

PLANNING AND HIGHWAYS (EAST) COMMITTEE

AGENDA

Monday 1st February, 2021 at 5.00 p.m.

This meeting will be held remotely. Joining details will be emailed to all participants.

The meeting will be livestreamed for the public to view on the Council's YouTube channel, 'sunderlandgov' at:-

[https://youtu.be/Pw- 7AExQM](https://youtu.be/Pw-7AExQM)

Membership

Cllrs Bewick, Butler (Vice Chair), D. Dixon, M. Dixon, Doyle, Essl (Chair), Foster, E. Gibson, Hodson, O'Brien, Scanlan, P. Smith, Stewart, Waller, A. Wilson, D. Wilson

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	-
2.	Apologies for Absence	-
3.	Minutes of the Last Meeting of the Planning and Highways (East) Committee held on 20th November, 2020 (copy attached)	1
4.	Reference from Cabinet – 8 December 2020 Supplementary Planning Documents (SPD):- (A) Draft Allocations and Designations Plan	30

**(B) Land East of Washington (Washington Meadows)
Supplementary Planning Document Scoping Report**

**(C) Draft Development Management Supplementary
Planning Document.**

Report of the Executive Director of City Development
(copy attached).

Appendices to the report are available online on the link
below:-

<https://committees.sunderland.gov.uk/committees/cm15/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/10414/Committee/1987/Default.aspx>

5. Applications made under the Town and Country Planning Acts and Regulations made thereunder 58

Report of the Executive Director of City Development
(copy herewith).

Elaine Waugh,
Assistant Director of Law and Governance,
Civic Centre
SUNDERLAND

22 January, 2021

At a meeting of the PLANNING AND HIGHWAYS (EAST) COMMITTEE held REMOTELY on FRIDAY 20th NOVEMBER, 2020 at 2.00 p.m.

Present:-

Councillor Butler in the Chair.

Councillors Bewick, D. Dixon, M Dixon, Doyle, Foster, E. Gibson, Hodson, Scanlon, P. Smith, Stewart, A. Wilson and D. Wilson.

Declarations of Interest

Declarations of interest were made by Members in respect of the following items of business:-

**i) Planning Application 20/00734/FU4 Full Application (Reg 4)
Application for detailed planning permission for the erection of 18,075sqm (GEA) business hub on plots 13 (6 storeys) and 14 (7 storeys) of the Vaux site**

Councillor Stewart made an open declaration in respect of the application as a Board Member of Siglion. Councillor Stewart left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

Councillor Hodson made an open declaration of predetermination and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

**ii) Planning Application 20/01842/FU4 Full Application (Reg 4)
Construction of two new buildings for office use (Use Class E) with a range of ancillary uses and associated landscape works. Plots 16, 17 And 18 Former Vaux Site Riverside Sunderland**

Councillor Stewart made an open declaration in respect of the application as a Board Member of Siglion. Councillor Stewart left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

**iii) Planning Application 20/01442/VA3 Variation of Condition (Reg 3)
Variation of Condition 2 (Plans) attached to planning application: 18/02071/LP3, to allow reduction in window sizes, additional railings to top of shelter, removal of seats on top of shelter and footpath changes for refuse collection. Bay Shelter Whitburn Bents Road, Sunderland**

Councillor Doyle made an open declaration of predetermination in respect of the application and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

iv) Planning Application 19/02035/FUL Full Application. Erection of 5 no. detached dwellings. Silksworth Hall, Silksworth Road, Sunderland

Councillor Scanlon made an open declaration in the matter as the applicant was known to her and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

v) Planning Application 20/01661/FUL Full Application. Change of use from Retail (A1) to Hot Food Takeaway (A5) to include specialist ventilation & extraction unit. 6 Mayfair House Eden Terrace Sunderland

Councillor Hodson made a declaration that he had undertaken discussions on the matter with residents and planning officers however he was satisfied that he was able to consider the application with an open mind.

Councillor Scanlon made an open declaration in the matter as the applicant was known to her and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

vi) Objections to the Traffic Regulation Order (TRO) for the Proposed Permanent Prohibition of Motor Vehicles at the Junction from Viewforth Terrace onto A1018 Newcastle Road

Councillor Butler made an open declaration of predetermination in respect of the application and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

Change in the Order of Business

At the instance of the Chair it was:-

1. RESOLVED that Item 5 on the agenda, (Objections to the Traffic Regulation Order (TRO) for the Proposed Permanent Prohibition of Motor Vehicles at the Junction from Viewforth Terrace onto A1018 Newcastle Road) be considered as the first substantive item following the minutes to allow the presenting officer to leave thereafter.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Essl, O'Brien and Waller.

Minutes of the Ordinary meeting of the Planning and Highways (East) Committee held on 4th September, 2020 and the Extraordinary Meeting held on 2nd October, 2020.

2. RESOLVED that the minutes of the above meetings of the Planning and Highways (East) Committee be confirmed and signed as correct records.

Appointment of Chairman

Councillor Butler advised that having declared an interest in the following item of business he would need to vacate the Chair and leave the meeting during its consideration. He was therefore seeking a nomination from the floor to Chair the meeting in his absence.

Councillor Stewart having nominated Councillor D. Wilson, and having being seconded by Councillors Smith and Bewick, it was:-

3. RESOLVED that Councillor D. Wilson be appointed Chair of the meeting for the duration of the next Item of business.

Councillor Butler left the meeting and Councillor D. Wilson assumed the Chair.

Objections to the Traffic Regulation Order (TRO) for the Proposed Permanent Prohibition of Motor Vehicles at the Junction from Viewforth Terrace onto A1018 Newcastle Road in the Southwick Area (Southwick Ward).

The representative of the Executive Director of City Development presented a report (copy circulated) which advised the Committee of objections that had been received, by the Council, in respect of the proposed TRO for the permanent prohibition of motor vehicles at the junction from Viewforth Terrace onto the A1018 Newcastle Road and requested the Committee to not uphold the objections that could not be resolved within the constraints of the scheme.

(For copy report – see original minutes)

Members were informed of the background to the introduction of the experimental Traffic Regulation Order (TRO) for the prohibition of motor vehicles which was brought into force from 23rd September 2019, and was advertised both on site and in the local press. The experimental TRO could be in place for up to 18 months and was required to be in place for a minimum of 6 months with no changes or alterations. This period allowed objections to the experimental TRO to be received. The Committee was advised that in response to the TRO advertisement, the Council received 1 objection and in response to the road closure being in place the Council received 2 objections. The Committee's attention was drawn to the summary of the objections in

Appendix C to the report and the full copies of the objections as detailed in Appendix D.

Members were also informed that the recommendations in the report would be amended slightly to replace reference to the Head of Infrastructure and Transportation with the Executive Director of City Development and to include the name of the experimental order.

The representative of the Executive Director of City Development having addressed questions from the Committee, Councillor Chequer, (Southwick Ward Member) was invited to address the Committee and spoke in support of the proposal on behalf of Southwick residents and her fellow Ward Members.

Consideration was given to the proposal and the amended recommendations having been put to the Committee, it was:-

4. RESOLVED that:-

- i) the Executive Director of City Development be advised that the objections to making permanent, the prohibition of motor vehicles at the junction of Viewforth Terrace / A1018 Newcastle Road, in the area of Southwick ('The City of Sunderland Viewforth Terrace, Newcastle Road Fulwell Experimental Traffic Regulation Order') not be upheld;
- ii) all objectors are notified accordingly of the decision
- iii) the Executive Director of City Development instruct the Assistant Director of Law and Governance to take all necessary steps to make and bring into effect the associated Traffic Regulation Order and
- iv) the Executive Director of City Development take all necessary action to implement the physical works associated with the Traffic Regulation Order.

Councillor Butler was then readmitted to the meeting and retook the Chair for the remainder of the meeting.

Planning Application Reference 20/00734/FU4 – Application for detailed planning permission for the erection of a business hub on plots 13 and 14 of the Vaux site comprising of civic related uses, office space, education space, financial and professional services, café/restaurant, roof terrace, implementation of Cumberland Road and ancillary landscaping, former Vaux Brewery Site, Plater Way, Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members were informed that at the 1 April 2019 Development Control (South) Sub Committee meeting, application ref. 19/00188/FU4 was recommended for approval and following the refinement of the planning conditions was then approved on the 13 May 2019. The approved description of that development, which was now well underway in terms of its construction was for the erection of 18,075sqm (GEA) business hub on plots 13 (6 storeys) and 14 (7 storeys) of the Vaux site, comprising of civic related uses, office space (use class B1), medical centre (use class D1), creche (use class D1), cafe/ restaurant (use class A3) roof terrace, implementation of road link to Cumberland Street, ancillary buildings and infrastructure and landscaping. This development followed an earlier Hybrid 15/02557/HY4 approval in 2015 for the large-scale re-development of the Vaux site for office led development.

The proposal before members had been submitted due to differing uses now being proposed for the building. The previously approved medical facility was no longer proposed and instead Education (Use Class D1) and Financial and Professional Services (Use Class A2) were being sought. The Planning Statement submitted by the applicant explained that since the previous approval, flexibility in terms of the proposed mix of uses was considered necessary to support the building's long-term future. Given these alterations to the proposed uses there were also some internal changes to the floor layouts, particularly at 00 (Ground), 01 (Mezzanine) and 02 (First Floor). The ground floor layout had been reconfigured to provide an education teaching space and areas for the occupation of the proposed A2 use.

There had also been some external changes arising out of the detailed design period, chief amongst which was an increase in height to ensure adequate roof insulation could be installed in the building and to add balustrading to the roof of both buildings. Also during the consideration of the application, the applicant had undertaken a review of their proposals following the wider Riverside Master-planning exercise. The changes sought centred around the enhancement of the proposed landscaping and the alteration of the road to the north of the building into a one way route with the aim to create a more pedestrian friendly and less car dominated development whilst lending the wider site a more civic quality in terms of its public realm.

No public objections had been received in respect of the application.

The representative of the Executive Director of City Development then drew the committee's attention to the principle of the proposal in relation to the following key aspects as detailed on pages 17 – 24 of the agenda:-

- i). Land use and policy considerations
- ii). Highway engineering considerations

- iii). Design and heritage, public realm and sustainability considerations
- iv). Drainage considerations
- v). Ground Conditions
- vi). Amenity considerations

In conclusion the representative of the Executive Director of City Development informed the meeting that the proposal was considered to be an acceptable form of development in terms of all relevant material planning considerations and recommended that the application was granted subject to the conditions detailed in the report.

The representative of the Executive Director of City Development having addressed questions from the Committee, regarding the removal of the medical facility, access to the green roof and the use of low carbon technology, the applicant's planning agent, Mr Ian Cansfield was afforded the opportunity to address the Committee and spoke in support of the application.

The Chairman then invited members to comment on and debate the application. Consideration having been given to the matter the Chairman put the Officer's recommendation to the Committee and it was:-

5. RESOLVED that the application be approved subject to the conditions as set out in the report and for the reasons as detailed therein.

Planning Application 20/01842/FU4 - Construction of two new buildings for office use (Use Class E) with a range of ancillary uses (Use Class E/F.1/Sui Generis) and associated landscape works. Plots 16, 17 And 18 Former Vaux Site Riverside Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members attention was drawn to the consultation responses as detailed on pages 34-37 of the agenda (in particular those from the Sunderland Civic Society) and to the technical aspects relating to the principles of the proposal as detailed on pages 38-49.

In addition members were advised that since the publication of the agenda, further consultation responses had been received from the Lead Local Flood Authority and Environmental Health Officers which updated the conditions attached to the report in respect of the revised Flood Risk Assessment, Maximum Floor Conditions and the Ventilation/Extraction system for the proposed café.

In conclusion the representative of the Executive Director of City Development informed the meeting that the proposal was considered to be an acceptable form of development in terms of all relevant material planning considerations and recommended that the application was granted subject to the conditions detailed in the report and as updated at the meeting.

The representative of the Executive Director of City Development having addressed questions from the Committee in relation to cycling provision, the operation of the club room and whether it would be appropriate to apply a Grampian condition in respect of the multi storey carpark completion, the Chairman then invited members to comment on and debate the application.

Consideration having been given to the matter, the Chairman put the Officer's recommendation and updated conditions to the Committee and it was:-

6. RESOLVED that the application be approved subject to the conditions as set out in the report and as updated at the meeting and for the reasons as detailed therein.

Planning Application 20/01610/LP3 Local Authority (Reg 3) Installation of temporary Christmas lighting (9th November 2020 - 10th January 2021) Market Square Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application. Members were advised that the proposal related to the installation of temporary Christmas lighting within Market Square as part of the Council's Christmas Events programme. The application was one of several similar applications for other locations within the city centre that were also included on the agenda for today's meeting. The lighting was switched on the 19th November 2020 and would be turned off on the 3rd January 2021. Planning Permission was therefore sought from 9th November 2020 - 10th January 2021 to allow time for installation and take down.

In response to an enquiry regarding the retrospective nature of the application, given the lights had been switched on the previous evening, members were advised that the applications had originally been due to be considered at the Committee's meeting on 6th November however that meeting had been cancelled.

Consideration having been given to the application, it was:-

7. RESOLVED that the application be approved subject to the conditions as set out in the report and for the reasons as detailed therein.

Planning Application 20/01615/LP3 Local Authority (Reg 3) Installation of temporary Christmas lighting (9th November 2020 - 10th January 2021) Keel Square Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Consideration having been given to the application, it was:-

8. RESOLVED that the application be approved subject to the conditions as set out in the report and for the reasons as detailed therein.

Planning Application 20/01612/LP3 Local Authority (Reg 3) Installation of temporary Christmas lighting (9th November 2020 - 10th January 2021) High Street West Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Consideration having been given to the application, it was:-

9. RESOLVED that the application be approved subject to the conditions as set out in the report and for the reasons as detailed therein.

