

## **Development Control (South Sunderland) Sub-Committee**

**01 March 2011**

---

### **REPORT ON APPLICATIONS**

---

#### **REPORT BY DEPUTY CHIEF EXECUTIVE**

##### **PURPOSE OF REPORT**

This report includes recommendations on all applications other than those that are delegated to The Deputy Chief Executive for 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**

Applications for the following sites are included in this report.

##### **South**

1. 6 Brookside Terrace, Sunderland
2. 1 Camberwell Way, Doxford International, Sunderland
3. Websters Ropery, Deptford Terrace, Sunderland
4. Ryhope Colliery, Welfare Ground, Ryhope Street South, Sunderland
5. Silksworth Recreation Park, Blind Lane, Silksworth, Sunderland

##### **City Centre**

1. Sunderland Civic Centre, Burdon Road, Sunderland

##### **COMMITTEE ROLE**

The Sub 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 Chairman or the Technical Manager on 0191 561 1182 email address [dc@sunderland.gov.uk](mailto: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 Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

## **STANDARD CONDITIONS**

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

## **SITE PLANS**

The site plans included in each report are illustrative only.

## **PUBLICITY/CONSULTATIONS**

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010

## **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 Office of the Chief Executive in the Civic Centre or via the internet at [www.sunderland.gov.uk/online-applications/](http://www.sunderland.gov.uk/online-applications/)

Janet Johnson  
Deputy Chief Executive

1.

**South  
Sunderland**

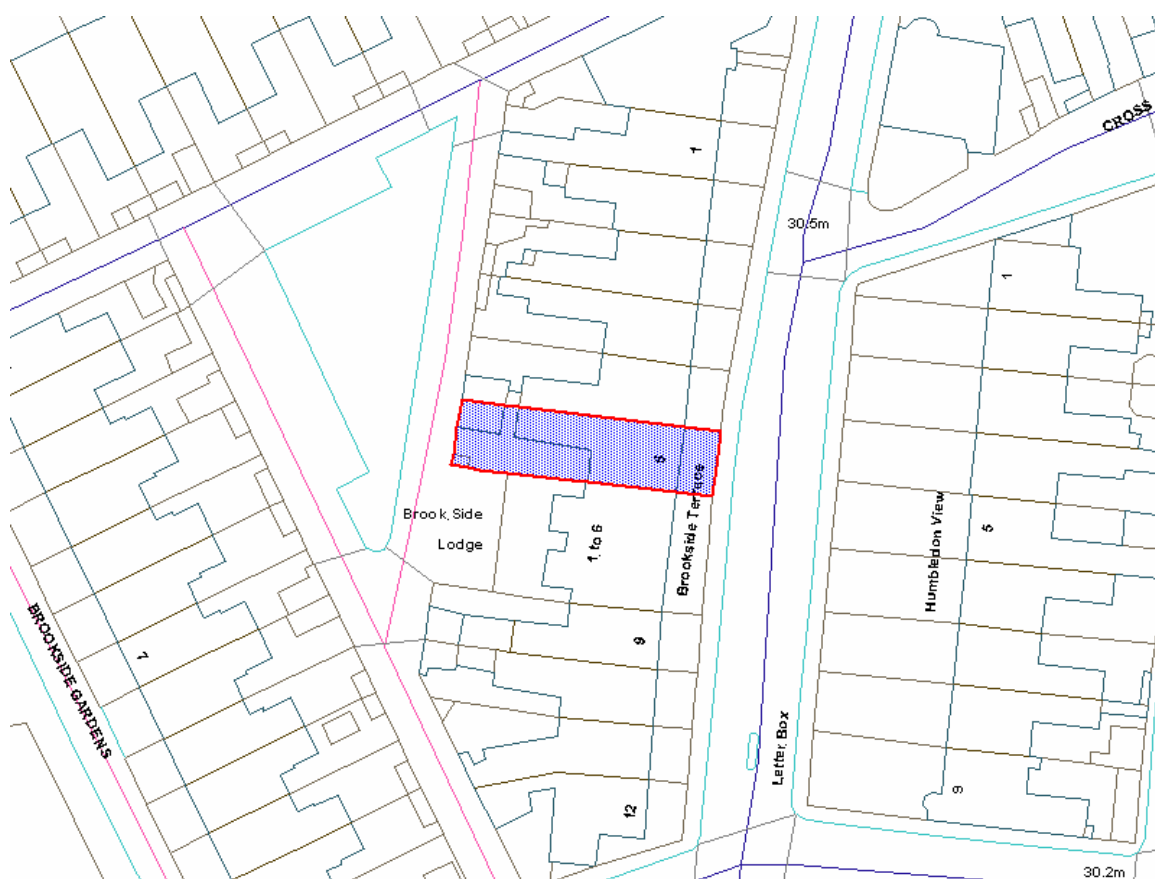
**Reference No.:** 10/03131/FUL Full Application

**Proposal:** **Change of use from Guest House to 8 bed HMO.**

**Location:** 6 Brookside Terrace Sunderland SR2 7RN

**Ward:** St Michaels  
**Applicant:** Ms Rachael Bone  
**Date Valid:** 1 February 2011  
**Target Date:** 29 March 2011

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

### PROPOSAL:

The application relates to the change of use of the premises from an 8 bedroomed guest house, use class C1, to an 8 bedroomed house in multiple occupation, which is a sui generis use. Had the building provided accommodation for only 6 people, the use would have fallen into the new class C4 introduced by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 which came into force in April 2010. The proposal does not involve any

external alterations, although it is understood that three internal walls have been moved.

The property is a terraced house with accommodation over three floors, including the roof space, with a small apron of garden to the front and a yard to the rear accessed by a 4m wide up and over garage door from the rear lane. A separate garage also accesses the lane via a 2.5m wide up and over garage door. To the rear, the rear lanes of Brookside Terrace, Brookside Gardens and Thornhill Gardens enclose a small triangular shaped piece of grassed land with formal parking along two sides. The property fronts Tunstall Road which has double yellow lines across the length of the terrace on both sides of the road.

The property lies within the Ashbrooke Conservation Area.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Transportation  
Street Scene (Environmental Service)  
Northumbrian Water

Final Date for Receipt of Representations: **02.03.2011**

#### **REPRESENTATIONS:**

Neighbour Notifications

To date one letter of objection has been received. The objector's main concerns relate to;

- the concentration of HMOs in the area,
- the development will exacerbate the current parking problem in the area,
- the impact upon the conservation area.

#### **POLICIES:**

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

EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments  
B\_2\_Scale, massing layout and setting of new developments  
B\_4\_Development within conservation areas

**COMMENTS:**

The main issues to consider in this case are;

- the principle of the use,
- the highway safety implications of the development,
- the impact of the development upon the amenities of the nearby residential properties,
- the impact of the development upon the character and appearance of the conservation area.

Principle of the Use.

Policy EN10 provides that, where the plan does not indicate any proposals for change, the existing pattern of land use should remain and that proposals for development in such areas will need to be compatible with the principle use of the neighbourhood. Although due to its size it does not fall into class C4, the proposal is for a residential use within an established residential area. It is therefore considered that the principle of the proposed development is acceptable subject to the consideration of all other material considerations.

The period for the receipt of representations does not expire until 2 March 2011, which is after the deadline for the preparation of this report. Additionally, the application is being given further consideration in terms of the highway safety implications of the proposal and its impact upon residential amenities and the character and appearance of the conservation area. However, it is anticipated that a recommendation will be made on the supplement wherein any additional representations received prior to the Sub-Committee meeting will be reported.

