhood, which in this case is residential. The property is classed as a C2 (residential institution) use and in land use planning terms is a community facility. In this regard the proposal accords with the above policy. Policy CF1 of the UDP is applicable and this seeks to ensure that land and buildings are made available to enable the City Council to carry out their responsibilities. If essential services are to be carried out satisfactorily consideration must be given to their land, buildings and access requirements. In this case the proposed extensions are required to enable the more efficient running of the home and from this point of view there is no conflict with policy aims and objectives.

Highway safety/Parking

There would be no net increase in the numbers of bedrooms as a result of the proposed development and a parking area would remain within the rear amenity area of the property for staff/visitors. There is therefore no adverse impact on highway safety as a result of the increase in floor area. The proposal complies with policies T14 and T22 of the UDP which seek to ensure that all new development makes provision for parking and does not compromise highway safety.

Effect on residential amenity

The two storey extension would be positioned towards the middle of the rear elevation of the property. In this position it would not adversely affect the outlook, light or privacy of the dwelling to the north. To the rear the two storey extension would be at least 21m away from the nearest residential dwelling to the west and would not cause undue overlooking or loss of privacy to adjacent rear rooms and gardens. The single storey extension would be situated approximately 2.3 m away from the boundary with the dwelling to the north, where there is a kitchen window close to its gable end. The previously withdrawn application proposed the two storey extension and single storey in the reverse position and was considered unacceptable due to the overbearing impact on the outlook and light from this room. The current single storey alternative is considered to overcome these concerns. When applying the 45 degree rule it may be seen that the corner of the proposed extension would be slightly within the zone that could affect light and outlook. However, because the outlook and light of the window is already obstructed by a brick outbuilding and the distance between the window and the extension is reasonably wide (approx. 4 metres) the impact on the living conditions of the neighbouring dwelling is considered to be minimal. The existing boundary fencing would prevent any overlooking and loss of privacy. In light of the above the proposal complies with SPG and SPD guidelines and policy B2 of the UDP that seek to ensure that the scale and massing of all new development respects and enhances the best qualities of nearby properties and the locality.

## Effect on visual amenity

The extensions would not be highly visible from public land and the scale, design and massing are considered to be an appropriate form of development both in relation to the property itself and the character of the surroundings. The proposal therefore complies with policy B2 of the UDP.

## CONCLUSION

The development is in keeping with both the surroundings and adjacent residential dwellings. It has been designed to respect the privacy and outlook of neighbouring residents. It is considered that the proposal complies with the requirements of policies CR1, EN10, B2, T14 and T22 of the approved UDP. As such members are recommended to grant consent, in accordance with Regulation 3 of the Town and Country Planning General Regulation 1992, 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; the external materials to be used, including walls, roofs, doors 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.