Planning Application 20/01611/LP3 Local Authority (Reg 3) Installation of temporary Christmas lighting (9th November 2020 - 10th January 2021) Park Lane Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Consideration having been given to the application, it was:-

10. RESOLVED that the application be approved subject to the conditions as set out in the report and for the reasons as detailed therein.

Planning Application 20/01614/LP3 Local Authority (Reg 3) Installation of temporary Christmas lighting (9th November 2020 - 10th January 2021) Minster Park Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application and having addressed enquiries regarding consultation with the nearby almshouses and the location of the lights, it was:-

11. RESOLVED that the application be approved subject to the conditions as set out in the report and for the reasons as detailed therein.

Planning Application 20/01613/LP3 Local Authority (Reg 3) Installation of temporary Christmas lighting (9th November 2020 - 10th January 2021) Sunnyside Sunderland City Centre

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Consideration having been given to the application it was:-

12. RESOLVED that the application be approved subject to the conditions as set out in the report and for the reasons as detailed therein.

At the request of the representative of the Executive Director of City Development and with the consent of the Chairman, the next two applications were considered together as they were inextricably linked.

Planning Application 20/01490/LP3 Local Authority (Reg 3) Installation of temporary lighting on Wearmouth Bridge (1st November 2020 - 31st March 2021) Wearmouth Bridge A1018/Bridge Street Sunderland

Planning Application 20/01491/LB3 Listed Building Consent (Reg3) Installation of temporary lighting on Wearmouth Bridge (1st November 2020 - 31st March 2021) Wearmouth Bridge A1018/Bridge Street Sunderland

The Executive Director of City Development submitted reports (copies circulated) in respect of the above matters.

(for copy reports – see original minutes)

The representative of the Executive Director of City Development presented the reports advising the Committee of the key issues to consider in determining the applications.

Consideration having been given to the applications it was:-

13. RESOLVED that :-

i) in respect of Planning Application 20/01490/LP3 and in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, consent be granted to the application subject to the conditions as detailed in the report; and for the reasons as detailed therein

ii) in respect of Planning Application 20/01491/LB3 approval be given to the granting of listed building consent for the proposal subject to the conditions as detailed in the report and for the reasons as detailed therein.

**Planning Application 20/01442/VA3 Variation of Condition (Reg 3)
Proposal: Variation of Condition 2 (Plans) attached to planning application: 18/02071/LP3, to allow reduction in window sizes, additional railings to top of shelter, removal of seats on top of shelter and footpath changes for refuse collection - Bay Shelter Whitburn Bents Road Seaburn**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members were informed that the original planning application for the development was considered and approved at the meeting of the Development Control (North) Sub-Committee meeting on 17th January 2019. The approved scheme comprised, the change of use of the Bay Shelter located from a storage facility (use class B8) to cafe/restaurant (use class A3). The external alterations proposed included the installation of a main entrance and glazed windows to the east elevation of the building facing the beach front, and the provision of a bin storage area to the north of the building at road level. It was also proposed to provide 2 new footpath links to provide access to the bin storage area for staff and servicing.

The application now before the Committee proposed to vary the list of approved plans to secure permission for the reduction in the window size to the front and side, the removal of seating on the roof and addition of safety railings and the addition of an area of footpath leading to the bin storage area.

During the course of the application the potential use of the roof as a dining area for the approved cafe/restaurant, was raised by objectors. As a result Officers requested that the applicant confirm if the application proposed the use of the rooftop in this manner. The applicant confirmed that the current application did not propose the use of the roof top as an eating area and that the removal of the seating area on the roof formed part of the repair works to the roof. However, given that the removal of the seating could potentially allow the use of the roof terrace as an extension of the approved cafe/restaurant use already approved, it was considered appropriate to consider the impact of this, as part of the current application. Subsequently given the additional information received from the applicant relating to the roof refurbishment, a re-consultation was undertaken.

Members attention was drawn to the results of the public consultations and the objections received detailed on pages 107-111 of the agenda papers.

The representative of the Executive Director of City Development having outlined the key areas requiring the Committee's consideration in light of the proposed variations to the approved development, concluded that the proposal was considered to be acceptable in terms of all relevant material planning considerations and recommended that the application was granted subject to the conditions detailed in the report.

Councillor Bewick asked the representative of the Executive Director of City Development that the seating is in a prominent position for public use and if that seating is to be removed, would there be an additional seating provided. The representative of the Executive Director of City Development confirmed that he was not aware of any plans to provide additional seating.

Councillor Denny Wilson asked if part of the building is to be leased and the representative of the Executive Director of City Development confirmed that how the roof top will be managed in the future is for the tenant to determine.

The Chairman then welcomed and introduced Mr Brian Hallimond who was afforded the opportunity to address the Committee and spoke in objection to the application, citing the loss of amenity for the residents of Bay Court, the restriction on public access to the roof area and safety concerns regarding people carrying hot food and drink from the café via the steps to the roof.

Councillor Hodson asked why would you want seating in that location for a café and the representative of the Executive Director of City Development confirmed that there was no formal proposal to use the seating area for the public.

Councillor Hodson then asked if there could be seating provided outside the venue and the representative of the Executive Director of City Development confirmed that could be done without any planning consent.

Councillor D. Dixon asked if the sale of the property by the Council was dependent on the removal of the rooftop seating? The representative of the Executive Director of City Development replied that he was not privy to any discussions in respect of the sale. Any negotiations of that nature would be between the Marketing Team and the potential buyer.

Consideration having been given to application it was moved by Councillor D. Wilson and duly seconded by Councillor D. Dixon that consideration of the application be deferred to a future meeting pending further information regarding the proposed removal of the roof top seating and the future use of that space.

The motion having been agreed unanimously it was:-

14. RESOLVED that consideration of the application be deferred to a future meeting of the Committee pending further discussion regarding the proposed removal of the roof top seating and the future use of that space.

**Planning Application 20/01443/VA3 Variation of Condition (Reg 3)
Variation of condition 2 of previously approved planning application
18/02073/LP3 (Change of use from public toilets to cafe/bar/restaurant
(Use Classes A3 or A4), to include various external alterations to
existing building and new outdoor seating area to the rear) to
incorporate revisions to windows and rear decking - Pier View Toilet
Block, Pier View, Roker**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members were advised that since the publication of the agenda further details of the materials to be used had been submitted to the satisfaction of the Council's Conservation Officer. It was therefore proposed that condition 2 attached to any grant was amended slightly to include details of the external materials to be used and that condition 10 was deleted.

Councillor Doyle referred to condition 1 as detailed on page 121 of the agenda which appeared to be a blank template of condition 2 and asked if he was reading this correctly? The representative of the Executive Director of City Development apologised and advised that this was an error in the report. He confirmed that the information in condition 2 was correct however condition 1 was intended to provide a limit on the time available to the developer to commence the work associated with the variation ie no later than 3 years after the granting of previously approved planning application (18/02073/LP3). Condition 1 would therefore be amended to reflect this.

There being no further questions or comments, the Chairman put the officer recommendation together with the amended conditions to the Committee, and it was:-

15. RESOLVED that the application be approved subject to the conditions as set out in the report and the amended conditions 1 and 2 and deletion of condition 10 as advised at the meeting and for the reasons as detailed therein.

Planning Application 20/00126/LP3 Local Authority (Reg 3) Change of use of open space to accommodate an additional 23 car parking spaces (Erection of 1m high timber retaining wall) Marine Walk Car Park Marine Walk Roker

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application. Members were advised that since the publication of the report, the Council's Conservation Officer had requested that an additional condition be attached to any grant requesting the submission, for approval, of samples of the materials to be used in the development (eg kerb edges). Subject to this additional condition and those detailed in the report, the application was recommended for approval.

The representatives of the Executive Director of City Development having addressed questions from the Committee in relation to the possibility of providing a bay to accommodate a large mini-bus, concerns over the loss of open space, whether it would be a paid car park, whether it would mitigate against unauthorised parking in the surrounding area and the need for the proposal given the availability of the nearby blockyard car park, the Chairman then invited members to comment on and debate the application.

Consideration having been given to the matter, the Chairman then put the Officer's amended recommendation to the Committee and it was:-

16. RESOLVED that the application be approved subject to the conditions as set out in the report and the additional condition requesting the submission of materials to be used for approval as updated at the meeting and for the reasons as detailed therein.

Planning Application 20/01208/FUL Full Application - Erection of 24no. residential units with associated hard and soft landscaping and access arrangements (Revised plans received 13.10.2020) Land North of Eastbourne Square Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members were informed that full planning permission was sought for a new residential development comprising of 24.no residential dwellings with associated hard and soft landscaping and access arrangements on land to the north of Eastbourne Square in Sunderland. The land in question formerly contained a number of 3 storey residential blocks which were demolished in the early 2000's and the site had remained vacant since that time. The site had now become semi-naturalised and comprised a mix of grassland and retained road surfaces associated with the former residential layout of the site.

The proposed development site was located within an established residential area with existing properties located to the west on Eyemouth Lane and south on Eastbourne Square. The application had been submitted by Pegasus Group on behalf of Gentoo Group Limited and proposed 24 affordable new dwellings namely - 6 no. two-bed bungalows; - 16 no. two-bed houses; - 2 no. three-bed houses. The developer had outlined that they intended for all units to be for affordable rent.

Details of the representations received in response to public, external and internal consultations were detailed on pages 132 – 136 of the agenda.

The representative of the Executive Director of City Development then drew the Committee's attention to the principle of the proposal in relation to the following key aspects as detailed on pages 137 – 153 of the agenda:-

- i). The Council's position in respect of housing land supply and delivery;
- ii). Land use and open space considerations;
- iii). The merits of the proposed housing development;
- iv). The implications of the development in respect of residential amenity;
- v). The implications of the development in respect of design, sustainability and character of the area;
- vi). The impact of the development in respect of highway and pedestrian safety;
- vii). The impact of the development in respect of ecology and biodiversity;
- viii). The impact of the development in respect of flooding and drainage;
- ix). The impact of the development in respect of ground conditions;
- x). The implications of the development in respect of archaeology;
- xi). The implications of the development in respect of education provision;
- xii). The implications of the development in respect of affordable housing;
- xiii). The viability of the development and the contributions required under Section 106 of the Town and Country Planning Act 1990;

In conclusion members were advised that the principle of utilising the site for residential development was considered to be acceptable from a land use perspective with the development giving rise to clear benefits in terms of urban regeneration, housing delivery and the 100% affordable housing it would provide. In line with the guidance of the National Planning Policy Framework, it was considered that the benefits of the scheme should be given significant weight in the 'planning balance'. It was considered that the scheme would achieve the sustainable development sought by paragraph 11 of the NPPF and Members were therefore recommended to approve the application subject to the signing of the S106 agreement and the conditions detailed in the report.

The representatives of the Executive Director of City Development and the Executive Director of Corporate Services then addressed questions from the Committee in relation to the commitment of the developer to adopt low carbon technologies, the CSDP Policy H2 that affordable homes should be retained in affordable use in perpetuity, which is subject to the statutory right to buy legislation, and the Council's policy regarding contributions sought in respect of play areas and the nature of the consultations undertaken with local residents.

The Chairman then welcomed and introduced Ms Sandra Manson, Agent for the applicant who was afforded the opportunity to address the Committee and spoke in support of the application. In response to questions from Members, Ms Manson confirmed that the land in relation to all the Gentoo applications before the Committee was formerly in the Council's ownership prior to the original housing stock transfer and advised on the deliverability of the sustainable aspects of the scheme.

Consideration having been given to the proposal, the Chairman put the Officer's recommendation to the Committee and it was:-

17. RESOLVED that the application be approved subject to the completion of a Section 106 agreement and the conditions as set out in the report for the reasons as detailed therein.

Planning Application 20/01295/FUL Full Application Demolition of existing buildings/structures and erection of 13 residential dwellings. (Class C3) - Land Comprising the Conishead Centre, Silksworth Road, Silksworth, Sunderland.

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

The Committee was informed that permission was sought for the demolition of the existing buildings/structures and erection of 13 residential dwellings on land at the Conishead Centre, Silksworth Road, Silksworth, Sunderland. The site in question contained a vacant 1.5 storey office building, owned by the Applicant (Gentoo) and sat between the adjacent Silksworth Health Centre to the north/north east and the Silksworth Churchside allotments which occupied land to the east and south. To the west of the site lay the grounds of St. Matthew's parish church.

Access to the site was achieved via Silksworth Road with the access road providing links to the health centre and allotments. The nearest residential development was Saint Matthews View, which at its closest point was located approximately 25m to the north east of the site.

The application had been submitted by Pegasus Group on behalf of Gentoo Group Limited and proposed 13 affordable new dwellings namely 10 no. two-bed houses and 3 no. three-bed houses. The developer had outlined that they intended for all units to be for affordable rent.

Details of the representations received in response to public, external and internal consultations (including objections received from a representative of Silksworth Health Centre and from the NHS Property Services in their capacity as landowner of Silksworth Health Centre) were detailed on pages 165 – 177 of the agenda.

The representative of the Executive Director of City Development then drew the Committee's attention to the principle of the proposal in relation to the following key aspects as detailed on pages 137 – 153 of the agenda:-

- i). The Council's position in respect of housing land supply and delivery;
- ii). Land use considerations;
- iii). The merits of the proposed housing development;
- iv). The implications of the development in respect of residential amenity;
- v). The implications of the development in respect of design, sustainability and character of the area;
- vi). The impact of the development in respect of highway and pedestrian safety;
- vii). The impact of the development in respect of ecology and biodiversity;
- viii). The impact of the development in respect of flooding and drainage;
- ix). The impact of the development in respect of ground conditions;
- x). The implications of the development in respect of affordable housing;
- xi). The viability of the development and the contributions required under Section 106 of the Town and Country Planning Act 1990

In conclusion members were informed that the principle of utilising the site for residential development was considered to be acceptable from a land use perspective with the development giving rise to clear benefits in terms of urban regeneration on a brownfield site, housing delivery and the 100% affordable housing it would provide. In line with the guidance of the NPPF, it was considered that the benefits of the scheme should be given significant weight in the 'planning balance'. It was considered that the scheme would achieve the sustainable development sought by paragraph 11 of the NPPF and Members were therefore recommended to approve the application subject to the signing of the S106 agreement and to the conditions detailed in the report.