**RECOMMENDATION: Deputy Chief Executive to Report**

**Reference No.:** 10/03699/FUL Full Application

**Proposal:** **Erection of restaurant with associated access and parking (Revised information received in relation to site ownership 23.12.10)**

**Location:** 1 Camberwell Way Doxford International Sunderland

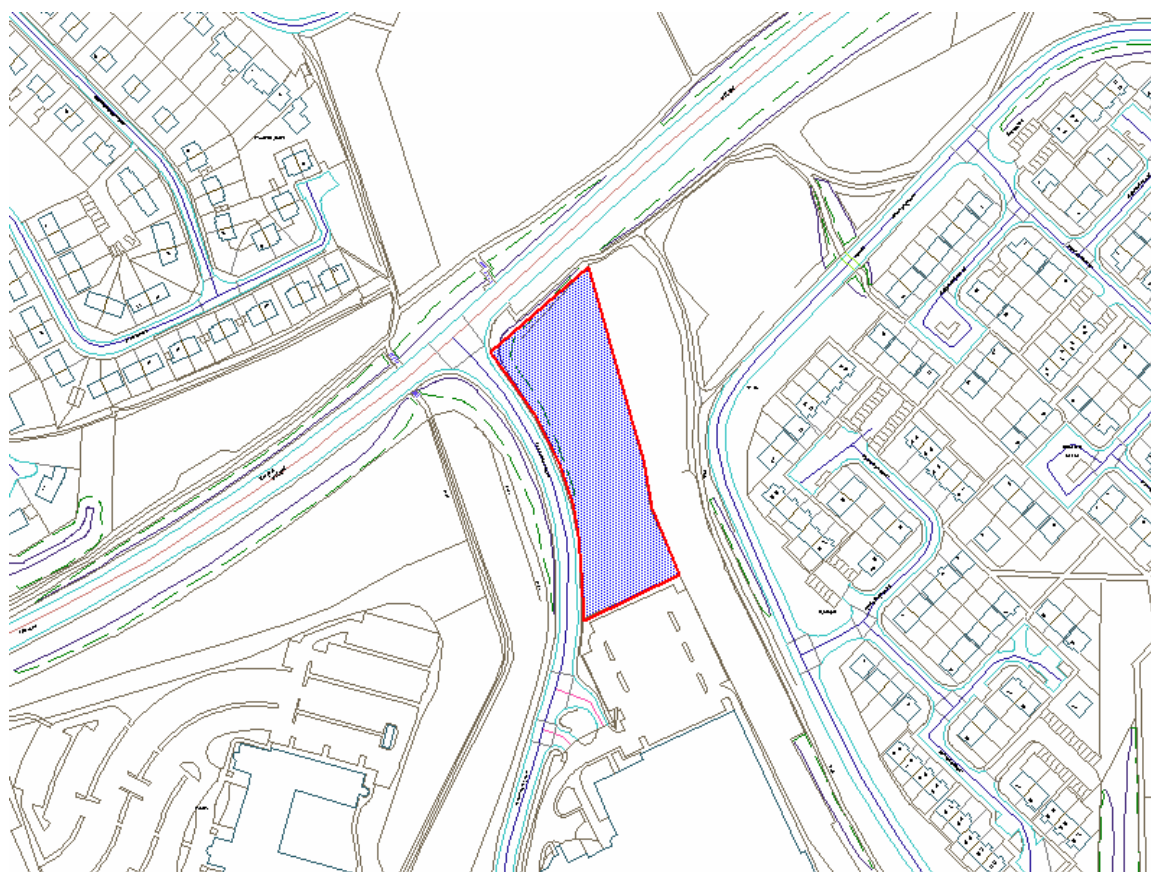
**Ward:** Doxford

**Applicant:** Cloverleaf Restaurants Ltd

**Date Valid:** 23 December 2010

**Target Date:** 24 March 2011

### Location Plan



'This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

### PROPOSAL:

Members will recall that the application currently before them was previously presented before the Development Control Sub Committee meeting of 1st February 2011. However, owing to the fact that the consultation period had not expired and outstanding highway issues it was agreed that the application should be deferred until such time that the above matters had been satisfied. In respect of these matters it can now be confirmed that the consultation period for the

application has expired with no third party representation having been received and the outstanding highway issues addressed. As such the application is now before Members for full consideration.

Planning permission is sought for the erection of a two storey building to provide restaurant with associated car park and vehicular / pedestrian access.

The proposed building measures approximately 37.2m x 32.3m with a maximum building height of approximately 10.2m when measured to the ridgeline. The main entrance to the building will be via the north-west elevation which is single storey and will house a small dining area and wash rooms. This elevation will measure 33.8m (excluding the entrance porch) in length and incorporate single and two storey pitched roof features to the dining rooms and the main front entrance. A series of windows with stone cills, heads and copings will be present at both ground and first floor level.

The north-east elevation of the building will be single storey and measure approx. 30.9m in length, excluding the porch. A series of windows and a set of double doors will be positioned along this elevation at ground floor level. The maximum height of this elevation will be 7.5m when measured to the apex of this element of the roof.

The south-east elevation (rear of the building) will measure 34.9m in length, be made up of both single and two storey pitch roof elements and incorporate windows at both ground and first floor level.

The south-west elevation of the building will measure approx. 31.5m in length and be two storey. Windows are proposed at ground and first floor levels along with a side entrance to permit access to an outdoor drinking area.

Lighting - LED String lights are proposed to run along the fascia boards with down lights also proposed to all four elevations at ground floor level. (Lighting is also proposed within the car park - see below).

Materials - The premises will have a familiar style and promote a traditional local building fashion suited to the restaurant / public house operation and externally will include the following materials:- roof (natural clay tiles in slate colour with matching ridges and hips), facing stone (forticrete Anstone in Buff colour with cottage finish and coursed using random lengths of 225, 300 and 450mm), render (K-Rend Sprayrend in buttermilk colour), stone cills/heads and copings (re-constitute stone, in Bath colour), windows (stained softwood (doors to public areas to be stained hardwood) and rainwater goods (black UPVc).

Internally the building will house:-

Ground Floor - two dining areas adjacent to either side of the main entrance, a lounge / dining area, two washrooms, booth seating area, dining area with integrated amusement, food ordering / carvery area, kitchen and store.

The total ground floor area is 915 sq.m (gross external) of which the licensed area is 580 sq.m (net) and 198 sq.m (net) comprises the kitchen / prep/ ancillary areas and the remainder comprises toilets, lobby areas etc...

First Floor - three living areas are proposed at first floor (one managers and two assistant flats). The living areas will be made up of a living / kitchen area, bathroom and between 1-3 bedrooms. In addition a staff room, two store rooms, offices and WC's are also proposed.

The total first floor area - 376 sq.m (gross external).

#### External Areas

Paths and patio areas are proposed to the north-west, south-east and north-east of the building with grassed areas beyond.

A car park, which is to provide 100 spaces (4 of which will be dedicated disabled spaces) is proposed beyond the north-west elevation (main entrance of the building). Severn pairs of lighting columns are proposed to be erected around the periphery of the car park.

A new vehicular and pedestrian access is to be created off Camberwell Way.

Landscaping - A detailed landscape proposal consisting of grassed and shrub areas and tree planting is proposed around the periphery of the building and areas of hard surfacing (car park).

#### THE SITE

The application site currently comprises vacant land and is situated to the north of the Sunderland Health and Racquet Club.

The site is approximately 0.5 hectares in size, of an irregular shape and with dual frontage onto both Camberwell Way and City Way. The application site is predominantly flat however there is a level difference between the site and that of the adjacent highway network.

The application is accompanied by a Design and Access Statement, Transport Assessment, Travel Plan, Planning Statement, Statement of Community Involvement, Utilities Assessment, Fence Details and Geo-technical report.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Northumbrian Water  
Northern Electric  
City Services - Transportation  
Street Scene (Environmental Service)  
Northumbria Police (Sunderland Area Command)  
The Highways Agency  
City Services - Transportation  
Street Scene (Environmental Service)



Final Date for Receipt of Representations: **16.02.2011**

## **REPRESENTATIONS:**

Consultee Responses

Highways Agency.

No objection to the proposed development.

Third Party Representation

No third party representation has been received as a result of the neighbour, site and press notifications.

## **POLICIES:**

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

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

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

B\_1\_Priority areas for environmental improvements

EC\_2\_Supply of land and premises for economic development purposes

EC\_4\_Retention and improvement of existing business and industrial land

L\_1\_General provision of recreational and leisure facilities

SA\_3\_Development of Doxford International

CN\_15\_Creation of the Great North Forest

CN\_23\_Measures to conserve/ improve wildlife corridors

## **COMMENTS:**

The main issues to consider in the assessment of this application are:-

Land Use Policy

Design, Siting and External Appearance

Highway (Parking and Access)

Environmental Health (Ground Conditions, Ventilation & Extraction)

Landscaping / Ecology considerations

Sustainability considerations

Policy

The development site is allocated in the adopted UDP under Policy SA3, which states that within Doxford International, the enterprise zone will be developed for light industry, offices, research and development, general industry and hotels (B1, B2, C1). The remainder will be developed for light industry, offices, research

and development, general industry and storage and distribution. Ancillary uses and exclusions as outlined in policy EC4 will apply (see below).

Whilst the proposed development does not fall within one of the abovementioned acceptable land uses for Doxford International, policy SA3 seeks to expand on the number of acceptable uses through policy EC4. Policy EC4 states that existing business and industrial land amounting to some 1215 HA will be retained and improved for a range of uses which includes food and drink outlets as a possible acceptable ancillary use. This is however on the proviso that the use is required to meet the needs of the site.