The Chairman then welcomed and introduced Ms Ari Akinyemi Ari of NHS Property Services Ltd who was afforded the opportunity to address the Committee and spoke in objection to the application, stating that whilst recognising the merits of the application it would be remiss not to express her concerns regarding the impact the proposal would have on Silksworth Health Centre. This centred on her strong concerns regarding the impact of noise levels during the demolition and construction works and the detrimental impact this would have on the provision of services at the Centre. In conclusion Ms Akinyemi welcomed the approach from Gentoo to work with the Centre in trying to mitigate any negative impact but sought clarification regarding the proposed working hours.

In response to this enquiry, the representative of the Executive Director of City Development confirmed that the proposed working hours were 8.00am to 6.00pm.

The Chairman then invited Ms Sandra Manson, Agent for the applicant, to address the Committee who spoke in support of the application and reiterated the offer to work with the Centre to minimise any adverse effects on its operation during the demolition and construction period.

Consideration having been given to the proposal, the Chairman put the Officer's recommendation to the Committee and it was:-

18. RESOLVED that the application be approved subject to the completion of a Section 106 agreement and the conditions as set out in the report for the reasons as detailed therein.

Planning Application 20/01205/FUL Full Application: Erection of 11no. residential dwellings (Use Class C3) Land East of Cricklewood Road Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

Prior to presenting the report, the representative of the Executive Director of City Development provided the Committee with the following update regarding the conditions that would be attached to any permission:-

i) Condition no. 2, to be amended to include the submission of details of the construction materials to be used.

ii) Condition no. 4, to be amended to allow surface water to be discharged into Hylton Dene Burn; rather than combined sewer as previously proposed. Also that the development should be undertaken in accordance with the drainage scheme contained within the Flood Risk Assessment and Drainage Strategy.

iii) following correspondence with Council's Ecologist the additional conditions detailed below were now being proposed

- The construction phase of the development to be undertaken in accordance with the submitted Biodiversity Construction Management Plan.
- No development related to the outfall route through the Local Nature Reserve to Hylton Dene shall commence until details of the outfall route have been submitted to and approved in writing by the Local Planning Authority.
- No dwelling house shall be occupied until the bird boxes, as detailed within the submitted Ecological Assessment, have been provided and shall thereafter be retained.
- No dwelling house shall be occupied until an amended landscape plan has been submitted to and approved in writing by the Local Planning Authority

- The development shall be carried out in full accordance with the mitigation measures and monitoring and reporting obligations set out within the Ecology Management Plan

iv) Following correspondence with the agent, an additional condition was proposed that - In the event that electric vehicle charging points, solar PV panels and/or air source heat pumps were installed on the site, in line with a sustainability initiative, details were to be submitted for the approval of the Local Planning Authority

The representative of the Executive Director of City Development then presented the report advising the Committee of the key issues to consider in determining the application. In conclusion the Committee was advised that it was considered that the planning balance would be in favour of approval and therefore it was recommended the application be granted for the reasons detailed in the report subject to the conditions outlined in the report and as updated at the meeting.

The representative of the Executive Director of City Development addressed questions from the Committee regarding the retention of access to the public footpath along the burn behind the proposed development and the rationale behind the proposed Section 106 agreement.

The Chairman then invited Ms Sandra Manson, Agent for the applicant, to address the Committee who spoke in support of the application advising of the work undertaken to support the biodiversity of the development.

Consideration having been given to the proposal, the Chairman put the Officer's amended recommendation to the Committee and it was:-

19. RESOLVED that the application be approved subject to the completion of a Section 106 agreement for affordable housing, education and the provision of a financial contribution towards the protection of European coastal sites and also subject to the conditions as set out in the report including the additional / amended conditions 2 and 4 as updated at the meeting.

Planning Application 20/01414/FUL Full Application Erection of 10 no. residential dwellings (Use Class C3). Land to the west of Prestbury Road Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

Prior to presenting the report, the representative of the Executive Director of City Development provided the Committee with the following update regarding the conditions that would be attached to any permission:-

i) Condition no. 2, to be amended to include the submission of details of the construction materials to be used.

ii) Following correspondence with the agent an additional condition was proposed that - In the event that electric vehicle charging points, solar PV panels and/or air source heat pumps were installed on the site, in line with a sustainability initiative, details were to be submitted for the approval of the Local Planning Authority

The representative of the Executive Director of City Development then presented the report advising the Committee of the key issues to consider in determining the application. In conclusion the Committee was advised that the application was recommend for approval for the reasons detailed in the report subject to the conditions detailed therein and as updated at the meeting.

The Chairman then invited Ms Sandra Manson, agent for the applicant, to address the Committee who spoke in support of the application advising of the work undertaken in respect of the modular design aspects of the development.

Consideration having been given to the proposal, the Chairman put the Officer's amended recommendation to the Committee and it was:-

20. RESOLVED that the application be approved subject to the completion of a Section 106 agreement for affordable housing and also subject to the conditions as set out in the report including the amended condition 2 as updated at the meeting.

Planning Application 20/01181/FUL Full Application Erection of 41no.residential dwellings with associated access and landscaping Land at Keighley Avenue Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members were informed that the application proposed to provide 41 residential dwellings on land adjacent to Keighley Avenue, Downhill, Sunderland, delivering a mixture of housing types including 8no. bungalows, 15no. two- bedroom dwellings and 18no. three bedroom dwellings. All 41 dwellings were proposed to be affordable units to be owned and managed by Gentoo. Each dwelling would meet the requirements of the Nationally Described Minimum Space Standards.

The site was an undeveloped area surrounded by predominantly two storey residential development. There was a small shopping precinct to the north west of the site, with three-storey sheltered housing immediately to the west and a former school building, now a local community centre to the north east. The site would be accessed from the south from the existing stub road, with pedestrian entrances to the site fitted with A-frame barriers or bollards, designed to allow cycles but prevent motorcycles or other unauthorized vehicles to use paths as rat runs.

Members attention was drawn to the consultation replies detailed on pages 119 - 202 of the agenda and it was confirmed that the Lead Local Flood Authority had now replied that they were satisfied following the submission of the Drainage Layout and Maintenance Plan. Accordingly the following additional condition was proposed to be added to those attached to any permission.

‘ Prior to the first occupation of the development, a verification report carried out by a suitably qualified person must be submitted to and approved by the Local Planning Authority, to demonstrate that all substantial drainage systems have been constructed as per the agreed scheme. This verification report shall include:-

- As built drawings for all SuDS components including dimensions and supported by photos of installation and completion.
- Construction details
- Health and safety file
- Details of ownership organisation, adoption and maintenance.’

With regard to the outstanding Public Protection and Regulatory Services issue, Members were advised that a National Quality Mark Scheme Certificate had now been submitted to the satisfaction of the Environmental Health Officer.

The representative of the Executive Director of City Development then drew the committee's attention to the principle of the proposal in relation to the following key aspects as detailed on pages 212 – 220 of the agenda:-

- i) Principle of development;
- ii) Highway engineering considerations;
- iii) Healthy and safe communities, including ground conditions and noise and vibration;
- iv) Design and layout;
- v) Natural heritage, landscaping/ arboriculture and drainage considerations;
- vi) Viability and Section 106 considerations.

In conclusion the Committee was advised that the application was considered to be acceptable and was therefore recommend for approval for the reasons specified in the report, subject to the conditions detailed therein and as updated at the meeting.

The representative of the Executive Director of City Development then addressed questions from the Committee regarding the location of the local area uplift together with the proposals for consultation with ward members thereon, the consultation undertaken with local residents on the development and issues arising from the current location of CCTV masts.

The Chairman then invited Ms Sandra Manson, Agent for the applicant, to address the Committee who spoke in support of the application advising of the work undertaken in respect of the Section 106 agreement and Gentoo's pledge to work through any issues with the Redhill Ward Members.

Consideration having been given to the proposal, the Chairman put the Officer's amended recommendation to the Committee and it was:-

21. RESOLVED that the application be approved subject to the completion of a Section 106 agreement for affordable housing and also subject to the conditions as set out in the report including the additional drainage condition as updated at the meeting.

Planning Application 20/01350/FU4 Full Application (Reg 4) Erection of 71 no. affordable residential dwellings (Class C3) Land West Of Hylton Lane Downhill Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application. Members were informed that application sought permission for the erection of 71 no. affordable residential dwellings on land to the west of Hylton Lane, Downhill, Sunderland.

The proposed development affected an area of grassed open space located to the west of Hylton Lane. The site covered approximately 2.54ha and had a long, narrow rectangular shape. It was bordered by Hylton Lane to the east and the grounds of St. John Bosco RC Primary School and the dwellings of Blaydon Avenue to the south. To the west were the grounds of a series of blocks of flats fronting Baxter Road in the Town End Farm estate. To the north, was scrub woodland, grassland and open countryside forming part of the Tyne and Wear Green Belt separating northern Sunderland from Boldon in South Tyneside. The grassland and woodland immediately adjacent to the application site was designated as Downhill Meadows Local Wildlife Site

The development would provide a mix of bungalows (7 no. in total) and two-storey houses, together with 3 no. two-storey 'apartment' blocks, each containing two apartments. Properties would provide 2-, 3- and 4-bedroom

homes. Dwellings within the development were primarily semidetached, with one short terrace of 3 dwellings fronting Hylton Lane. Each dwelling was afforded at least one off-street parking space, whilst visitor parking spaces would be provided throughout the development, with bin storage facilities available in each rear garden.

Details of the representations received in response to public, external and internal consultations were detailed on pages 227 – 230 of the agenda.

The representative of the Executive Director of City Development then drew the committee's attention to the principle of the proposal in relation to the following key aspects as detailed on pages 231 – 244:-

- i). The Council's position in respect of housing land supply and delivery;
- ii). The merits of the proposed housing development;
- iii). The implications of the development in respect of residential amenity;
- iv). The implications of the development in respect of design, sustainability and character of the area;
- v). The impact of the development in respect of highway and pedestrian safety;
- vi). The impact of the development in respect of ecology and biodiversity;
- vii). The impact of the development in respect of flooding and drainage;
- viii). The impact of the development in respect of ground conditions;
- ix). The implications of the development in respect of archaeology;
- x). The implications of the development in respect of education provision;
- xi). The implications of the development in respect of affordable housing;
- xii). The viability of the development and the contributions required under Section 106 of the Town and Country Planning Act 1990;

In conclusion members were informed that that the proposed development was considered acceptable and that it would deliver a significant amount of affordable housing at a sustainable location and with appropriate respect to the local environment and amenity. It was therefore recommended that the application was approved subject to the completion of an agreement under Section 106 of the Town and Country Planning Act and subject to the conditions detailed in the report.

The representative of the Executive Director of City Development then addressed questions from the Committee regarding the Section 106 contribution to the management of the Downhill Meadows Wildlife site and proposed traffic calming measures in the area. The Committee was also updated to confirm that the Council's Urban Design Officer was satisfied with the development proposals.

The Chairman then invited Ms Sandra Manson, Agent for the applicant, to address the Committee who spoke in support of the application advising of the work undertaken in respect of the Road Safety Audit.

Consideration having been given to the proposal, the Chairman put the Officer's recommendation to the Committee and it was:-

22. RESOLVED that the application be approved subject to the completion of a Section 106 agreement and also subject to the conditions as set out in the report and for the reasons as detailed therein.

Planning Application 19/02035/FUL Full Application Erection of 5 no. detached dwellings Silksworth Hall, Silksworth Road, Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members were informed that the application proposed the construction of five dwelling houses on an area of land which currently formed the southern most portion of the curtilage of Silksworth Hall. The proposed development site ran in a rough "L" shape extending from opposite number 2 Silksworth Hall Drive to opposite number 12 Silksworth Hall Drive. The area of land proposed for development had a heavy coverage of trees.

To the west of the proposed development site was "The Lawns" which comprised a row of bungalow properties of traditional brick and tile design whilst to the south and east of the site there were large detached two storey houses all set within generous plots. These houses were also of traditional brick and tile design. To the immediate north of the site was the remainder of the lawned garden associated with Silksworth Hall and beyond that was Silksworth Hall itself.

The proposed development comprised the construction of five "Passivhaus" type, two storey dwellings. The proposed houses were 7.5 metres in height 10 metres deep and 12 metres wide with a staggered front elevation. They were of very contemporary design with flat roofs and were finished with a mixture of brickwork, render and cladding. A flat roofed car port was proposed to the front of each dwelling. Drainage from the proposed dwellings would be via sustainable drainage system for surface water and via a package treatment plant for foul flows. Passivhaus dwellings were homes designed to combine ultra-low energy consumption with consistently good air quality.

49 objections to the proposed development had been received.

The representative of the Executive Director of City Development then drew the committee's attention to the main issues to consider in determining the application in relation to the following key aspects as detailed on pages 253 – 268 of the agenda:-

- i) Principle of development (including “garden grabbing”)
- ii) Impact of the proposal upon Silksworth Conservation Area and the listed Silksworth Hall
- iii) Impact of the proposal upon trees.
- iv) Archaeology.
- v) Design and Visual Amenity
- vi) Impact upon residential amenity of existing and future occupiers
- vii) Ecology
- viii) Highways and car parking issues
- ix) Sustainability
- x) Ground Contamination

In conclusion members were advised that it was considered that the proposed development within the remaining historic garden area of Silksworth Hall would have an unacceptable detrimental impact upon the setting of the grade II listed Silksworth Hall and upon the character of Silksworth Hall Conservation Area through the removal of a substantial number of trees (50) and through the construction of five dwellings which would be out of keeping with their surroundings and which would appear as obtrusive and unsympathetic additions to the detriment of visual amenity, the setting of a listed building and the conservation area, contrary to national and local planning policy requirements.

The positioning of proposed plot one of the development was considered to be unacceptable due to its proximity to the rear of the adjacent property at “The Lawns” in addition the proposed properties had small rear gardens which did not provide an appropriate amount of private amenity space for dwellings of their size to the detriment of the residential amenity of future occupiers.

Furthermore, the application was deficient in supporting information in respect of archaeology, highway and car parking arrangements, and ecology and Habitat Regulation Assessment matters which meant that the Local Planning Authority could have no certainty that these issues could be satisfactorily addressed. Members were therefore recommended to refuse the application for reasons detailed in the report.

The representative of the Executive Director of City Development then addressed questions from the Committee confirming that each of the 50 trees referred to in the application were subject to tree preservation orders. In response to a further enquiry she confirmed that access to the proposed development was via a private road. The road was in multiple ownership with the proportion of the road directly in front of each property being owned by the owner of that property. In theory if the development had been considered appropriate and was granted approval, access to the development would then become a civil matter between all the parties involved. This was an issue that sat outside the planning process.

The Chairman then welcomed and introduced Councillor Heather Fagan a member for the Doxford ward who was afforded the opportunity to address the Committee. Councillor Fagan spoke in objection to the application, citing

the large number of objections from local residents, road safety concerns given the unadopted nature of the access road and its lack of footpaths and the presence of a sharp bend. There was a lack of parking provision with no room for delivery vehicles which would exacerbate already existing parking problems in the neighbouring areas and compromise the safety and accessibility of existing residents. The loss of 50 trees at the minimum was unacceptable and was at odds with the Council's objective to become a carbon neutral city. Councillor Fagan also expressed concern at the adverse impact the development would have on the conservation area, the damage to which would be irreversible.

The Chairman informed the Committee that four requests had been made to have statements read out by an Officer in objection to the application. He advised that he would allow 5 minutes per statement. The representative of the Executive Director of City Development then read out the statements received from the following members of the public in objection to the application.

- i) Mr Alan and Ms Michelle Willcock
- ii) Mr and Mrs Hall
- iii) Mr and Mrs Montgomery
- iv) Ms Lynne Small

Following the reading of the statements, the Planning Officer advised that she had just been informed of a request that had been sent in to have a statement of objection read out on behalf of a Mr Ryan Doyle and asked permission from the Chairman to do so. This was granted accordingly.

The Chairman then invited members to comment on and debate the application. Consideration having been given to the matter the Chairman put the Officer's recommendation to the Committee and it was:-

23. RESOLVED that the application be refused for the reasons as detailed in the report.

Planning Application 20/01661/FUL Full Application Proposal: Change of use from Retail (A1) to Hot Food Takeaway (A5) to include specialist ventilation & extraction unit. 6 Mayfair House Eden Terrace Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the key issues to consider in determining the application.

Members were informed that planning permission was sought to change the use of 6 Mayfair House, Eden Terrace, from a Hair and Beauty salon to a Hot Food Takeaway. The unit fronted onto Durham Road which was a primary route into the City Centre. The area was generally residential in character and appearance, although some commercial uses were interspersed around the locality, including that of the host unit and those nearby businesses located within the Mayfair buildings to the north on Durham Road.

The site was landlocked to the rear whilst a public footpath and cycle lane ran across the frontage of the site. A long expanse of double yellow lines was set out on Durham Road in front of the host and neighbouring properties. Entry for customers, staff and deliveries would all be via the front of the property as existing with refuse bins located within a designated area in the shop to be collected by a private contractor. A new extraction system to deal with the cooking processes would be provided to the rear of the premises.

The submission indicated that the proposed new use could generate 6no new jobs with the proposed opening hours detailed to be between 11.00am and 11.30pm. The applicant had however stated a willingness to be flexible on the opening hours if this was considered necessary to make the development acceptable.

With regard to public consultation, the Committee was advised that a total of 18 individual representations had been received from nearby residential occupiers together with 2 objections from Ward Councillors Julia Potts and Andrew Wood. In addition, a petition of objection carrying 16 signatures had also been received.

In relation to the objections received, the main areas of concern related to:-

- i). Noise, disturbance and smells emanating from the use.
- ii). Parking issues and general traffic generation within the area.
- iii). Litter/antisocial behaviour.
- iv). The correlation between hot food uses, health and levels of obesity and proximity of schools.
- v). There were already a significant number of hot food uses within the area.
- vi). Lack of consultation with nearby residents with regard to the application.

With regard to point vi) above, members were advised that consultation was initially carried with all adjoining residential occupiers based on addresses held within the Local Planning Authority's data base. Following notification that some occupiers of Mayfair Buildings did not receive letters, further bespoke letters were issued to flats within this building whilst a site notice was also positioned outside the property. This had effectively extended the public consultation period from the usual 3 weeks to 8 weeks and had provided more than adequate notification and opportunity for nearby occupiers to engage with the process and submit representations should they wish.

The representative of the Executive Director of City Development then drew the Committee's attention to the main issues to consider in determining the

application in relation to the following key aspects as detailed on pages 276 – 280 of the agenda:-

- i) The principle of the proposed use;
- ii). The impact of the development on visual amenity
- iii). The impact of the development on residential amenity
- iv). The impact of the development on highway and pedestrian safety

In conclusion members were informed that the Council's CSDP and Policy VC4 had brought in a specific approach based on co-ordinated evidence to address the increasing concerns regarding the potential impacts of hot food takeaways on the health of the city's residents. In this respect it was evident that the proposed siting of the hot food use would be within 400m of the main entrance of St Anthony's Girls Catholic Academy whilst the obesity figures for Millfield Ward (as set out within the National Child Measuring Programme) exceed the threshold of 21% for year 6 pupils.

In circumstances where the thresholds were breached, CSDP Policy VC4 was clear in stating that hot food takeaways would not be permitted. The principle of the proposal was therefore contrary to the provisions of CSDP policy VC4 and the overarching aims and objectives of strategic policy SP7 and NPPF Paragraph 91, all of which aimed to promote and achieve healthy places to enable and support healthy lifestyles.

There also remained unresolved amenity concerns over the impact of the flue and extraction with regard to noise and odour whilst in the absence of any discussions regarding a reduction in the closing time (stipulated to be 11.30pm on the application form), the Local Planning Authority considered that the proposal would have a demonstrable adverse impact on the living conditions of the adjacent occupiers by virtue of noise, disturbance and nuisance late at night. In this respect the proposal was contrary to CSDP Policies BH1 and HS1.

In addition to the above, it was considered that the proposal would generate increased vehicular movements around the site without the provision of adequate parking facilities, leading to opportunist short-term parking to the front of the unit to the detriment of highway and pedestrian safety. The proposal was therefore contrary to CSDP Policy ST3.

For the reasons outlined above the representative of the Executive Director of City Development advised that the application was recommended for refusal.

The Chairman informed the Committee that two requests had been made to have statements read out by an Officer in objection to the application. He advised that he would allow 5 minutes per statement. The representative of the Executive Director of City Development then read out the statements received from the following members of the public in objection to the application.

- i) Mr Brian Rutherford

ii) Mr Mark Gibson

The Chairman then informed the Committee that there had been a request received from the applicant, Mr Kevin McVey to have a statement read out by an Officer in support of his application. The Chair advised that he would allow 5 minutes.

The representative of the Executive Director of City Development having read out Mr McVey's statement, the Chairman invited members to comment on and debate the application.

Consideration having been given to the matter, the Chairman put the Officer's recommendation to the Committee and it was:-

24. RESOLVED that the application be refused for the reasons as detailed in the report.

Items for Information

Members gave considered to the items for information contained within the matrix (pages 283 – 288 of the agenda).

Councillor Doyle referred to the following application in the Doxford Ward stating that it had aroused a degree of controversy in the local area and suggested that Covid restrictions allowing, the Committee might benefit from a site visit.

Planning Application 20/01183/LP3

Land Bounded by Silksworth Road, Clinton Place and City Way, Sunderland.
Provision of a 520 space car park and access road off the B1286 City Way, Doxford Park, Sunderland, to include realignment of footpaths, lighting, landscaping and sustainable drainage features.

25. RESOLVED that:-

i) the items for information as set out in the matrix be received and noted and;

ii) Covid 19 restrictions permitting, arrangements be made to undertake a site visit in respect of Planning Application 20/01183/LP3.

The Chairman then closed the meeting having thanked everyone for their attendance, contributions and patience.

(Signed) M. BUTLER
D. WILSON
(Chairmen)

Item 4

PLANNING AND HIGHWAYS (EAST) COMMITTEE

1 FEBRUARY 2021

REFERENCE FROM CABINET – 8 DECEMBER 2020

SUPPLEMENTARY PLANNING DOCUMENTS (SPD):-

- (A) Draft Allocations and Designations Plan**
- (B) Land East of Washington (Washington Meadows) Supplementary Planning Document Scoping Report**
- (C) Draft Development Management Supplementary Planning Document.**

Report of the Assistant Director of Law and Governance

1. Purpose of this Report

- 1.1 To set out for the advice and consideration of this Committee reports which were considered by Cabinet on 8 December 2020 to seek approval to undertake public consultation on the Draft Allocations and Designations Plan, the Land East of Washington (Washington Meadows) Supplementary Planning Document Scoping Report and the Draft Development Management Supplementary Planning Document.

2. Background and Current Position

- 2.1 The Cabinet, at its meeting held on 8 December 2020, gave consideration to reports of the Executive Director of City Development to seek Cabinet approval to undertake public consultation on the Draft Allocations and Designations Plan, the Land East of Washington (Washington Meadows) Supplementary Planning Document Scoping Report and the Draft Development Management Supplementary Planning Document.
- 2.3 In respect of the Draft Allocations and Designations Plan, the Cabinet:-
 - approved public consultation on the Draft Allocations and Designations Plan attached at Appendix 1, Policies Map as attached in Appendix 2 and supporting Evidence as listed in Appendix 5; and
 - delegated authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the Draft Allocations and Designations Plan and Policies Map in advance of consultation.
- 2.4 In relation to the Land East of Washington (Washington Meadows) Supplementary Planning Document Scoping Report, the Cabinet:-
 - approved public consultation on the Land East of Washington (Washington Meadows) Supplementary Planning Document (SPD) Scoping Report (Appendix 1); and

- delegated authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the Scoping Report prior to the consultation.

2.5 In respect of the Draft Development Management Supplementary Planning Document, the Cabinet

- approved public consultation on the Draft Development Management SPD attached at Appendix 1; and
- delegated authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the draft DM SPD prior to the consultation.

2.6 Copies of the 8 December 2020 Cabinet agenda are available online to all Members of the Council.

3. Conclusion

- 3.1** The reports are referred to this Committee for advice and consideration as part of the consultation process. The comments of this Committee will be reported to Cabinet when it receives further reports following the consultation exercises.

4. Recommendation

- 4.1** The Committee is invited to give advice and consideration on the attached reports of the Executive Director of City Development.

5. Background Papers

- 5.1** Cabinet Agenda, 8 December 2020.

- 5.2** A copy of the Agenda is available for inspection from the Assistant Director of Law and Governance or can be viewed on-line at:-

<https://committees.sunderland.gov.uk/committees/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/10397/Committee/1953/Default.aspx>

Contact Peter McIntyre
Officers: 0191 561 1134

peter.mcintyre@sunderland.gov.uk

Elaine Waugh
0191 561 7849

elaine.waugh@sunderland.gov.uk

CABINET MEETING – 8 DECEMBER 2020

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Draft Allocations and Designations Plan.

Author(s):

Executive Director of City Development

Purpose of Report:

The purpose of this report is to seek Cabinet approval to consult on the Draft Allocations and Designations Plan (A&D Plan) (Appendix 1), Policies Map (Appendix 2) and supporting evidence (as listed in Appendix 5).

Description of Decision:

It is recommended that Cabinet:

- approves public consultation on the Draft Allocations and Designations Plan attached at Appendix 1, Policies Map as attached in Appendix 2 and supporting Evidence as listed in Appendix 5; and
- delegates authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the Draft Allocations and Designations Plan and Policies Map in advance of consultation.

Is the decision consistent with the Budget/Policy Framework? Yes

If not, council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The decision is required to allow public consultation to be undertaken on the Draft Allocations and Designations Plan in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Alternative options to be considered and recommended to be rejected:

The option to proceed without developing an Allocations and Designations Plan was considered. However, the Council is legally required to prepare a Local Plan Document.

Impacts analysed:

Equality ☐ Y Privacy ☐ x Sustainability ☐ Y Crime and Disorder ☐ x

The Draft A&D Plan will designate and allocate land to meet the strategic objectives outlined in the Core Strategy and Development Plan. The Plan will support and provide guidance on a range of planning matters, which will be of benefit to a wide range of interested groups.

An Equalities Impact Assessment has been undertaken for the Allocations and Designations Plan (Appendix 4). In addition, the Allocations and Designations Plan has also been subject to a Sustainability Appraisal (incorporating Strategic Environmental Assessment). A summary of the outcomes of this process is attached in Appendix 3.	
Is the Decision consistent with the council's co-operative values?	Yes
Is this a "Key Decision" as defined in the Constitution?	Yes
Is it included in the 28-day Notice of Decisions?	Yes

DRAFT ALLOCATIONS AND DESIGNATIONS PLAN**Executive Director of City Development****1. Purpose of the Report**

- 1.1 The purpose of this report is to seek Cabinet approval to consult on the Draft Allocations and Designations Plan (Appendix 1), Policies Map (Appendix 2) and supporting evidence (as listed in Appendix 5).