Policy L1 is concerned about providing recreation and leisure facilities that will enhance the quality of life for residents and visitors, providing a range of high standard recreational and community facilities. In this regard it is considered that the proposed development will provide a high quality recreation and community facility as required by policy L1.

Having regard to the above it is considered that the proposed restaurant in this location will provide a valuable recreation facility for the existing uses within Doxford International as well as the neighbouring residential area of Moorside and therefore can be considered to meet the needs not only of the site but of the wider area. As such the proposed development is considered to be acceptable in principle.

Further policies to be taken into account are B2, T14, CN5 and CN23 of the UDP. These policies will be expanded upon in the sections which follow below.

### Design, Siting and External Appearance

Policy B2 of the UDP dictates that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy.

In this regard the layout of the building occupying the northern half of the site (front) with car parking to the south (rear) creates an acceptable design response to the development site. The situation of the main built form ensures that a strong and active frontage is created along City Way, this in turn will allow for increased levels of overlooking and surveillance of pedestrian footpaths abutting the development site boundary.

The location of the new vehicular access and parking area to the south of the site with separate pedestrian access to the west is welcomed as it serves to negate issues of conflict between vehicular and pedestrian users of the restaurant. Taking this approach also serves to provide an opportunity to retain the green character of City Way through the retention of a landscaped verge to the north of the site.

The scale of the proposed development is considered to be proportionate to the scale of the development site and its surrounds, that being 1.5 to 2 storeys. By increasing the massing of the proposal to two storeys along the north-western elevation along with the introduction of a protruding gable feature to the south-west elevation serves to provide additional architectural interest to articulate the prominent junction of City Way and Camberwell Way.

Finally, the elevation treatment of the proposed restaurant is considered to be acceptable. The use of brick broken up by the use of protruding bays and gable features provides additional interest within the scheme, whilst the use of render and facing stone as interface elements within the elevations serve to enhance the façade treatment of the proposal. Notwithstanding the above it is recommended that a materials to be submitted condition be imposed on any grant of consent to ensure that the palette of materials chosen produce a high quality development overall.

In conclusion the site layout, scale and massing is considered to be appropriate, given the nature and physical context of the site. Prominent frontages appear to be adequately catered for, and car parking suitably accommodated so as not to visually dominate the site. Therefore the proposal is considered to be in accordance with policy B2 of the UDP.

### Sustainability

UDP Policy R1 considers sustainable development and the need to accommodate change and protect valued and important aspects of the natural and built environment. Specifically the policy requires an efficient use of land, energy and other resources, whilst avoiding any serious environmental damage.

The design for the new restaurant building and its surrounds will be tested against the Building Research Establishment Assessment Method (BREEAM). BREEAM is a widely used environmental assessment method for buildings. It sets a standard for best practice in sustainable design and has become a recognised measure used to describe a buildings environmental performance. The intention is to develop the new restaurant to a very good rating under the BREEAM scheme, and if Members are minded to approve, a suitable condition requiring the developer to submit a Post Construction Review Report carried out by a licensed assessor, together with a BREEAM Final Code Certificate, will ensure the development will be built to the stated BREEAM rating.

As such, it is considered that the proposal will comply with the aims of UDP policy R1.

### Highway Issues

UDP Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met. Policy T21 relates to the provision of parking within the City and the need to take account of the need to maintain safe road conditions and ensure the economic viability of existing retail and commercial centres. In addition, policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

In this regard, the Executive Director of City Services (Transportation) has been consulted and the following advice offered.

Original observations made raised issues relating to (i) level differences across the site (the application site is approximately two to four metres below the adjacent road level) and how these will be addressed ensuring that the future development of the new roundabout and footpath connection are not

compromised, (ii) the siting of the proposed access barrier and the need for it to be set back to allow large vehicles to park clear of Camberwell Way, (iii) the provision of a footpath to Camberwell Way which would likely result in picking up and dropping off in the vicinity of the Camberwell Way / City Way junction, (iv) the detail of the intended patio wall which would abut adopted highway verge following the intended highway improvement works, (v) clarification as to whether or not the proposed cycle store is to be covered and (vi) the provision of two electric vehicle charging points.

In response to the above issues the agent supplied revised plans and additional information which addresses (i) the level differences across the site, (ii) sees the access barrier now set back the desired distances within the site enabling vehicles to park clear of the highway, (iii) extends the pedestrian guardrail down from the junction of Camberwell Way and City Way, (iv) clarifies the relationship between the proposed patio wall and adopted highway verge, (v) confirms that cycle provision will comprise of 8 open Sheffield style hoops for potential customers together with covered storage located in the secure service area for 12 staff cycles and (iv) whilst Cloverleaf (applicant) support the development of electric vehicle infrastructure where this is practically possible this is not something that has been budgeted for.

Following the receipt of the above it is now not considered that the proposed development raises any concerns regarding highway and pedestrian safety and as such is an acceptable form of development, in accordance with the requirements of policy T14, T21 and T22 of the UDP.

#### Landscape and Ecology

UDP policy CN18 promotes the interests of nature conservation, whilst policy CN22 states that development which would adversely affect any animal or plant species afforded special protection by law will not normally be permitted.

The detailed landscape proposal submitted as part of the application has been considered along with the potential ecological value of the site. In both regards the proposal is considered to be acceptable on condition that all works to trees is to be undertaken outside the bird nesting period of March to August.

Accordingly the proposal is considered to be acceptable in terms of ecology and landscaping considerations and is therefore in accordance with policies CN18 and CN22 of the UDP.

#### Executive Director of City Services (Environmental Health)

Further to the consultation with the Manager of City Services (Pollution Control) the following advice has been offered.

1. In view of the close proximity of the proposed development to nearby residential premises it is advised that an application be made for prior consent in respect of work on construction sites under the Control of Pollution Act 1974, Section 61. The application should be made to City Services, Pollution Control Section prior to the commencement of any works.
2. It is also recommended that on-site operations do not commence before 07:00 hours and cease at or before 19:00 hours Monday to Friday inclusive, and

between 07:30 and 14:00 hours on Saturdays. No noisy work shall be permitted to take place on Sundays and bank holidays at any time without prior approval from City Services (Pollution Control). In this regard approval will only be given for such working in exceptional circumstances, for example on the grounds of safety and public protection before 19:00 hours Monday to Friday inclusive, and 07:30 and 14:00 hours Saturdays. No works shall be permitted to take place on Sundays and Bank Holidays at any time without prior approval from City Services (Pollution Control). Approval will only be given for such working in exceptional circumstances for example on the grounds of safety and public protection.

3. Consideration should be given to the selection of machinery and methods of operation in relation to noise generation. In instances where noise cannot be controlled at source by the appropriate selection of plant, equipment and work methods British Standard 5228-1 and British Standard 5228-2, which address noise on construction sites should be followed.

Regard should be had to the following to minimise noise emissions:

- a. The condition of the machinery to be used, e.g. efficient engines, silencers and covers and compliance with manufacturers maintenance requirements.
- b. Siting of the machinery e.g. the use of available shielding such as walls or buildings, the judicious placing of materials stores and distance from noise sensitive premises.
- c. Substitution of machinery, e.g. the use of valve compressors in place of reciprocating compressors, electric power instead of internal combustion power.
- d. Substitution of methodology, e.g. pressured bursting instead of percussion methods and the use of an enclosed chute to lower materials instead of dropping or throwing.

4. Vibration from construction operations should not be experienced at nearby residential properties and the provisions of British Standard 6472:1992, Evaluation of Human Exposure to Vibration in Buildings, must be taken into account. Additionally the Council may require that vibration levels be monitored in sensitive locations should neighbouring premises be affected.

5. The external lighting must be in accordance with the Design Statement i.e. low glare/high definition lighting levels in line with BS 5489 - 1 of 2003.

6. Given that residential units are located directly above the proposed restaurant/kitchen particular attention must be given to the design specification and to the construction methods and practice to ensure that adequate protection is afforded to first floor occupants with regard to noise and odorous emissions.

7. Finally, it is noted that an assessment has been submitted in respect of ground contamination. This is currently under review and until it has been fully assessed it is recommended that no works other than investigation works should be carried out on the site prior to the receipt of written approval of the desktop study and any necessary remediation strategy in respect of this matter. Note: The responsibility for the safe development of the site rests with the developer.

In light of the above observations it is recommended that a series of conditions addressing all of the above points be imposed on any grant of consent.

## CONCLUSION

Having given regard to all of the above issues it is considered that the proposed restaurant with associated parking, access and landscaping is an acceptable form of development that accords with the provisions of the development plan. Should Members be minded to grant consent then it is suggested that the following conditions be imposed.

## RECOMMENDATION: Approve

### Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Site Location Plan ref: 0917/98  
Proposed Site Layout ref: 0917/02 Rev B  
Proposed Site Layout ref: 0917/16  
Site Section ref: 0917/97  
Proposed Floor Plans ref: 0917/03  
Proposed Floor Plans ref: 0917/08  
Proposed Elevations ref: 0917/04  
Topographical Survey ref: 10-43-01  
Boundary Co-ordinates ref: 0917/07 Rev A  
Detailed Planting Proposals ref: 654/02 Rev B  
Tree and Shrub Clearance Plan ref: 654/01  
Fence Details 0917/39  
Terrace Wall Details ref: 0917/31  
Building and Patio Lighting Details ref: 0917/14  
Proposed Car Park Lighting Details ref: 0917/13  
Catering Kitchen / Ventilation Details ref: 0917/11  
Ventilation and Extraction Details ref: 0917/12

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

- 3 No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise through the selection of plant, equipment and machinery and methods of operation, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the

amenity of adjacent occupiers and in order to comply with policy EN5, B2 and T14 of the UDP.

- 4 Notwithstanding the approved details, all works to trees both within and beyond the boundary of the application site, shall take place outside the bird nesting period of March to August inclusive. Should any works to the abovementioned trees be proposed during the bird breeding season then an appropriately qualified ecologist shall undertake a checking survey immediately prior to the commencement of works to confirm that no active nests are present. This checking survey shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works to trees and the works shall not proceed other than in complete accordance with the agreed details, in the interests of avoiding harm to a protected species and to comply with the requirements of policies CN18 and CN22 of the Unitary Development Plan.
- 5 Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions number 6 to 8 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number 9 has been complied with in relation to that contamination. To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.
- 6 Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments.

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11.' To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

- 7 Unless otherwise agreed in writing by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that the risks from land contaminated to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.
- 8 The remediation scheme approved under Condition number 7 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS 23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

- 9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An



investigation and risk assessment must be undertaken in accordance with the requirements of condition number 6 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 7 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 8 (Implementation of Approved Remediation Scheme).

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks and in accordance with policy EN14 of the Unitary Development Plan.

- 10 Notwithstanding the submitted plans, no development shall take place until details have been submitted to and agreed in writing with the Local Planning Authority of the proposed servicing and delivery arrangements to the restaurant hereby approved. For the avoidance of doubt, this shall comprise details of the routes to be taken by servicing and delivery vehicles to reach the proposed service yard and delivery area to the east of the restaurant in order to ensure that there is no conflict between service vehicles and customers/staff utilising the public/staff parking area. Once agreed, all servicing and delivery arrangements shall be in complete accordance with the approved details and shall be carried out as such thereafter unless otherwise agreed in writing with the Local Planning Authority, in the interests of highway safety and to accord with policies T14, T21, T22 and WA37 of the Unitary Development Plan.
- 11 Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 12 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the

development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

- 13 Notwithstanding any specifications on the submitted plans details of all walls, fences or other means of boundary enclosure, including the manual swing barrier, shall be submitted to and approved by the Local Planning Authority before the development is commenced. The agreed boundary treatment shall be completed before occupation or in accordance with an agreed timetable, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 14 The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday inclusive and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays without the prior approval of the Local Planning Authority in order to protect the amenities of the area and to comply with policy EN5 of the UDP
- 15 A soundproofing scheme in relation to the first floor ancillary residential accommodation shall be submitted to and approved by the Local Planning Authority and implemented prior to the development hereby approved being brought into use, in order to protect the amenities of the occupants, and to comply with policy EN5 of the UDP.
- 16 The premises shall not be operated for the purposes hereby approved outside the following hours:  
  
Monday to Sunday 09:00 to 24:00;  
  
In order to protect the amenities of the area in accordance with policies S12 and B2 of the UDP.
- 17 The premises shall be used as a restaurant with ancillary employee accommodation and for no other purpose (including any other purpose in Class A1, Class A2 and Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order), in order to achieve a satisfactory form of development and to accord with policy SA3 and EC4 of the UDP.
- 18 The occupation of the first floor accommodation shall remain, at all times, ancillary to the main use of the building as a restaurant and be limited to a person(s) solely or mainly employed by the main restaurant and shall at no time be occupied for independent commercial or residential purposes, in order to ensure a satisfactory form of development and to comply with policy B2 of the UDP.
- 19 All planting, seeding or turfing comprised in the approved details of landscaping shown on the Detailed Planting Proposals Drawing Number 654/02 Rev B, shall be carried out in the first planting season following the occupation of the dwelling or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or

become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

- 20 The external lighting scheme hereby approved shall be implemented in complete accordance with the details contained on drawing number 0917/13 and thereafter be maintained in full accordance with these details unless other first agreed in writing by the Local Planning Authority. For the avoidance of doubt the lighting shall be low glare / high definition in line with BS 5489 - 1 of 2003, to ensure a satisfactory form of development, in accordance with policy B2 of the UDP.
- 21 The service yard and storage area shall be erected as shown on the submitted plans and shall be available for use prior to the restaurant hereby approved opening for business. When the restaurant opens for business, the service yard and storage area shall be available at all times for the purposes of storage, deliveries and refuse storage as shown on the submitted plans, in the interests of visual amenity and highway safety and to accord with policies B2, T14, T21, T22 and WA37 of the Unitary Development Plan.
- 22 Within 6 calendar months of the completion of the development, a Post Construction Review Report undertaken by a licensed assessor and a BRE Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the results of the report shall conclude that the development has been constructed to at least the BREEAM 'Very Good' standard, unless otherwise agreed in writing with the Local Planning Authority, in the interests of sustainability and in order to comply with Policies R1 and R4 of the UDP.
- 23 No development shall commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall not take place other than in complete accordance with the approved details in order to ensure the discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with policy EN12 of the UDP.

---

**Reference No.:** 11/00039/LAP Development by City(Regulation 3)

**Proposal:** **Installation of 2no 8 meter columns painted black with 2no 360 degree PTZ cameras.**

**Location:** Websters Ropery Deptford Terrace Sunderland SR4 6DD

**Ward:** Millfield

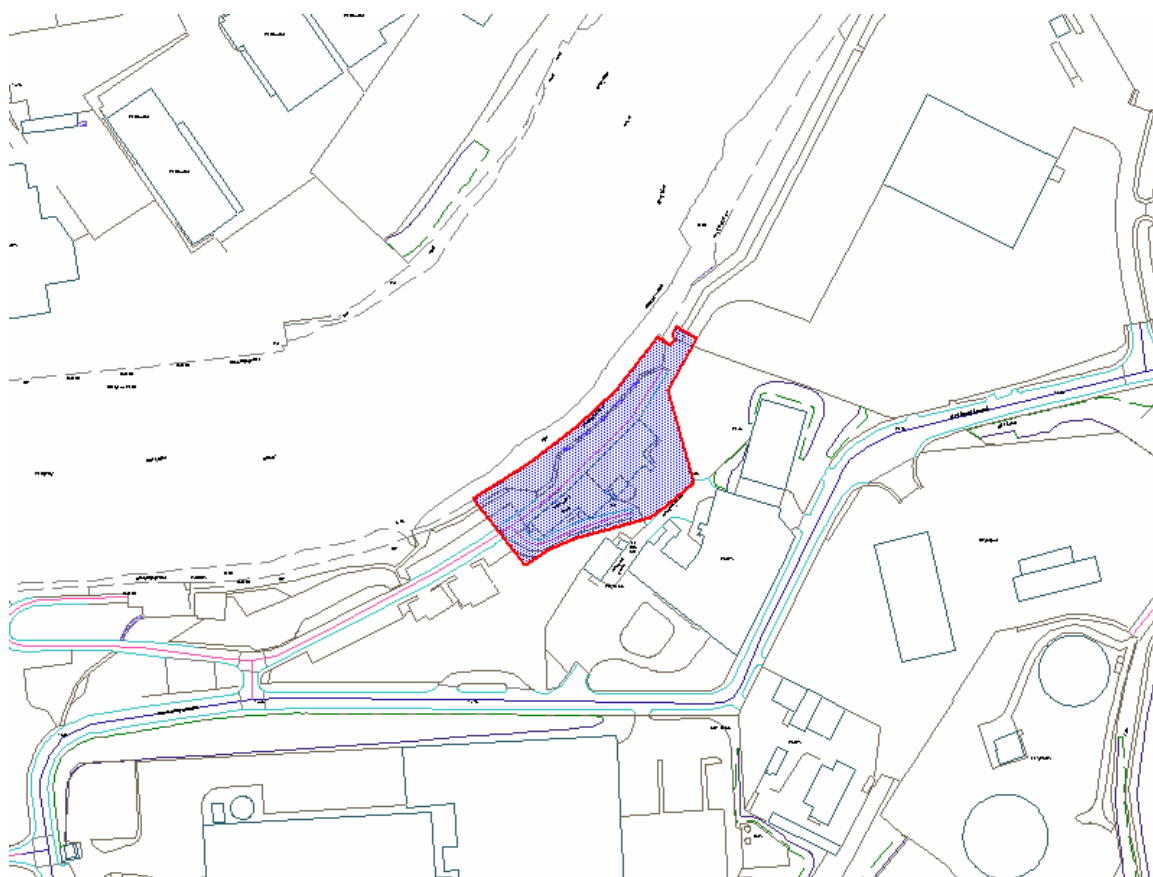
**Applicant:** City Of Sunderland

**Date Valid:** 11 January 2011

**Target Date:** 8 March 2011

---

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

### PROPOSAL:

The application relates to the installation of two 8 metre high columns supporting CCTV cameras adjacent to The Ropery, Deptford Terrace, which is a Grade II Listed Building of stone construction, fronting the river.