2. Description of Decision (Recommendations)

- 2.1 It is recommended that Cabinet:
- approves public consultation on the Draft Allocations and Designations Plan attached at Appendix 1, Policies Map as attached in Appendix 2 and supporting Evidence as listed in Appendix 5; and
 - delegates authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the Draft Allocations and Designation Plan and Policies Map in advance of consultation.

3. Background**Local Plan**

- 3.1 All Local Planning Authorities are required to produce a Local Plan. Local Plans set out a vision and framework for the future development of an area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. The Local Plan is an essential tool for guiding decisions on individual development proposals and is the starting point for considering whether a planning application can be approved.
- 3.2 Local plans must be positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework.
- 3.3 Sunderland's Local Plan consists of three parts: the Core Strategy and Development Plan (CSDP) which was adopted in 2020, the International Advanced Manufacturing Park Area Action Plan (IAMP AAP) which was adopted in 2017 and the final part will be the Allocations and Designations Plan (hereafter referred to as the A&D Plan).

- 3.4 Upon its adoption, the A&D Plan will supersede and replace all remaining saved policies of the Unitary Development Plan and Unitary Development Plan Alteration No.2.

The A&D Plan

- 3.5 As set out above, the A&D Plan is the third and final part of the Local Plan. Its purpose is to allocate and designate land to help deliver the overarching strategy and strategic objectives set out within the CSDP. The CSDP set out the overarching development strategy for Sunderland until 2033. This included the requirement to deliver at least 13,410 net new homes, 7,200 new jobs and the development of at least 45,400m² of new comparison retail development. The CSDP also established detailed development management policies to protect the area's assets such as its greenspaces and the historic environment, and policies to create sustainable, healthy communities.
- 3.6 Whilst the policies of the CSDP go some way in facilitating the delivery of the overarching development strategy, the A&D Plan will allocate and designate land to ensure that the development strategy can be delivered in full.

Preparing the A&D Plan

- 3.7 As part of the preparation of the draft A&D Plan (Appendix 1), the Council has prepared a detailed evidence base (as listed in Appendix 5) which has been used to inform the policies contained within the A&D Plan. In addition to the evidence base, the A&D Plan has also been subject to a Sustainability Appraisal (incorporating Strategic Environmental Assessment), Habitats Regulations Assessment, Health Impact Assessment and Equalities Assessment. These impact assessments have considered the impacts of the A&D Plan on the environment, health and equalities issues. In addition to satisfying statutory requirements, this has helped to shape the content of the A&D Plan in order to maximise beneficial effects for local communities and the environment.
- 3.8 The Council has also worked closely with neighbouring authorities and statutory bodies during the preparation of this Plan on strategic planning matters as part of its duty-to-cooperate. The Council will continue, as part of the duty-to cooperate, to discuss any strategic issues which arise as a consequence of this consultation. The Plan has been prepared in accordance with the National Planning Policy Framework (NPPF)¹, Planning Practice Guidance (PPG)² and legislation³.

¹ <https://www.gov.uk/guidance/national-planning-policy-framework/3-plan-making#para17>

² <https://www.gov.uk/government/collections/planning-practice-guidance>

³ Planning and Compulsory Purchase Act 2004 <https://www.legislation.gov.uk/ukpga/2004/5/section/19>, Neighbouring Planning Act 2017 <https://www.legislation.gov.uk/ukpga/2017/20/section/8>, The Town and Country Planning (Local Planning) (England) Regulations 2012 <https://www.legislation.gov.uk/uksi/2012/767/part/4/made>

4. Current Position

4.1 To meet the overall development strategy set out in the CSDP, the draft A&D Plan proposes to:

- **Allocate sufficient land to meet housing needs** – The CSDP identifies that Sunderland will need to deliver approximately 13,410 new homes during the plan period (between 2015 and 2033). Although a substantial amount of these homes have already been delivered, or have planning permission, there is a need to identify sufficient land to meet the housing needs. The A&D Plan proposes to allocate sites for housing across the city to deliver approximately 4246 new homes by 2033. These sites are mainly brownfield sites and are all within the existing urban area.
- **Allocate Riverside Sunderland** - Riverside Sunderland is located in the heart of the Urban Core. Over the next 20 years, it is expected that Riverside Sunderland will transform into a successful business location, a popular place to live and a focal point for community life. The A&D Plan will allocate the site and alongside the Riverside Sunderland Supplementary Planning Document (SPD) ensure that development is coordinated and comprehensive.
- **Focus regeneration and new development at North East Washington** - North East Washington is an area of the city with a significant amount of development potential. The A&D Plan identifies Land East of Washington (Washington Meadows) as a sustainable urban extension to Washington. The site was previously safeguarded by the CSDP, however through preparing the draft A&D Plan it has become apparent that the site should be allocated to meet the city's needs. It is considered that Washington Meadows will become an example of a low carbon, sustainable development and a destination of choice for families. The development will achieve high standards of sustainability, design and provide a range of supporting facilities to help foster a strong sense of community. The creation of well connected, integrated and sustainable transport links will be essential to making this a sustainable neighbourhood, which is why the A&D Plan proposes to safeguard land for a metro/rail station on the site. The Council is preparing the Land East of Washington (Washington Meadows) SPD in tandem with the A&D Plan to ensure the site is delivered comprehensively. The A&D Plan recognises the wider benefits development in the area may bring and therefore identifies Sulgrave as a Regeneration Area.
- **Allocate the former Houghton Colliery site as a development opportunity and extension to Houghton Town Centre** - The CSDP sets out the aspiration to deliver at least 45,400m² of new comparison retail floorspace over the plan period to 2033. The Council recognise that the dynamic of the retail sector has been changing over recent years, with the growth of online retail and consolidation of many retailers into fewer outlets particularly focussed upon high order centres. Notwithstanding this, the Sunderland Retail Needs Assessment (2016) recognises that there is currently a significant amount of leakage in terms of retail expenditure from the Coalfield

sub-area. The former Houghton Colliery site has been a long-standing allocation for retail development in order to help address this need and would represent a logical extension to Houghton Town Centre. Therefore, the A&D Plan allocates this site.

- **Designate heritage assets** – The Council recognise the importance of the built and historic environment within the city and the need to preserve these assets for future generations. The CSDP contains several detailed policies which set out how the Council will determine applications which may have a potential impact upon the historic environment, including designated and non-designated heritage assets. Whilst the specific policies for dealing with such applications were set out within the CSDP, the formal designations were not shown on the Policies Map. The draft A&D Plan therefore seeks to formally designate these heritage assets.
- **Protect the natural environment** – The Council recognise the important role that the natural environment plays within the city and has set out a range of policies within the CSDP to protect and enhance this. Whilst the CSDP sets out the policy framework against which applications will be assessed, the majority of the environmental designations are not currently shown on the adopted CSDP Policies Map. The Council has done a substantial amount of work to ensure that key environmental assets are protected for our communities. This includes greenspaces, Local Wildlife Sites, Wildlife Network, key views as well as burial sites.
- **Designate land potentially suitable for wind energy development** – The Council recognise the importance of renewable energy supply in helping the city reduce its carbon emissions and the threat of climate change. CSDP Policy WWE1 sets out the Council's supportive approach to the development of decentralised, renewable and low carbon energy. However, with regard to onshore wind turbine development, the NPPF indicates that proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind development in the development plan. The A&D Plan therefore seeks to identify areas potentially suitable for new wind energy development. The areas identified are based on the recommendations of the council's Wind Capacity Study (2020). At this stage of plan making, potential locations have been identified for consultation purposes. Subject to this consultation, the Council will then determine which areas should be designated in the next iteration of the Plan.
- **Safeguard land for the future expansion of the Metro network, including potential Park and Ride locations** – The Metro Futures Study identifies opportunities for future expansion of the Tyne and Wear Metro network including a possible future extension to Doxford Park, resources permitting. In addition, the study also identifies a number of locations for potential future Metro stations, some of which will be located on national lines and may have scope to provide national rail services. The A&D Plan seeks to designate these on the Policies Map and safeguard them against any other forms of development which may restrict the future expansion of the Metro network or provision of national rail services.

Park and Ride sites can help to improve accessibility to sustainable transport routes and services in the city. In particular, they support Metro and rail routes in the city area, providing a convenient and safe location for users to park while they make use of Metro/rail services to travel to their destination. Schemes such as this assist in reducing vehicle congestion in city and town centres and contribute to lower carbon outputs. The A&D Plan proposes to safeguard land for Park and Ride facilities.

- **Safeguards Eppleton Quarry** - Eppleton Quarry is of strategic importance to mineral extraction in Sunderland and the rest of the Tyne and Wear sub-region. It represents the only operational quarry within the local authority area and one of only two operational quarries within the Tyne and Wear sub-region. To ensure that the operations of the quarry are not impeded by other development, the site is identified on the Policies Map as a safeguarded site.

5. Next Steps

- 5.1 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, a Local Plan Document must be consulted on for a minimum of six weeks. The Council are keen to involve as many people in the process and have prepared a communication and engagement plan to ensure that people are aware of the consultation. This includes sending letters, emails, social media campaigns, press campaign and engaging with partners. Consultation is expected to commence on 18 December but has been extended to an eight weeks consultation given the Christmas period. Consultation will close on 12 February 2020.
- 5.2 Due to the exceptional circumstances regarding Covid 19, arrangements have been put in place to ensure consultation on the draft A&D Plan can be carried out in line with Government guidance and social distancing requirements. The Council has prepared a Statement of Representation Procedure (Appendix 6) which sets out how the Council will publish the draft A&D Plan, inform all statutory bodies and Duty to Cooperate partners and make the relevant material available in accessible locations including online and in paper format.
- 5.3 Following consultation on the draft A&D Plan, the Council will take into consideration the outcomes of the consultation and will prepare the pre-submission draft in 2021.

6. Reasons for the Decision

- 6.1 The decision is required to allow public consultation to be undertaken on the draft A&D Plan in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

6. Alternative Options

- 6.1 The option to proceed without developing an Allocations and Designations Plan was considered. However, the Council is legally required to prepare a Local Plan Document.

7. Impact Analysis

- (a) **Equalities** – An Equalities Impact Assessment has been undertaken for the Allocations and Designations Plan (Appendix 4).
- (b) **Sustainability** – the Allocations and Designations Plan has also been subject to a Sustainability Appraisal (incorporating Strategic Environmental Assessment). A summary of the outcomes of this process is attached in Appendix 3.
- (c) **Reduction of Crime and Disorder – Community Cohesion/Social Inclusion** – The A&D Plan will seek to provide allocations and designations for development across the City which will have positive benefits in terms of community cohesion.

8. Other Relevant Considerations/Consultations

- (i) **Financial Implications** – The costs associated with the A&D Plan consultation will be met through existing Local Plan budgets.
- (ii) **Risk Analysis** – It is not considered that a risk analysis is necessary.
- (iii) **Legal Implications** – The applicable legislation, as referenced in the report, will be adhered to throughout the process.
- (iv) **Policy Implications** – The A&D Plan, once adopted, will be a Development Plan Document and therefore will be a material consideration when determining planning applications.
- (v) **Implications for Other Services** – The A&D Plan will be used in the determination of planning applications and therefore will not have any direct implications for other Services.
- (vi) **The Public/External Bodies** – The Council will be consulting on the Draft A&D Plan.

9. List of Appendices (available online on the link below)

<https://committees.sunderland.gov.uk/committees/cm15/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/10397/Committee/1953/Default.aspx>

[Appendix 1 Draft Allocations and Designations Plan](#)

[Appendix 2 Draft Allocations and Designations Plan Policies Map](#)

[Appendix 3 Draft Allocations and Designations Plan Sustainability
Assessment Summary](#)

[Appendix 4 Draft Allocations and Designations Plan Equalities Impact
Assessment](#)

[Appendix 5 Draft Allocations and Designations Plan Evidence List](#)

[Appendix 6 Draft Allocations and Designations Plan Statement of
Representation Procedure](#)

CABINET MEETING – 8 DECEMBER 2020

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Land East of Washington (Washington Meadows) Supplementary Planning Document Scoping Report

Author(s):

Executive Director of City Development

Purpose of Report:

The purpose of this report is to seek Cabinet approval to consult on the Land East of Washington (Washington Meadows) Supplementary Planning Document Scoping Report.

Description of Decision:

It is recommended that Cabinet:

- approves public consultation on the Land East of Washington (Washington Meadow) Supplementary Planning Document (SPD) Scoping Report (Appendix 1); and
- delegates authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the Scoping Report prior to the consultation.

Is the decision consistent with the Budget/Policy Framework? Yes

If not, council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The decision is required to allow public consultation to be undertaken on the Washington Meadows Scoping Report in accordance with Regulations 12 & 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Alternative options to be considered and recommended to be rejected:

The option to proceed without developing an SPD for Land East of Washington (Washington Meadows) was considered. However, the Council considers it necessary to ensure the comprehensive and coordinated development of the area.

Impacts analysed;

Equality ☒ Privacy ☒ Sustainability ☒ Crime and Disorder ☒

The SPD will support and provide guidance on a range of planning matters, which will be of benefit to a wide range of interest groups.

An Equalities Impact Assessment has been undertaken for the Land East of Washington (Washington Meadows) SPD Scoping Report. In addition, as part of the preparation of the Draft Allocations and Designations Plan, which this document supplements, an Equalities Impact Assessment and Sustainability Appraisal was also undertaken.	
Is the Decision consistent with the council's co-operative values?	Yes
Is this a "Key Decision" as defined in the Constitution?	Yes
Is it included in the 28-day Notice of Decisions?	Yes

LAND EAST OF WASHINGTON (WASHINGTON MEADOWS) SUPPLEMENTARY PLANNING DOCUMENT SCOPING REPORT

Executive Director of City Development

1. Purpose of the Report

- 1.1 The purpose of this report is to seek Cabinet approval to consult on the Land East of Washington (Washington Meadows) Supplementary Planning Document Scoping Report.