One camera is proposed to the front of the building, although offset at the end of the car park so that rather than being located immediately in front of the building, it is in fact offset by approximately 26 metres. The other camera is proposed to

the rear of the building at the end of the steep lane, offset from the building by approximately 11 metres.

The submitted information indicates that the camera locations, specifications and capabilities have been discussed and agreed by the Council's Security Team and are considered likely to prove most effective in relation to crime prevention and detection.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

City Services - Transportation  
County Archaeologist  
Street Scene (Environmental Service)

Final Date for Receipt of Representations: **16.02.2011**

#### **REPRESENTATIONS:**

To date, no representations have been received.

#### **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
B\_3\_Protection of public/ private open space (urban green space)  
B\_10\_Development affecting the setting of listed buildings  
L\_1\_General provision of recreational and leisure facilities  
L\_7\_Protection of recreational and amenity land  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments

#### **COMMENTS:**

The main issues to be considered in determining this application are:-

- i) Principle of the Development.
- ii) Design, siting and appearance
- iii) Highway Issues

## Principle of the Development

The area of land surrounding The Ropery, in which the columns are proposed to be erected is allocated as open space to be protected from inappropriate development by Policies B3, L1 and L7 of the Unitary Development Plan. These policies aim to protect public and private open space from development which would have a serious adverse effect on its amenity, recreational or nature conservation value.

In this regard, given the siting of the camera columns within the car park area and the lane to the rear, it is considered that the proposed installations are acceptable as they would lie within the extremities of the already developed area at The Ropery and would not extend into the treed areas to the north and east of the site. The proposal is considered to accord with the requirements of UDP policies B3, L1 and L7 representing small scale columns and cameras, ancillary to the existing building to allow its continued safe operation.

## Design, siting and appearance

Policy B2 of the UDP dictates that the scale, massing, setting and layout of new developments should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy. In addition, given the siting of the proposed camera columns in the vicinity of the listed building at The Ropery, UDP policy B10 is applicable in this instance. This policy aims to ensure that proposals in the vicinity of listed buildings do not adversely affect their character or setting.

In this regard, the need for the CCTV in the interests of security is noted and it is considered that as the proposed columns are freestanding and remote from the building, the historic fabric of the listed building would not be affected by the proposal.

Thus, it is considered that the proposal accords with the requirements of UDP policies B2 and B10 as detailed above.

## Highway Issues

Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met. In addition, policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

In this regard, the proposed siting of the camera columns at the eastern extremity of the car park and in the lane to the rear would not result in any loss of parking provision or turning facilities and thus, it is not considered that their installation would cause any detriment to highway safety. The proposal is therefore considered to accord with UDP policies T14 and T22.

## Conclusion

It is considered that the proposed columns and cameras are of an acceptable scale, which would not adversely impact the amenities of the area or the adjacent listed building.

Accordingly, it is recommended that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, Members grant consent for the proposal subject to the conditions listed below.

### **RECOMMENDATION: Grant Consent Under Regulation 3**

#### **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 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

The elevations of the proposed columns and cameras, received 7 January 2011;

The proposed site plan, received 7 January 2011;

The site location plan, received 7 January 2011 and

The specifications of the proposed cameras, received 7 January 2011.

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

- 3 Notwithstanding the submitted details, the CCTV camera columns hereby approved shall be painted black prior to their erection and maintained as such thereafter for the lifetime of the development, in the interests of the visual amenity of the locality and to comply with the requirements of policies B2 and B10 of the Unitary Development Plan.

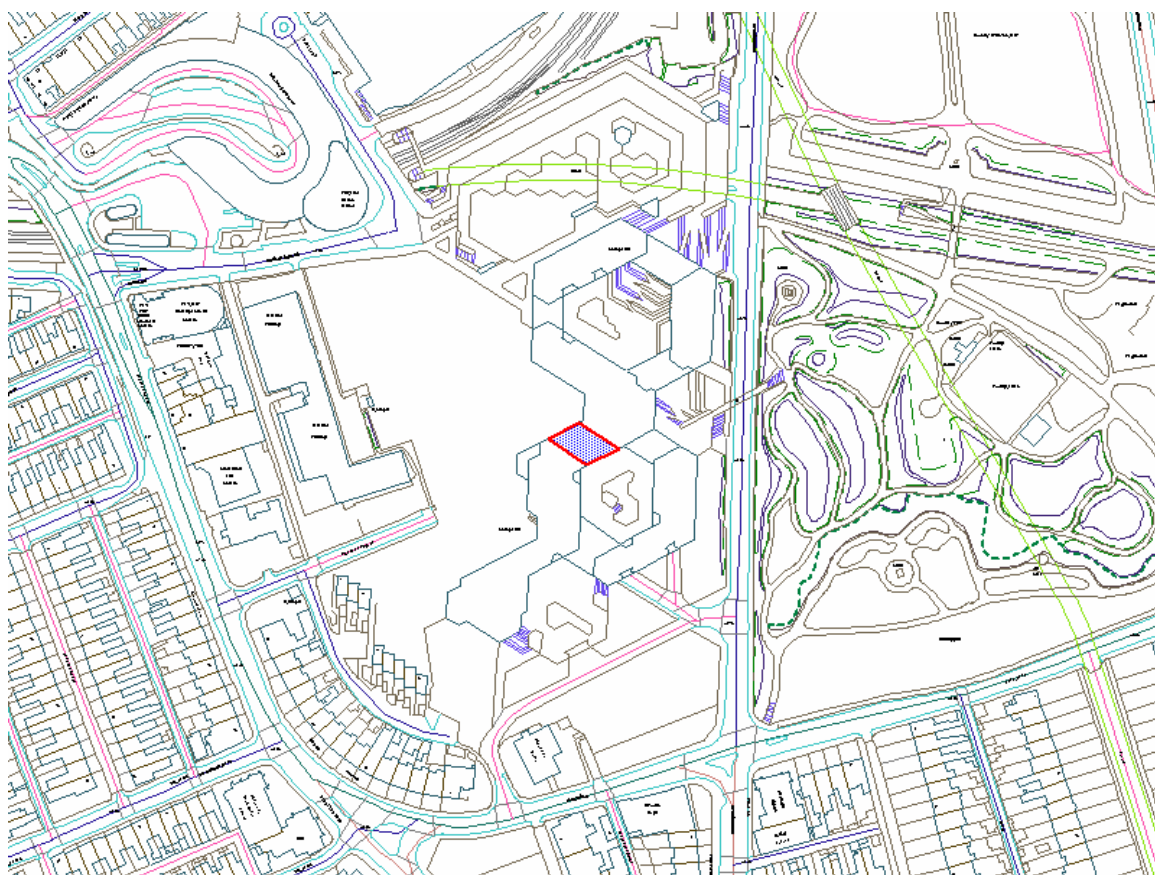
**Reference No.:** 11/00059/LAP Development by City(Regulation 3)

**Proposal: Installation of 24 photovoltaic panels on the middle section of the Civic Centre roof (Amended Description).**

**Location:** Sunderland City Council Civic Centre Burdon Road  
Sunderland SR2 7DN

**Ward:** St Michaels  
**Applicant:** Office Of The Chief Executive  
**Date Valid:** 12 January 2011  
**Target Date:** 9 March 2011

## Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

## PROPOSAL:

Proposal is for the installation of 24 PhotoVoltaic (PV) panels to the southwest middle section of roof of the Civic Centre building, Burdon Road, Sunderland.

It is proposed that the PV panels will measure 1.5m in width and will have a height of 1m, although with the PVs being angled at a maximum of 40 degrees, the vertical height in situ will actually be (maximum) 0.82m. The submitted plans



indicate a linear arrangement of PV panels, and where the width of roof allows, a number of panels will be erected side by side.