2. Description of Decision (Recommendations)

- 2.1 It is recommended that Cabinet:
- approves public consultation on the Land East of Washington (Washington Meadow) Supplementary Planning Document (SPD) Scoping Report (Appendix 1); and
 - delegates authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the Scoping Report prior to the consultation.

3. Background

Local Plan

- 3.1 Sunderland's Local Plan consists of three parts:
- the Core Strategy and Development Plan (CSDP);
 - the Allocations and Designations Plan (hereafter referred to as the Draft A&D Plan); and
 - the International Advanced Manufacturing Park Area Action Plan (IAMP AAP).
- 3.2 The Draft A&D Plan identifies, in Policy SP12, North East Washington as an area for regeneration and new development. The policy states that the Council working with its partners will:
- create a new sustainable residential community at Land East of Washington (hereafter referred to as Washington Meadows);
 - work to secure regeneration and renewal at Sulgrave; and
 - work toward re-opening the Leamside Line.
- 3.3 Policy SS9 of the Draft A&D Plan allocates Washington Meadows as a sustainable urban extension to Washington. The site was previously safeguarded by the CSDP. The Draft A&D Plan requires that development of the site should be comprehensive and coordinated and in accordance with the Land East of Washington (Washington Meadows) SPD.

- 3.4 The purpose of an SPD is to expand policy or provide further detail and support of policies in a Development Plan. An SPD does not have Development Plan status, but it can be accorded significant weight as a material planning consideration in the determination of planning applications.

North East Washington Context

- 3.5 Washington Meadows is within an area referred to in the Draft A&D Plan as North East Washington. North East Washington is an area of the city with a significant amount of development potential including IAMP, which is the premier location for advanced manufacturing and automotive technology, Washington Meadows for new housing growth, and the Leamside Line which offers an opportunity to connect into the Metro/rail network. It is important that, alongside developing new homes and jobs, the Council and its partners invest in and regenerate existing communities where there is a recognised need for intervention.
- 3.6 It is anticipated that Washington Meadows and IAMP will be a catalyst for the regeneration of the wider North East Washington area. To ensure the area's potential and the council's and community's aspirations are realised, a comprehensive approach to its development is necessary. This will ensure that new housing, employment, regeneration and infrastructure are delivered in a timely manner. The Council is currently preparing a Regeneration Strategy for North East Washington.

Washington Meadows Site

- 3.7 The site will form a natural extension to Washington. The site is located on the north eastern edge of Washington close to Nissan and west of IAMP. To the north of the site is agricultural land, to the east IAMP, to the south Nissan and Elm Tree Farm Garden Nursery & Tearoom, and to the west of the site is the former Leamside Railway Line. The site is approximately 98 hectares in size.
- 3.8 Washington Meadows will become an example of a low carbon, sustainable development and a destination of choice for families wishing to live in the city. The development will achieve high standards of sustainability, design and provide a range of supporting facilities to help foster a strong sense of community. The creation of well connected, integrated and sustainable transport links will be essential to making this a sustainable neighbourhood.

Washington Meadows Policy Context

- 3.9 The adopted CSDP sets out the Council's long-term plan for development across the city to 2033. It sought to address the lack of development potential in the area to ensure Washington could continue to thrive as a sustainable community. The CSDP designated the site as safeguarded for long term development needs. The CSDP states that consideration will be given to an early release of the safeguarded land through the A&D Plan, if required. In preparation of the Draft A&D Plan and its supporting evidence base, it has become clear that in order to ensure a sufficient supply of deliverable and developable housing sites within the city throughout the plan period and beyond (including a buffer of approximately 10% to ensure deliverability), it would be necessary to release the site early.

- 3.10 The Draft A&D Plan, therefore, includes a policy which allocates Washington Meadows as an Urban Extension. To ensure the site delivers the necessary infrastructure requirements and creates a sustainable community, Policy SS9 identifies a number of policy constraints which must be addressed at the planning application stage. It also requires development to be in accordance with the Land East of Washington (Washington Meadows) SPD.
- 3.11 In addition, Policy SS9 safeguards land for a new railway station and associated car parking. This is to ensure that land is protected for a station if the Leamside Line is reopened.

4. Current Position

- 4.1 It is the intention of the Council to produce and formally adopt the Land East of Washington (Washington Meadows) SPD. This SPD will give further detailed advice on how policies SP12 and SS9 will be applied.
- 4.2 The purpose of the SPD is to:
- detail the Council's visions and aspirations for Washington Meadows;
 - facilitate the delivery of Washington Meadows to ensure that the site is delivered in a comprehensive and coordinated manner; and
 - provide a basis for informed and transparent decision making on planning applications.
- 4.3 The Land East of Washington (Washington Meadows) SPD Scoping Report (Appendix 1) acts as an opening consultation paper to discuss the relevant issues, themes and potential format that the SPD will cover.
- 4.4 The Scoping Report (Appendix 1) details that the SPD will:
- provide a vision and strategic objectives for the area;
 - define key development principles and concepts to enable a strategic approach to delivery;
 - provide a masterplan framework, incorporating design parameters and principles to ensure a high standard of design and sustainability;
 - identify requirements and provide a broad strategy to deliver supporting infrastructure; and
 - form part of the evidence base for the emerging A&D Plan, by demonstrating the site's suitability and deliverability.
- 4.5 The SPD will comprehensively cover the following key strategic issues including: Natural Environment, Built Environment, Social Infrastructure, Access & Connectivity, Utilities, Pollution, Flood Risk & Drainage, Contamination, Infrastructure Requirements and Costs and Phasing.

Next Steps

- 4.6 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, an SPD must be consulted on, for a minimum of four weeks. Consultation on SPDs must be carried out in line with the Council's Statement of Community Involvement (SCI). Due to the exceptional circumstances

regarding Covid 19, arrangements have been put in place to ensure consultation on the SPD Scoping Report can be carried out in line with Government guidance and social distancing requirements. As normal, the consultation will include sending letters/emails to all contacts on the Local Plan database, informing all statutory bodies and Duty to Cooperate partners and making the relevant material available in accessible locations including online and in paper format.

- 4.7 Following consultation on the SPD Scoping Report (Appendix 1), the Council will take into consideration the outcomes of the consultation and will prepare a Land East of Washington (Washington Meadows) Draft SPD. The draft SPD will be consulted on alongside the revised draft of the A&D Plan in 2021.

5. Reasons for the Decision

- 5.1 The decision is required to allow public consultation to be undertaken on the Land East of Washington (Washington Meadows) SPD Scoping Report in accordance with Regulations 12 & 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

6. Alternative Options

- 6.1 The option to proceed without developing an SPD for Land East of Washington (Washington Meadows) was considered. However, the Council considers it necessary to ensure the comprehensive and coordinated development of the area.

7. Impact Analysis

- (a) **Equalities** – An Equalities Impact Assessment has been undertaken for the SPD Scoping Report (Appendix 2).
- (b) **Sustainability** – As part of the preparation of the Draft A&D Plan a Sustainability Appraisal has been undertaken. This assesses the sustainability of the approach to Land East of Washington (Washington Meadows).
- (c) **Reduction of Crime and Disorder – Community Cohesion/Social Inclusion** – The SPD will seek to provide further guidance development for Land East of Washington (Washington Meadows) which will have positive benefits in terms of community cohesion.

8. Other Relevant Considerations/Consultations

- (i) **Financial Implications** – The costs associated with the SPD consultation will be met through existing Planning Policy budgets.
- (ii) **Risk Analysis** – It is not considered that a risk analysis is necessary.

- (iii) **Legal Implications** – The applicable legislation, as referenced in the report, will be adhered to throughout the process.
- (iv) **Policy Implications** – The SPD will provide new planning policy guidance which will be a material planning consideration in the determination of planning applications within Washington Meadows.
- (v) **Implications for Other Services** – The SPD will be used in the determination of planning applications and therefore will not have any direct implications for other Services.
- (vi) **The Public/External Bodies** – The Council will be consulting on the SPD.

9. List of Appendices

- Appendix 1 Land East of Washington (Washington Meadows) SPD Scoping Report.
- Appendix 2 Land East of Washington (Washington Meadows) SPD Scoping Report Equalities Impact Assessment.

Copies are available in the Members' Rooms and online at
<https://www.sunderland.gov.uk/article/12733/Supplementary-Planning-Documents-SPDs->

CABINET MEETING – 8 DECEMBER 2020

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Draft Development Management Supplementary Planning Document.

Author(s):

Executive Director of City Development

Purpose of Report:

The purpose of this report is to seek Cabinet approval to consult on the Draft Development Management (DM) Supplementary Planning Document (SPD).

Description of Decision:

It is recommended that Cabinet:

- approves public consultation on the Draft Development Management SPD attached at Appendix 1; and
- delegates authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the draft DM SPD prior to the consultation.

Is the decision consistent with the Budget/Policy Framework? Yes

If not, council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The decision is required to allow public consultation to be undertaken on the draft Development Management SPD in accordance with Regulations 12 & 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Alternative options to be considered and recommended to be rejected:

The option to proceed without developing an SPD for Development Management purposes was considered. However, the Council considers it necessary to provide additional guidance to support decision making on planning applications and replace the Interim Development Management Planning Guidance.

Impacts analysed:

Equality ☐ Y **Privacy** ☐ x **Sustainability** ☐ x **Crime and Disorder** ☐ x

The SPD will support and provide guidance on a range of planning matters, which will be of benefit to a wide range of interested groups.

An Equalities Impact Assessment has been undertaken for the Draft Development Management SPD. In addition, as part of the preparation of the Core Strategy and

Development Plan, which this document supplements, an Equalities Impact Assessment and Sustainability Appraisal was also undertaken.	
Is the Decision consistent with the council's co-operative values?	Yes
Is this a "Key Decision" as defined in the Constitution?	Yes
Is it included in the 28-day Notice of Decisions?	Yes

DEVELOPMENT MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT**Executive Director of City Development****1. Purpose of the Report**

- 1.1 The purpose of this report is to seek Cabinet approval to consult on the Draft Development Management (DM) Supplementary Planning Document (SPD).

2. Description of Decision (Recommendations)

- 2.1 It is recommended that Cabinet:
- approves public consultation on the Draft Development Management SPD attached at Appendix 1; and
 - delegates authority to the Executive Director of City Development in consultation with the Portfolio Holder for Dynamic City to make any minor modifications to the draft DM SPD prior to the consultation.

3. Background**Development Plan**

- 3.1 On 29 January 2020, the Council approved the Core Strategy and Development Plan (CSDP) for adoption. The CSDP was subsequently adopted by the Council on 30 January 2020 and now forms part of the adopted Development Plan for the city.
- 3.2 Following the adoption of the CSDP, most of the Council's existing SPDs were revoked as they either were no longer necessary due to the detail included within the CSDP itself, or as they expanded upon guidance contained within Unitary Development Plan (UDP) policies which had been deleted.
- 3.3 To provide further detailed planning guidance on policies within the adopted Development Plan, a number of SPDs are being prepared including a Development Management SPD. These SPDs will be a material planning consideration when determining relevant planning applications.

Development Management Interim Guidance

- 3.4 To ensure the Council has some Development Management guidance in place to supplement the CSDP, Cabinet approved an Interim Development Management Planning Guidance note on 11 February 2020. This guidance note is a material planning consideration in the determination of planning applications on a temporary basis.

3.5 The interim guidance comprises 3 sections covering the following topic areas:

- Section 1 - Residential Design Guide;
- Section 2 – Householder Alterations and Extensions; and
- Section 3 – Car and Cycle Parking Standards.

3.6 The guidance note was to remain a material consideration until such time as the Council could develop and adopt a Development Management SPD.

The Development Management SPD

3.7 To support the delivery of the Development Management policies contained in the CSDP and to provide additional guidance and clarity, it is considered appropriate to prepare a Development Management SPD. The Development Management SPD once adopted will supersede the interim guidance note and be a material consideration when determining planning applications.

3.8 The purpose of the Draft DM SPD is to:

- Provide additional planning guidance to decision makers on specific Development Management issues, building upon the policies contained within the adopted CSDP;
- Assist applicants to bring forward good quality developments which are policy compliant; and
- Refresh and update the Council's parking standards.

3.9 The Draft DM SPD (Appendix 1) includes 5 main sections;

- **Section 1** – Includes an introduction and overview of policy context.
- **Section 2** - Provides planning and design guidance for those who wish to extend or alter a dwellinghouse. It seeks to ensure that such development is of good design, is visually attractive, respects its surroundings as well as the local environment and does not unacceptably harm the living conditions of neighbouring properties.
- **Section 3** – has been prepared to assist developers, their design professionals and agents, in preparing proposals for residential developments. It provides criteria which planning applications for new residential development will be assessed, illustrating a preferred design approach, streamlining the planning process and ensuring the delivery of high quality, sustainable places within Sunderland.
- **Section 4** - Sets out new parking standards. The revised car and cycle parking guidance including Residential Parking Standards and Non-Residential Parking Standards
- **Section 5** – Includes guidance on advertisements including digital advertisements

3.10 In September, Cabinet approved consultation on the Development Management SPD Scoping Report. Consultation on the SPD was carried out in line with the Council's Statement of Community Involvement (SCI). It began on 21 September for 4 weeks until 19 October. Due to the exceptional

circumstances regarding Covid 19, arrangements were put into place to ensure consultation on the SPD was carried out in line with Government guidance and social distancing requirements. The consultation included sending letters or emails to all contacts on the Local Plan database, informing all statutory bodies and Duty to Cooperate partners, making the relevant material available in accessible locations including online and in paper format.