The PVs will be fixed to an adjustable 'A' frame at an angle between 25 - 40 degrees. The total panel area of the 24 PVs will equate to 36 square metres, giving an estimated output of 4473kWH per year. It is envisaged that this amount of PV panelling will provide for annual saving of 2.4 tonnes of carbon dioxide.

In order to safely secure the PVs in place each frame will be fixed to 4 No. 900mm X 600mm X 63mm grey concrete paving slabs. The panels will face a southerly direction in order to gain maximum sunlight.

The submitted Design and Access Statement (DAS) explains that the main purposes of the proposed PVs are to help the Council achieve its renewable energy objectives, as set out by the Government's 2007 Energy White Paper 'Meeting the Energy Challenge' and Planning Policy Statement 22: Renewable Energy, whilst at the same time reduce the carbon footprint of the Council and gain revenue through the sale of electricity.

The application has been supported by plans, Design and Access Statement (DAS) and a Conservation Area Statement.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

ARC

Final Date for Receipt of Representations: **22.02.2011**

#### **REPRESENTATIONS:**

Representations

Neighbours

No letters of representation have been received. Nevertheless, please note the neighbour consultation process does not expire until the 22 February and as such, in the event that any comments are received, Members will be notified in a supplementary report to Committee.

## **POLICIES:**

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

B\_4\_Development within conservation areas

B\_6\_Measures to preserve and enhance conservation areas

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

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

## **COMMENTS:**

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

- Principle of development
- Residential and visual amenity
- Conservation considerations

### Principle of development

The principle land use policy associated with the application site is Unitary Development Plan (UDP) policy EN10. This policy requires that where land is not identified for any particular purpose, development is required to be in accord with strategic and city-wide policies and be compatible with the principal land use of the surrounding area.

The proposed PV panels will serve to reduce the Council's carbon footprint through the provision of electricity and as such it is considered that development is ancillary in nature and therefore in accordance with policy EN10.

Nevertheless, given the need of policy EN10 to consider proposals in light of strategic and city-wide policies, please note the implications of UDP policies B2, B4 and B6, which will be discussed in the following sections of this report.

### Residential and visual amenity

Policy B2 requires scale, massing and layout of new development to respect and enhance the local environment, while privacy amenity should also be suitably protected.

The proposed PV panels will face a southerly direction and as such the only residential premises in the vicinity of the application site affected are the upper floor apartments of Benedict House. However the obliquely angled relationship between the application site and Benedict House ensures that there will be limited visual impacts arising from the development. Furthermore, there are numerous existing plant rooms which protrude further above the roof line than what is being proposed by the PV panels.

The submitted DAS also explains that the PV panels will be covered with anti-reflective glass / film in order to minimise their reflectance, and as PV panels convert rather than reflect light, their impact should be less when compared to other building materials, such as the handrails which adorn the surrounds of the Civic Centre roof. It is therefore the view that the proposed PV panels will have a

limited impact on residential and visual amenity and as such the proposal is considered to be acceptable and in accordance with policy B2.

#### Conservation considerations

Policy B4 requires all development within and adjacent to conservation areas to preserve and enhance their character or appearance, a requirement further expanded via policy B6 which requires, in part, that new developments should be considered in light of more detailed guidance. To this end the Civic Centre is located within the Ashbrooke Conservation Area and is recognised in the Ashbrooke Conservation Area Character Study as a landmark building with significant townscape qualities.

Therefore from a conservation perspective the proposed PV panels are considered to be located in such a position so as to minimise their visibility from street level and of a sufficient distance from other heritage assets to further limit any potential impact upon the historic character of the Ashbrooke Conservation Area. As consequence there are no objections to the proposed development and it is considered to be in accordance with policies B4 and B6.

#### Other considerations

As the proposed PV panels, should Members be minded to approve, will be located on the roof of the Civic Centre building, it will be necessary during the construction process to crane lift the PV panels onto the roof. Consequently in view of the adjacent residential properties it will be necessary to incorporate conditions which limit the hours of construction and require a scheme of working to be agreed.

Furthermore, and in recognition that that the panels will be fixed to an adjustable 'A' frame which provides for an angle variation between 24 to 40 degrees, it is considered that a condition, should Members be minded to approve, be incorporated so that the exact specification and installation of the PVs are agreed in writing by the Local Planning Authority prior to the development commencing on site.

#### Conclusion

The period for the receipt of representations does not expire until 22 February 2011, which is after the deadline for the preparation of this report. If any representations are received prior to the Sub-Committee meeting these will be reported by way of a supplement report and the recommendation reappraised if necessary.

However in accordance with the above it is considered that the proposed installation of the 24 PV panels are considered acceptable in relation to residential / visual amenity and conservation considerations and as such the recommendation is to grant consent in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the following conditions.

## **RECOMMENDATION: Grant Consent Under Regulation 3**

### **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 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Drawing Number 0110059/ELEC/400 Rev P1 received 14 February 2011.

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

- 3 No development shall take place until full details and specifications of the solar panels, hereby approved, and the means of their of installation, have been submitted to and approved in writing with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 The construction works required for the development hereby approved shall only be carried out between the hours of 07.30 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP.
- 5 No development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include details of the safe working practice methodology, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.

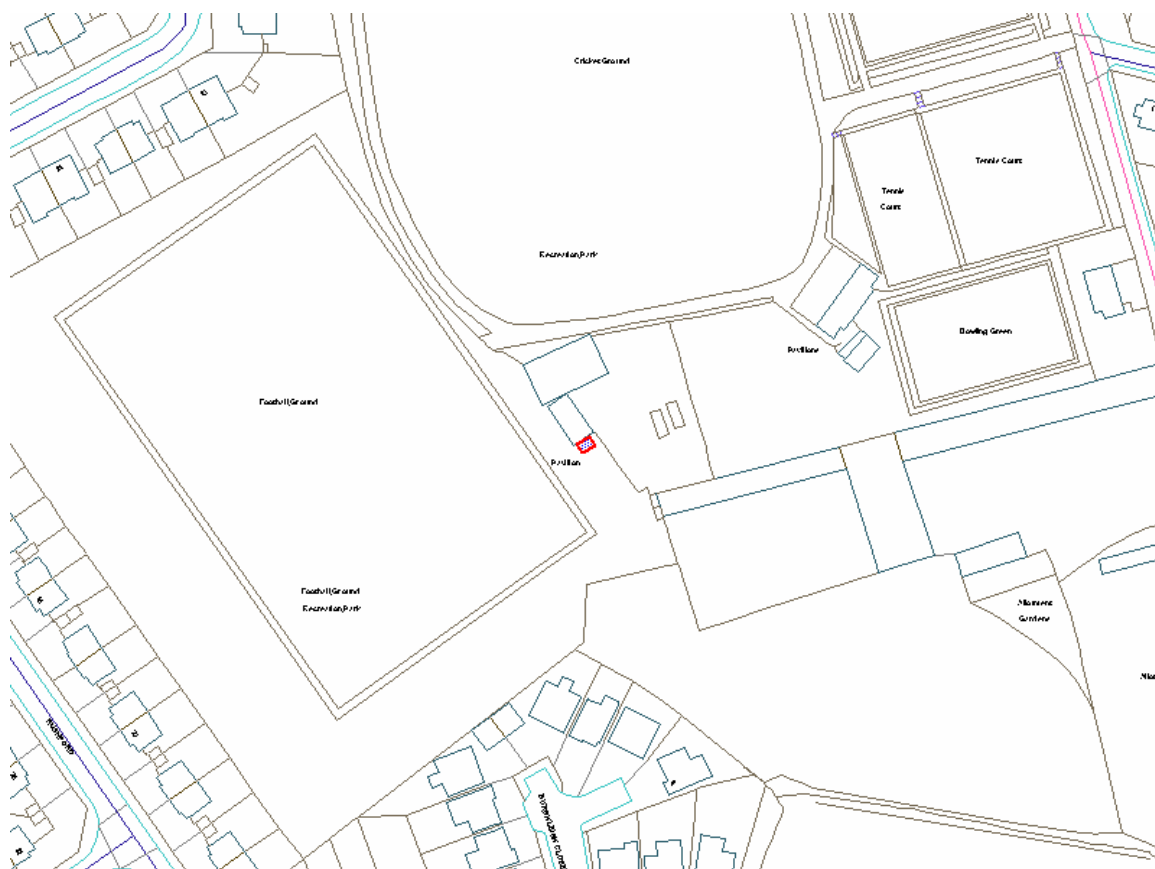
**Reference No.:** 11/00169/LAP Development by City(Regulation 3)

**Proposal:** **Alterations to existing changing room and provision of hardstanding and installation of 2 person shower/changing rooms (Amended Description)**

**Location:** Ryhope Colliery Welfare Ground Ryhope Street South Sunderland

**Ward:** Ryhope  
**Applicant:** City Of Sunderland  
**Date Valid:** 28 January 2011  
**Target Date:** 25 March 2011

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

### PROPOSAL:

The application relates to alterations to existing changing room and provision of hardstanding and installation of 2 person shower/changing rooms at Ryhope Colliery Welfare Ground, Ryhope Street South, Sunderland.