4. Current Position

4.1 In total, 4 consultees made representations to the Scoping Report. The Consultation Statement (Appendix 2) summarises representations received and the Council's response. In summary the following comments were made in relation to the draft SPD:

- Concern over the sewage network and Hendon Treatment Works having the capacity to manage sewage flows from developments within the Urban Core; and
- The Coal Authority, Historic England and Highways England have no substantive comments to make at this stage.

4.2 The Council has taken into consideration all representations and where possible has included suggestions into the draft DM SPD (Appendix 1). The Consultation Statement (Appendix 2) details the representations received and the Council's response.

Next Steps

4.3 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, an SPD must be consulted on for four weeks. Following this consultation, a Consultation Statement needs to be prepared and consulted on alongside the revised SPD.

4.4 Consultation on the draft DM SPD will be carried out in line with the Council's Statement of Community Involvement (SCI). Due to the exceptional circumstances regarding Covid 19, arrangements have been put in place to ensure consultation on the SPD can be carried out in line with Government guidance and social distancing requirements. As normal, the consultation will include sending letters or emails to all contacts on the Local Plan database, informing all statutory bodies and Duty to Cooperate partners, and making the relevant material available in accessible locations including online and in paper format.

4.5 Following consultation on the draft DM SPD, the Council will take into consideration the outcomes of the consultation and will prepare the final SPD for adoption next year.

5. Reasons for the Decision

- 5.1 The decision is required to allow public consultation to be undertaken on the DM SPD Scoping Report in accordance with Regulations 12 & 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

6. Alternative Options

- 6.1 The option to proceed without developing an SPD for Development Management purposes was considered. However, the Council considers it necessary to provide additional guidance to support decision making on planning applications and replace the Interim Development Management Planning Guidance.

7. Impact Analysis

- (a) **Equalities** – An Equalities Impact Assessment has been undertaken for the Draft DM SPD (Appendix 3).
- (b) **Sustainability** – As part of the preparation of the CSDP a Sustainability Appraisal was undertaken at all stages.
- (c) **Reduction of Crime and Disorder – Community Cohesion/Social Inclusion** – The SPD will seek to provide further guidance on good design which will have positive benefits in terms of community cohesion.

8. Other Relevant Considerations/Consultations

- (i) **Financial Implications** – The costs associated with the SPD consultation will be met through existing Planning Policy budgets.
- (ii) **Risk Analysis** – It is not considered that a risk analysis is necessary.
- (iii) **Legal Implications** – The applicable legislation will be adhered to throughout the process.
- (iv) **Policy Implications** – The SPD would provide new planning policy guidance which would be a material planning consideration in the determination of planning applications within the city.
- (v) **Implications for Other Services** – The SPD would be used in the determination of planning applications and therefore would not have any direct implications for Other Services.
- (vi) **The Public/External Bodies** – The Council will be consulting on the SPD.
- (vii) **Project Management Methodology** – N/A.

(viii) Procurement – N/A.

9. Background Papers

9.1 N/A

10. List of Appendices

Appendix 1 Development Management Draft SPD

Appendix 2 Development Management Draft SPD Consultation Statement

Appendix 3 Development Management SPD Equalities Impact Assessment

Copies are available in the Members' Rooms and online at

<https://www.sunderland.gov.uk/article/12733/Supplementary-Planning-Documents-SPDs->

<https://committees.sunderland.gov.uk/committees/cm15/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/10397/Committee/1953/Default.aspx>

Planning and Highways (East) Committee

1 February 2021

REPORT ON APPLICATIONS

REPORT BY THE EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Executive Director of City Development determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

LIST OF APPLICATIONS

Application for the following site included in this report:

1. 20/01763/SUB - Rowlandson House, 1 Rowlandson Terrace, Sunderland

COMMITTEE ROLE

The Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairperson or the Development Control Manager (0191 561 8755) or email dc@sunderland.gov.uk

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 Core Strategy and Development Plan was adopted on the 30 January 2020, whilst the saved policies from the Unitary Development Plan were adopted on 7 September 1998. In the report on each application specific reference will be made to policies and proposals that are particularly relevant to the application site and proposal. The CSDP and UDP also include several 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/

Peter McIntyre

Executive Director City Development

Reference No.: 20/01763/SUB Resubmission

Proposal: **Change of use of existing residential care home (Use Class C2) to children's day nursery (Use Class E). (Resubmission with additional noise survey work and revised car parking / traffic analysis).**

Location: Rowlandson House 1 Rowlandson Terrace Sunderland SR2 7SU

Ward: Hendon

Applicant: Mr Anthony Lang

Date Valid: 24 September 2020

Target Date: 19 November 2020

PROPOSAL:

The proposal relates to the change of use of existing residential care home (Use Class C2) to children's day nursery (Use Class E). (Resubmission with additional noise survey work and revised car parking / traffic analysis) at Rowlandson House, 1 Rowlandson Terrace, Sunderland.

PLANNING HISTORY AND CONTEXT

Members may recall that the resubmission follows the refusal of planning application ref 19/00121/FUL. Change of use of existing residential care home (Use Class C2) to a non-residential institution (Use Class D1) to operate as a children's day nursery. The reasons for refusal were as follows:

1. The proposed children's day nursery will afford prospective children with a poor standard of amenity, particularly in respect to provision of external amenity space, and as such conflicts with the requirements of policy CF4 of the Core Strategy and Development Plan (CSDP) and paragraph 127 of the National Planning Policy Framework (NPPF).
2. The proposed use of the premises as a children's day nursery is not compatible with the prevailing character of the locality which is dominated by single family houses and will result in harm to the amenity of surrounding residential properties by virtue of noise, disturbance and on-street parking generated by such a use. The proposal therefore conflicts with the requirements of policies CF4 and EN5 of the Council's adopted Unitary Development Plan and Paragraph 127 of the National Planning Policy Framework.

The above decision was subsequently appealed to the Planning Inspectorate and the decision was upheld dated 23.06.2020. In the inspector's commentary, two material considerations were identified. These were:

- The effect on the living conditions of nearby residents in respect of noise, disturbance and parking; and,
- Whether the proposal would provide a suitable standard of amenity for children, with particular regard to external amenity space.

In reaching a decision the inspector noted that with regards to above point 1, the submitted acoustic report did not include robust evidence to demonstrate the impact of children playing outside at both the front and rear, furthermore the proposal would still generate traffic movements of a form and degree which would lead to parking on the rear lane contrary to policies CF4 and HS2 of the CSDP.

With reference to point 2, the inspector noted that the proposal would provide a suitable area of amenity space for children in accordance with policy CF4 of the CSDP.

Considering the above appeal decision, the applicant has resubmitted the application, supported by additional information to seek to address the effect of the development upon living conditions of nearby residents in respect of noise, disturbance and parking.

SITE LOCATION AND PROPOSAL:

The host building is located within the Cedars Conservation Area and sited at the north west end of the Edwardian period Rowlandson Terrace. The host unit turns the corner of Ryhope Road and Villette Road and is served by a lane to the rear where a set of double gates open into a yard area covering 162 square metres. The immediate highway network is characterised by the four-arm signal-controlled junction with pedestrian phases across all arms, double yellow lines also surround the site to prevent illegal parking on or in the vicinity of the junction.

The predominant land use in the area is residential, however the land immediately to the north provides the entrance to Barley Mow Park.

The current proposal relates solely to the use of the building and involves no extensions or alterations to the external appearance of the property. The proposal has confirmed that the use seeks to accommodate up to 50 children and employ 8 members of staff.

Drop-offs would occur throughout the one-and-a-half-hour period between 07:30 and 09:00 and picked-up throughout the two-and-a-half-hour period between 15:30 and 18:00. With the above in mind suggested operating hours are sought from 6am-8pm to allow a degree of flexibility.

A small covered cycle shed is to be added to the rear yard.

The application has been supported by a Planning Support/Design and Access Statement, Transport Statement and a Noise Assessment.

The planning history of the site indicates that planning consent was approved and subsequently implemented in 1988 for the conversion to form an old persons home, including provision of 6 No. car parking spaces. The property was subsequently extended via approvals in 1994 and 1995. At present the building is vacant, following closure in January 2019.

TYPE OF PUBLICITY:

Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management

Final Date for Receipt of Representations: **16.10.2020**

REPRESENTATIONS:

Public Responses

Following the expiry of the consultation period 15 letters of representation were received, 11 supported the proposal, 2 were neutral in their views and 2 raised concerns. Concerns raised related to:

1. Standard of pre-application community consultation.
2. Enforcing highway concerns.

Consultee Responses

Network Management

It is noted that this is a resubmission and therefore reference has been made to the Transportation Development responses to the previous planning application.

- Staffing and children numbers

The applicant has confirmed that a maximum of 8 staff will be employed at the facility and a maximum of 50 children will be in attendance at any one time as per the previous application.

- Parking

As agreed with the previous planning application it has been satisfactorily demonstrated that sufficient on street parking is available in the area to satisfy the likely demand from staff parking as per the existing use as a residential care home.

In addition, it is confirmed that a secure, covered cycle parking facility is to be provided for 2 cycles for use by staff. This is welcomed and will encourage the use of sustainable travel by staff.

- Drop off/ pick up

As stated above the submitted information confirms that a maximum of 50 children could be in attendance at the proposed nursery. It is considered that even taking into account the sites accessible location a significant number of children would be dropped off/picked up by car.

In order to discourage drivers to park on Back Ryhope Road/Back Manilla Street to drop off/pick up children the applicant has confirmed it is proposed to create a Traffic Regulation Order (TRO) to prohibit waiting on that back lane and to provide double yellow road markings. This is considered essential and the TRO should be in place before commencement of the operation of the proposed facility.

- Traffic Regulation Order (TRO)

The TRO would require a statutory consultation process, the outcome of which cannot be pre-determined. The estimated cost of a TRO is approximately £8,000.00, excluding any physical works. The actual cost of the TRO and the required physical works, such as provision of new lining and signage would need to be met by the applicant.

In addition, it is stated that the nursery proposes to fix two signs on the rear boundary of the application site stating, "No Parking Or Waiting In This Area". It is also confirmed that the management of the nursery will speak to those parents/guardians seen parking in the back lane to inform them that its absolute requirement that this should not reoccur as the nursery wishes to get on well with its residential neighbours

The applicant has also confirmed, as requested as part of the previous application, that a Travel Leaflet would be prepared by the nursery to ensure that all those dropping off and picking up children are made aware that parking is not available on the site, that drop-off/pick-up should certainly not take place from either Villette Road, Ryhope Road or Back Ryhope Road, of the locations of on-street car parking available in the area and of safe walking routes to the site from nearby residential areas. It would also provide details of bus stops in the vicinity and of bus routes provided from those bus stops.

This is considered essential and it is a requirement that the Travel Leaflet would be issued to all customers and potential customers and would need to be submitted to and approved by the local highway authority prior to the commencement of the operation of the facility.

It should also be noted that as part of the previous application the applicant was required to fund the extension of the pedestrian barriers along both Villette Road and Ryhope Road. The extension of the pedestrian barrier on Villette Road should be on both sides of the road and as far as the back lane, on Ryhope Road the barrier should be extended to the limit of the site frontage. This requirement will ensure that drop off/pick up does not happen in the vicinity of the signalised junction and will also increase pedestrian safety for those parents and children dropping off/picking up children at the proposed facility.

It would appear that this current proposal does not include this previous requirement. Transportation Development consider that this is essential for road and pedestrian safety and should be a requirement for this current application as it was for the previous application.

- Summary

Taking into account the additional information submitted in support of the planning application Transportation Development does not object to the planning application subject to the conditions below being applied should planning approval be granted.

- A Traffic Regulation Order be provided on Back Ryhope Road/Back Manilla Street to prohibit waiting by customers.
- A Travel Leaflet for issue to all customers should be submitted to and approved by the Local Highway Authority prior to the commencement of the operation of the facility. The Travel Leaflet should ensure that: all visitors to the facility are made aware that parking is not available within the site; drop off/pick up should not take place from Villette Road or Ryhope Road; the on-street car parking available in the area; and walking routes to the site from nearby residential areas.

- The pedestrian barriers at the signalised junction to be extended to ensure dropping off and picking up does not occur in the vicinity of the junction and to increase pedestrian safety. The extent of the extension of the pedestrian barriers is to be agreed with the local highway authority and be provided prior to the commencement of operation of the proposed facility.
- The facility to be limited to 50 children at any time.

Reason:

To ensure that development has no unacceptable adverse impact on the Local Road Network and to accord with CSDP policies ST2 and ST3.

Environmental Health:

This is a resubmission following refusal of permission and subsequent refusal of appeal by the Planning Inspectorate.

Two issues were raised, given that the sound insulation of the party wall had been addressed and accepted as part of the original application.

The new noise report from Northburn Acoustics ref 20-51-775 addresses the following issues raised by the Planning Inspector:

- noise from the potential use of the front forecourt
- noise from the use of the rear yard as a play area for children during the daytime operation of the proposed children's day nursery

The basis of the methodology followed by the noise consultant is accepted. It is considered that the impact upon neighbouring dwellings of noise associated with children in the rear yard is dependent upon the number of children at any one time, the character of their voices resulting from normal behaviour, and the factors that inhibit propagation of the noise. The existing noise climate has been assessed by the consultant and is presented in the report, being significantly influenced by road traffic. Operation of the premises is to be daytime hours. Numbers of children allowed in the rear yard area should be managed at all times. Noise levels associated with the use of the yard are unlikely to exceed the time weighted average (LAeq T) but it is inevitable that the voices of children will be audible in the immediate vicinity. The question is will this be significant.

Noise levels measured at the application site identified L_{Amax} 81.5dB, L_{Aeq} 62.4 dB, L_{A90} of 47.6 to 53.9dB

Noise levels have been measured at a similar operation with 12 children present. L_{Amax} 79.7, and L_{Aeq} 61.4. No L_{A90} value recorded but is likely to be lower as the play area at the example site is some 139m from the main highway (A167) and protected by intervening buildings.

The consultant has accepted that suitable external noise levels (as set out in the WHO community noise guidelines and BS8233: 2014) should be an L_{Aeq} T of no greater than 55dB. The existing external noise climate already exceeds that.

The issue is therefore whether the noise associated with the use of the rear yard will increase the impact adversely upon the existing noise climate. There are a number of points that require clarification or review by the consultant before we can reach a conclusion on this application. These are set out below.

Whilst accepting some of the dimensions used in the calculation of the propagation path, the following require checking:

- The height of the yard wall to the application site - this is identified in the submitted plans as 1.8m total height (600mm wall plus timber fencing). This of course is the noise barrier closest to the source and is not 3m as used in the calculation within the report.
- The dwellings at the rear (i.e. those in Manila Street) have first floor windows to offshoots that may be exposed to direct line of sight from the yard of Rowlandson House and are approximately 5.1m from the lane.
- The Manila Street dwelling boundary wall is estimated at 2.25m high.

It would be appreciated if the calculation could be reviewed given the above.

It is suggested that the applicant considers committing to the exclusion of the use of the front forecourt as an amenity area for children. It is in any case not an ideal location next to a busy main road and traffic-controlled junction and this appears to be the applicant's intention in any case.

Further to the receipt of the above comments, the agent has confirmed through their acoustic engineer that the rear wall stands at a height of 2.8 metres and the Manilla Street wall stands at a height of 2.5 metres.

The following has also been noted. Residual sound levels have not been measured at the front of the building, but they are likely to be much higher than at the rear given that Ryhope Road is a dual carriageway in both directions and it carries significantly more traffic than Villette Road. Assuming that the residual sound level at the front is the same as at the rear, then the assessment will err on the side of caution.

The calculation is similar, except that the distance between the source (the children) and the receiver (the forecourt of the neighbouring property) is much closer, and the fence between the two properties will not be as effective as a noise barrier as the wall to the rear. However, since the forecourt is not fully enclosed by solid walls, the directivity correction will be zero. The distance between the centre of the forecourt and the centre of the front garden at the neighbouring property is approximately 12 metres. The results of this arrangement are such that the sounds due to children playing will have no effect whatsoever on the existing residual sound level.

The remodelled data has been forwarded to the Public Protection and Regulatory Services Section for consideration and it is anticipated that a summary of their findings will be reported to members at the committee meeting.

POLICIES:

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

CF_4_Provision for Nursery Education

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

COMMENTS:

The main issues to consider in the determination of the proposal are:

1. The principle of the development.
2. The impact upon residential amenity in terms of noise, disturbance and parking
3. Highway safety impacts.

1. The principle of the development.

The Local Plan is the starting point for the determination of planning applications. It sets a clear strategy for bringing land forward to address objectively assessed needs in line with the presumption in favour of sustainable development. It includes broad locations, land use designations and allocations to deliver this strategy. Sunderland's Local Plan is in three parts.

- Core Strategy and Development Plan 2015 - 2033 (CSDP).
- Allocations and Designations Plan (A&D).
- International Advanced Manufacturing Park (IAMP) and Area Action Plan (AAP) 2017 - 2032.

The above plans have superseded saved policies of the Unitary Development Plan (UDP) 1998 and UDP Alteration No.2 (2007) with the exception of a number of policies that will remain as saved policies until such a time that the A&D plan is adopted.

The site in question is not allocated for any specific land use by adopted UDP and, as such is subject to Policy EN10 of the UDP. This policy has been retained until the A&D plan is adopted. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain. Therefore, proposals for development in such areas must be compatible with the principal use of the neighbourhood.

Whilst the local area is predominantly residential, the proposal would replace the previous use as an elderly persons care home and operate over fewer days and hours of the week, with this in mind the use is considered to be compatible with the residential character of the area and therefore acceptable in principle.

2. The impact upon residential amenity.

Paragraph 127 of the NPPF states in part that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy BH1 of the CSDP relates to Design Quality and seeks to deliver excellence in development quality, by ensuring acceptable levels of privacy and good standard of amenity are provided for existing and future residents.

Policy HS2 of the CSDP applies to noise-sensitive development and requires that in areas of existing low levels of noise, proposals for development which may generate noise should be accompanied by a noise assessment, provide details of the noise levels on the site and quantify the impact on existing noise sensitive receptors. Where necessary an appropriate scheme of

mitigation shall detail any measures required to ensure that noise does not adversely impact on these receptors.

Whilst the retained policy CF4 of the Unitary Development Plan states:

"Provision for nursery education will be made, so far as possible, within surplus accommodation at existing schools, or in new premises on existing school sites where sufficient land is available. Development of nurseries outside existing schools will be allowed where their impact on the amenities of the neighbouring area is acceptable and the traffic generated can be safely accommodated"

With reference to the above, the proposal seeks no external alterations to the appearance of the building and as such levels of privacy afforded existing residents are to be maintained.

In terms of noise the applicant has provided a noise assessment that demonstrates modifications to the internal fabric of the building are to be implemented to dampen the impact of any potential raised internal noise levels. Having regard to potential impact of increased noise from children playing outside, the layout of the building suggests that the only area that could accommodate outside play is within the enclosed rear yard area. The supporting noise assessment has also demonstrated that this area would not lead to levels of noise that are above the existing ambient noise levels.

In addition and with regards to the levels of outdoor amenity space provided with the proposal, it is considered and mindful of the previous planning inspectors appeal decision that this area of land to the rear is considered to provide a suitable area and standard of amenity for children to spend when exercising outdoors.

In light of the above, the existing layout of the building, its location adjacent to a road junction, the current proposal is not considered to lead to conditions that would be detrimental to levels of amenity currently afforded neighbouring residential dwellings. The proposal is therefore considered to accord with policy BH1 CF4 and HS2 of the CSDP.

3. Highway safety impacts.

Section 9 of the NPPF relates to promoting sustainable transport, with paragraph 102 stating in part that opportunities to promote walking, cycling and public transport use should be pursued, whilst paragraph 105 states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network.

Paragraph is clear and states that:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. or the residual impacts on the road network would be severe."

Policies ST2 Local Road Network and ST3 Development and Transport both seek to ensure that development must demonstrate that proposals will not have a severe impact on the safe operation and management of the local road network for all highway users

The current application has been supported by a Transport Statement and additional supporting documents following the appeal decision provided by the planning inspector.

Further to consultations with the Transportation Development section, comments received have been reported in the representation section of the main agenda report, that seek to outline the relevant areas of potential concern.

In summary, taking into account the additional information submitted in support of the planning application the Transportation Development Section does not object to the planning application subject to the imposition of conditions should Members be minded to grant approval.

Equality Act 2010 - 149 Public Sector Equality Duty

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The LPA is committed to (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to:

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

CONCLUSION

For the reasons given above, the proposed change of use of the building is considered to have been justified, the principle of the development is considered to be acceptable and it is not considered that it would lead to conditions prejudicial to residential amenity. Furthermore, with the impositions of the conditions outlined above, it is not considered that the proposal would impinge upon the free passage of traffic or create conditions prejudicial to highway or pedestrian safety.

RECOMMENDATION:

It is therefore recommended that Members **APPROVE** the application, subject to the draft conditions listed 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:

Location Plan dated 13.12.2018.

Existing Plans and Elevations dated 12.2018.

Existing and Proposed Site Plans dated 12.2018.

Proposed Plans and Elevations dated 12.2018.

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 premises shall not be operated for the purposes hereby approved outside the following hours:

- o Monday to Friday (except Bank Holidays) 06:00 to 20:00
- o and at no time on Saturday/Sunday.

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.

4 The pedestrian barriers at the signalised junction (Ryhope Road/Villette Road) must be extended to ensure dropping off and picking up does not occur in the vicinity of this junction.

Details of the proposed extent of the extension of the pedestrian barriers should be submitted and approved to the local planning authority and the approved extended barriers installed prior to the commencement of the use of the proposed facility.

Reason: To ensure that development has no unacceptable adverse impact on the Local Road Network and to accord with CSDP policies ST2 and ST3.

5 A travel leaflet for issue to all customers should be submitted and approved by the local planning authority prior to the commencement of the operation of the facility. The travel leaflet should ensure that: all visitors to the facility are made aware that parking is not available within the site; drop off/pick up should not take place from Villette Road or Ryhope Road; the on-street car parking available in the area; and walking routes to the site from nearby residential areas. The approved leaflet should be distributed to all parent/ guardians prior to any child attendance.

Reason: To ensure that development has no unacceptable adverse impact on the Local Road Network and to accord with CSDP policies ST2 and ST3.

6 Notwithstanding any indication that may have been given in the submitted planning application, the facility should be limited to 50 children at any time in the interest of highway safety and to comply with policies ST2 and ST3 of the CSDP.

7 Prior to the commencement of the use a Traffic Regulation Order shall be obtained and be provided/implemented on Back Ryhope Road/Back Manilla Street to prohibit waiting by customers.

Reason: To ensure that development has no unacceptable adverse impact on the Local Road Network and to accord with CSDP policies ST2 and ST3.

ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA
WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE
PLANNING AND HIGHWAYS EAST COMMITTEE

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
19/01497/HY4	Burdon Lane Consortium	Hybrid Planning Application - Full Planning permission for 532 residential dwellings (Use Class C3) with associated infrastructure and landscaping:Outline planning permission (all matters reserved except access) to erect up to 358 residential dwellings (Use Class C3), a neighbourhood centre (comprising 2.9 hectares of development including 1.5 form entry school and uses from within use classes A1,A3,A4, D1, and D2), associated infrastructure and landscaping. (Amended Description dated 27.11..20).	23/10/2019	12/02/2020
Doxford	Land North OfBurdon LaneBurdonSunderland			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
21/00038/LP3	Sunderland City Council	Erection of a new school building, including creation of new access, landscaping and vehicle parking.	14/01/2021	15/04/2021
Doxford	Land To West Of Silksworth Way And North Of City Walk Sunderland			
18/00640/FUL	Persimmon Homes Ltd.	60 dwellings with access from Burdon Road and associated open space, landscaping, infrastructure and earthworks. (Amended and plans received 27.11.2020).	20/09/2018	20/12/2018
Doxford	Burdon Lane Burdon Sunderland			
19/01750/LR4	Avant Homes (North East)	Reserved Matters application pursuant to 16/02056/HY4 for the erection of 82 homes. Amended Description.	06/11/2019	05/02/2020
Fulwell	Land At Lowry Road Sunderland			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
20/02296/LP3	Port Of Sunderland	Engineering works including the creation of a new vehicular access from Barrack Street, alterations to the vehicular access from Extension Road and the re-profiling of the site.	08/12/2020	09/03/2021
Hendon	Hendon Sidings Enterprise Zone Adjacent To Prospect RowSunderlandPort Of Sunderland			
19/01559/FUL	Fit-Out Yorkshire	Erection of apartment block to provide 13 no. residential units.	03/12/2019	03/03/2020
Hendon	Land AtJames Williams StreetSunderland			
19/02054/LBC	Mr Stephen Treanor	Internal works to facilitate change of use to 10 student apartments.	05/12/2019	30/01/2020
Hendon	25 John StreetCity CentreSunderlandSR1 1JG			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
19/02053/FUL	Mr Stephen Treanor	Change of use from offices (Use Class B1) to 10 no. student apartments; subject to condition 3 which prevents any other occupation of the building without the prior consent of the Local Planning Authority	17/12/2019	17/03/2020
Hendon	25 John StreetCity CentreSunderlandSR1 1JG			
18/01820/FUL	Persimmon Homes Durham	Construction of 227 dwellings with associated access, landscaping and infrastructure.	19/10/2018	18/01/2019
Hendon	Former Paper MillOcean RoadSunderland			
20/01661/FUL	Mr Kevin McVey	Change of use from Retail (A1) to Hot Food Takeaway (A5) to include specialist ventilation & extraction unit.	10/09/2020	05/11/2020
Millfield	6 Mayfair HouseEden TerraceSunderlandSR2 7PF			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
17/02430/OU4	O&H Properties	Outline application for "Redevelopment of the site for residential use up to 700 dwellings, mixed use local centre (A1-A5, B1), primary school and community playing fields, associated open space and landscape, drainage and engineering works involving ground remodelling, highway infrastructure, pedestrian and vehicle means of access and associated works (all matters reserved). (Amended plans received 27 March 2019).	18/12/2017	19/03/2018
Pallion	Former Groves Cranes Site Woodbine Terrace Pallion Sunderland			
20/01183/LP3	Sunderland City Council	Provision of a 520 space car park and access road off the B1286 City Way, Doxford Park, Sunderland, to include realignment of footpaths, lighting, landscaping and sustainable drainage features (additional ecology info received 29.09.20).	17/07/2020	16/10/2020
St Chads	Land Bounded By Silksworth Road , Clinton Place And City Way Sunderland			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
19/00006/OUT	Mr Phil Jeffries - CJ Taverns	Proposed new residential development consisting of up to 14 dwelling houses and up to 8 apartments with associated parking	27/02/2019	29/05/2019
Silksworth	The LicenseeThe Hunters LodgeSilksworth LaneSunderlandSR3 1AQ			
20/02391/LP3	Sunderland City Council	Construction of a high-level pedestrian and cycle bridge across the River Wear, linking the north and south sides of the river between the 'Vaux' site and the Sheepfolds area.	22/12/2020	23/03/2021
Southwick	River WearSunderland			
20/00705/FUL	MCC Homes Ltd	Demolition of former club building and associated structures. Erection of 5 no. 3 bed homes and 11no. 2 bed bungalows and alterations to access road onto Old Mill Road.	25/06/2020	24/09/2020
Southwick	Site Of The Buffs Old Mill RoadSouthwickSunderlandSR5 5TP			