Ryhope Colliery Welfare Ground is located adjacent to Ryhope Street South. The Welfare Ground features bowling greens, tennis courts, cricket and football pitches.

The proposed installation is to be located adjacent to the existing changing rooms which are in a poor state of repair and in need of refurbishment. The refurbishment works to the existing building are also subject to this application.

The works to the existing facilities are relatively minor and include the removal of an access door to the rear of the building and two small windows. The remaining works are internal with the layout similar to that which exists at present except for a shower room extension into the area previously occupied by the internal porch area to the rear of the building.

Additionally a 2 person shower/ changing facility is proposed adjacent to the existing building and is required in order that facilities are provided for football officials due to the requirements of the northern league.

The building is to be located between the cricket ground and football pitches towards the centre of the park. The nearest residential property, number 5 Burleigh Close, is located over 50 metres away.

The proposed building for the match officials is to be of a demountable jackleg design and construction placed on a concrete slab. The proposed unit is to be coloured light blue measuring 2.7 metres in width and 3.6 metres in length. The proposal is to have a maximum flat roof height of 2.5 metres. Within the building showering, WC and changing facilities are to be provided.

The building is to be constructed off site and delivered and erected on a prepared concrete base. The building will consist of steel faced panels with a steel access door and a green mineral felt flat roof.

The building is to be located at the site for the foreseeable future, in excess of five years, at which time the building may be relocated to an alternative site should it be considered necessary.

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

Site Notice Posted

#### **CONSULTEES:**

Street Scene (Environmental Service)

Final Date for Receipt of Representations: **22.02.2011**

#### **REPRESENTATIONS:**

To date, no representations have been received, although it should be noted that the consultation period does not expire until 22 January 2011, which is after the deadline for preparation of this report. Any representations received will be

reported in advance of the Sub-Committee Meeting by way of a supplement report.

## Environmental Health

Following consultation with the Environmental Health Section, no objections or recommendations were received.

### **POLICIES:**

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

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

B\_3\_Protection of public/ private open space (urban green space)

L\_1\_General provision of recreational and leisure facilities

L\_7\_Protection of recreational and amenity land

### **COMMENTS:**

The main issues to consider in the assessment of this application are:

- The principle of the development
- Design, siting and external appearance

#### The Principle of Development

The Welfare Ground is allocated within the Unitary Development Plan as an area of open space to be retained. As such, due regard has been given to UDP policies B2, B3, L1 and L7.

Policy B2 dictates that the scale, massing, setting and layout of new developments shall respect and enhance the best qualities of nearby buildings and the locality whilst retaining adequate levels of privacy. Given that the alterations to the existing building are limited and result in minor elevational alterations while the proposed changing facility is small scale, it is considered that the works accord with this policy.

Policies B3, L1 and L7 apply in this instance specifically because of the Welfare Grounds allocation as open space. Policy B3 dictates that such open space will be protected from development, which would have a serious adverse impact on its amenity, recreational or nature conservation value. Policy L1 (v) dictates that the City Council will retain existing recreation grounds and maintain and upgrade the facilities in line with modern requirements and nature conservation considerations. Policy L7 dictates that land allocated for open space and outdoor recreation will be retained in its existing use.

It is considered that the changing facility and upgrades to the existing building as proposed would aid the continued use of Ryhope Colliery Welfare Ground and more specifically the football pitch for recreational purposes as identified within the Unitary Development Plan. As the footprint of the proposal is limited and set

adjacent to existing facility which is to be upgraded, it is not considered that the development would harm the recreational value of the park.

In light of the above, it is considered that the proposed development accords with the relevant policies of the Unitary Development Plan and subject to a satisfactory design, siting and external appearance, the principle of the development is considered to be acceptable.

#### Design, siting and external appearance

The limited dimensions of the proposed changing facility for match officials of 2.7 metres in width, 3.6 metres in length and a maximum flat roof height of 2.5 metres is considered to be acceptable in terms of design while the siting adjacent to an existing building is also appropriate. The appearance when read in conjunction with the surroundings is considered to be acceptable.

The alterations to the existing changing rooms are minor with the no extensions proposed to the structure. The minor alterations are required in order to upgrade the facilities which are currently unused and therefore deemed acceptable.

#### Conclusion

The period for the receipt of representations does not expire until 22 February 2011, which is after the deadline for the preparation of this report. Accordingly the recommendation is that Members grant permission for the proposed development subject to no representations being received and subject to the conditions below. If any representations are received prior to the Sub-Committee meeting these will be reported by way of a supplement report and the recommendation reappraised if necessary.

### **RECOMMENDATION: Grant Consent Under Regulation 3**

#### **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 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Drawing number 0000, received 21.01.2011. Location plan  
Drawing number 001, received 21.01.2011. Existing plan and elevation  
Drawing number 002, received 28.01.2011. Proposed elevations  
Drawing number 003, received 28.01.2011. Proposed plan and sections  
Drawing number 004, received 28.01.2011. Roof plan  
Drawing number 005, received 28.01.2011. Proposed base plan and sections



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

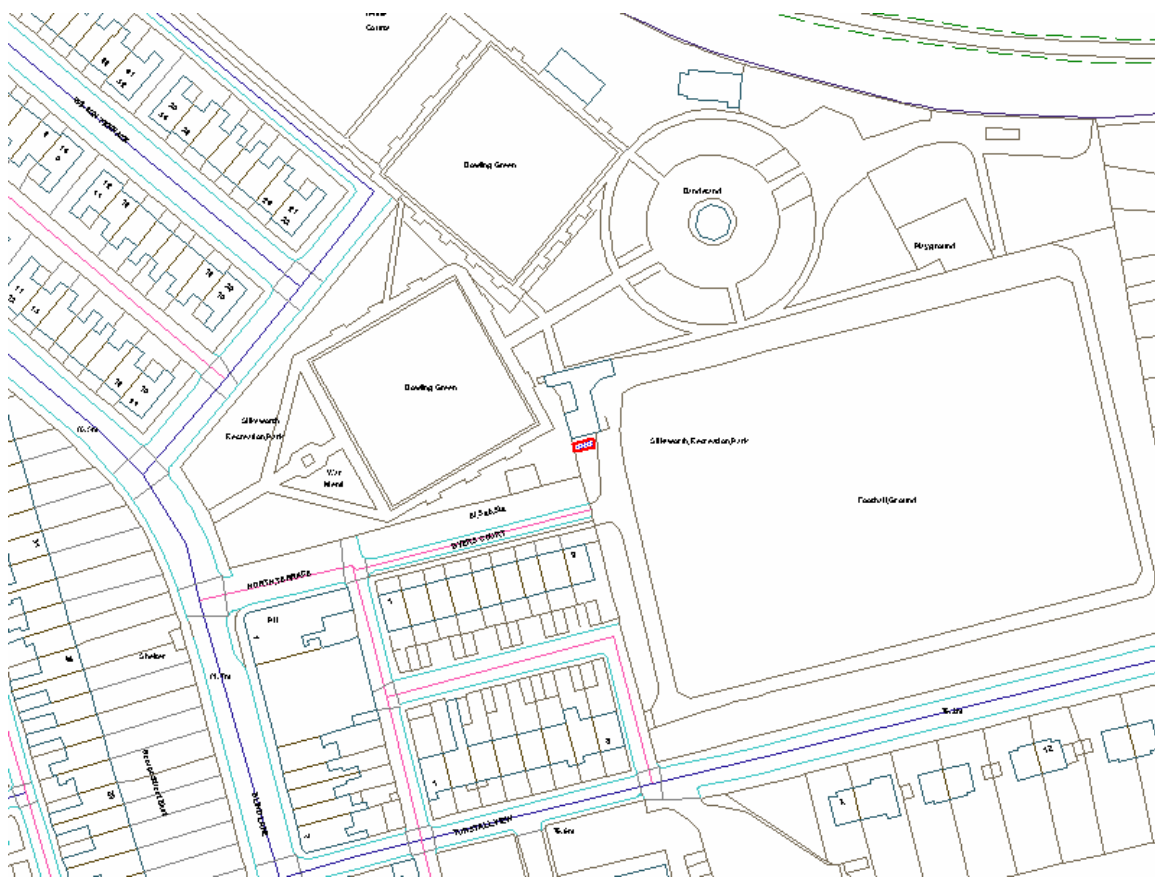
**Reference No.:** 11/00171/LAP Development by City(Regulation 3)

**Proposal:** **Provision of hardstanding and installation of 2 person shower/changing rooms**

**Location:** Silksworth Recreation Park Blind Lane Silksworth  
Sunderland SR3 1AU

**Ward:** Silksworth  
**Applicant:** City Of Sunderland  
**Date Valid:** 28 January 2011  
**Target Date:** 25 March 2011

### Location Plan



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018385. Date 2011.

### PROPOSAL:

The application relates to the provision of hardstanding and installation of 2 person shower/ changing rooms at Silksworth Recreation Park, Blind Lane, Silksworth, Sunderland, SR3 1AU.

Silksworth Recreation Park is located to the rear of Blind Lane and is bound by residential dwellings on Wilson Terrace, Byers Court, Hawthorn Avenue and

Holly Avenue. The park provides a number of different sporting areas including bowling greens, children's play areas, tennis courts and a football pitch.

The proposed installation is to be located adjacent to the existing facilities provided for the football teams and is to create a changing room and showering area for football officials as a requirement of the northern league. The building is to be located towards the centre of the park with the nearest residential properties number 9 Byers Court over 22 metres away.

The proposal is to be of a demountable jackleg design and construction placed on a concrete slab. The proposed unit is to be coloured light blue measuring 2.7 metres in width and 3.6 metres in length. The proposal is to have a maximum flat roof height of 2.8 metres. Within the building showering, WC and changing facilities are to be provided.

The building is to be constructed off site and delivered and erected on a prepared concrete base. The building will consist of steel faced panels with a steel access door and a three layer elastomeric flat felt roofing system.

The building is to be located at the site for the foreseeable future, in excess of five years, at which time the building may be relocated to an alternative site should it be considered necessary.

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

Site Notice Posted

#### **CONSULTEES:**

Street Scene (Environmental Service)

Final Date for Receipt of Representations: **22.02.2011**

#### **REPRESENTATIONS:**

To date, no representations have been received, although it should be noted that the consultation period does not expire until 22 January 2011, which is after the deadline for preparation of this report. Any representations received will be reported in advance of the Sub-Committee Meeting by way of a supplement report.

Environmental Health

Following consultation with the Environmental Health Section, no objections or recommendations were received.

## **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
B\_3\_Protection of public/ private open space (urban green space)  
L\_1\_General provision of recreational and leisure facilities  
L\_7\_Protection of recreational and amenity land

## **COMMENTS:**

The main issues to consider in the assessment of this application are:

- The principle of the development
- Design, siting and external appearance

### **The Principle of Development**

The recreation park is allocated within the Unitary Development Plan as an area of open space to be retained. As such, due regard has been given to UDP policies B2, B3, L1 and L7.

Policy B2 dictates that the scale, massing, setting and layout of new developments shall respect and enhance the best qualities of nearby buildings and the locality whilst retaining adequate levels of privacy. Given that the proposed facility is small scale and located adjacent to a large existing structure, it is considered that the changing facility accords with this policy.

Policies B3, L1 and L7 apply in this instance specifically because of the parks allocation as open space. Policy B3 dictates that such open space will be protected from development, which would have a serious adverse impact on its amenity, recreational or nature conservation value. Policy L1 (v) dictates that the City Council will retain existing recreation grounds and maintain and upgrade the facilities in line with modern requirements and nature conservation considerations. Policy L7 dictates that land allocated for open space and outdoor recreation will be retained in its existing use. It is considered that the changing facility as proposed would aid the continued use of Silksworth Recreational Park and more specifically the football pitch for recreational purposes as identified within the Unitary Development Plan. As the footprint of the proposal is limited and set adjacent to existing facilities at the football pitch, it is not considered that the development would harm the recreational value of the park.

In light of the above, it is considered that the proposed development accords with the relevant policies of the Unitary Development Plan and subject to a satisfactory design, siting and external appearance, the principle of the development is considered to be acceptable.

## Design, siting and external appearance

Given the limited dimensions of the proposed changing facility of 2.7 metres in width, 3.6 metres in length and a maximum flat roof height of 2.8 metres the proposal is considered to be acceptable in terms of design while the siting adjacent to an existing building is also appropriate. The appearance when read in conjunction with the surroundings is considered to be acceptable.

Following an assessment of the proposal on site the proposal will be well screened from Blind Lane and much of the surrounding area due to the single storey nature of the construction.

## Conclusion

The period for the receipt of representations does not expire until 22 February 2011, which is after the deadline for the preparation of this report. Accordingly the recommendation is that Members grant permission for the proposed development subject to no representations being received and subject to the conditions below. If any representations are received prior to the Sub-Committee meeting these will be reported by way of a supplement report and the recommendation reappraised if necessary.

## **RECOMMENDATION: Grant Consent Under Regulation 3**

### **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 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Drawing number 0000, received 21.01.2011. Location plan

Drawing number 001, received 21.01.2011. Proposed plan

Drawing number 002, received 21.01.2011. Proposed elevations and sections

Drawing number 003, received 21.01.2011. Roof plan

Drawing number 005, received 28.01.2011. Proposed base plan and sections

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

# 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 SUB COMMITTEE

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
1	10/02291/OUT  Hendon	Edward Thompson Group Sunderland Paper Mill Ocean Road Sunderland SR2 9RY	<b>GVA Grimley Ltd</b>  Redevelopment of 10.62 hectares of previously-developed land for a mix of uses including up to 300 residential dwellings and up to 6,000 sqm of commercial/industrial floorspace, the provision of open space and associated engineering works and stopping up of highway.	Site Visit 21.01.11	01.02.11	Pending Consideration
2	10/02555/OUT  Hendon	Land East Of Prospect Row Hendon Sunderland	<b>CA Planning Ltd</b>  Outline application for B1, B2 and B8 uses with all matters but access reserved.	N/A	01.02.11	Pending Consideration

## 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 SUB COMMITTEE

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
3	10/03151/FUL  St Chads	Middle Herrington Farm Foxcover Lane Sunderland SR3 3TQ	<b>Smith Marston LLP</b>  Erection of two storey house, detached double garage and barn.	Site Visit 21.01.11	01.02.11	Pending Consideration
4	10/03941/FUL  Ryhope	Land To The Rear Of Bevan Avenue Sunderland	<b>Persimmon Homes North East</b>  Outline planning permission with all matters reserved except for access for 150 residential dwellings at Rushford Phase 2.	N/A	01.02.11	Pending Consideration

## 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 SUB COMMITTEE

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
5	10/04026/EXT1  Pallion	Pallion Engineering Ltd Pallion New Road Sunderland SR4 6WE	<b>Anthony Watson Architect</b>  Application for a new planning permission to replace an extant planning permission 08/00259/OUT. (Proposed development of commercial offices with ancillary cafe/ bar/ restaurant and residential use with associated access, car parking and landscaping) in order to extend the time limit for implementation.	N/A	01.02.11	Pending Consideration
6	11/00296/LAP  St Annes	Part of Former Quarry View Primary School Saint Lukes Road Sunderland SR4 0HB	<b>Children's Services</b>  Erection of new primary school with associated landscaping, parking and access.	N/A	N/A	Pending Consideration



## 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 SUB COMMITTEE

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
7	11/00410/VAR  Millfield	Pallion Health Centre Hylton Road Sunderland SR4 7XF	<b>Sunderland Teaching Primary Care Trust</b>  Variation of condition 2 (approved plans) attached to planning application 10/00158/FUL "Erection of 3 storey medical facility with associated car parking and landscaping".	N/A	N/A	Pending Consideration

## Items Delegated to the Deputy Chief Executive

---

Sunderland South

1. **Proposed part demolition and erection of 3 storey extension to The Bridges, reconfiguration of internal unit and stopping up of highway**

**10/03530/FUL      The Bridges High Street West Sunderland**

26/10/10      Land Securities Properties Ltd

**Decision:**      Approved

**Date of Decision:**    24th January 2011

---

---

## Appeals Received South Sunderland

Between 01/01/2011 and 31/01/2011

---

Ref No	Address	Description	Date Appeal Lodged
11/00001/REF	59 The Broadway Grindon Sunderland SR4 8NR	First floor extension to side / front	26/01/2011

Between                      and

TEAM	Ref No	ADDRESS	Description	Decision	Date of Decision
------	--------	---------	-------------	----------	------------------