

## **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

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**Reference No.:** 14/00671/OUT Outline Application

**Proposal:** **Demolition of existing buildings and structures and the redevelopment for up to 144 dwellings and associated landscaping, access and other engineering works. (All Matters Reserved)**

**Location:** Shiney Row Centre Success Road Houghton-le-Spring DH4 4TL

**Ward:** Copt Hill  
**Applicant:** Sunderland College  
**Date Valid:** 26 March 2014  
**Target Date:** 25 June 2014

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### **PROPOSAL:**

The application is for the demolition of existing buildings and structures and the redevelopment for up to 144 dwellings and associated landscaping, access and other engineering works.

The application is for outline planning permission only and all matters are reserved for future consideration.

The site is identified as School Playing Fields in the UDP, though its actual use consists primarily of the College building and approximately 1.4 hectares of amenity greenspace (as identified in the 2013 Greenspace Audit). It is a brownfield site and has been identified as a 6-10 year SHLAA site- therefore residential development is broadly considered to be acceptable.

The proposed application has been advertised accordingly as a Departure due to the current allocation on the Unitary Development Plan as sports playing fields.

### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

### **CONSULTEES:**

County Archaeologist  
Copt Hill - Ward Councillor Consultation  
Environmental Health  
Northumbrian Water  
Network Management  
Director Of Childrens Services  
The Coal Authority  
Environment Agency  
Sport England  
Natural England

Durham Bat Group

Final Date for Receipt of Representations: **28.04.2014**

## **REPRESENTATIONS:**

### Statutory and Non Statutory Consultee Responses

County Archaeologist - No objections

Environmental Health - No objections subject to suitable conditions being imposed.

Northumbrian Water - No objections subject to suitable conditions being imposed.

Network Management - No Objection to the principle of development

Director Of Children's Services - Request for financial contribution towards educational facilities.

The Coal Authority - No response received

Environment Agency - No objections subject to suitable conditions being imposed.

Sport England - No objections to the principle of development.

Natural England - No objections subject to suitable conditions being imposed.

Durham Bat Group - No response received.

Copt Hill - Ward Councillor Consultation

Neighbour Representations

9 letters of representation have been received to the proposed development.

The main concerns are listed below:-

- Encroachment
- Loss of Light
- Loss of privacy/Overlooking
- Noise from use
- Scale, massing and layout.
- Dwelling not in keeping with the surrounding area
- Increase in traffic
- Impact on local schools

The matters above are all considered in the main comments section of the report. The following matters can be adequately controlled under various remits outside the planning process, however if Members are minded to grant planning a condition could be imposed in respect of dust and debris.

- Asbestos /Dust and Debris from demolition
- Potential increase in rodents following the demolition.

The final point which relates to the lack of consultation from the college with the local residents is something the Local Planning Authority is unable to comment on as it is a process carried out by the developer prior to the submission of the application.

## **POLICIES:**

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

## **COMMENTS:**

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

- The principle of residential development.
- Form of development proposed;
- Highway Considerations (including traffic impact assessment, road safety and public transport);
- Archaeology;
- Ecology and Biodiversity;
- Drainage and Flooding;
- Ground Conditions (including risk to controlled waters);
- Heads of Terms for potential Section 106 Agreement

### The Principal of Residential Development

As Members will be aware, the purpose of an outline planning application is to establish the acceptability of the principle of the proposed development on the application site. Matters of detail, for example the final layout of the development; final drainage details and landscaping scheme etc. are matters reserved for future approval via subsequent applications for approval of "reserved matters" in the event outline permission is granted.

Members are only considering the principle of development.

The proposed development is a departure from the adopted Unitary Development Plan and has been advertised accordingly.

The proposed development has been screened and is not considered to be EIA (Environmental Impact Assessment) development.

In considering this outline application for residential development it is important to consider both National and Local Planning Policy.

### National Planning Policy

By virtue of section 38(6) of the Planning and Compulsory Purchase Act, 2004, the starting point for consideration of any planning application is the saved policies of the development plan. A planning application must be determined in

accordance with the development plan unless material considerations indicate otherwise.

However, since the publication of the National Planning Policy Framework (NPPF) in March 2012, (which is a material consideration for the purposes of Section 38(6)), the weight that can be given to the development plan depends upon the extent to which the relevant policies in the plan are consistent with the more up to date policies set out in the NPPF. The closer the relevant policies in the development plan to the policies in the NPPF, the greater the weight that can be given to the development plan.

The NPPF sets out a presumption in favour of sustainable development. This means that authorities when determining planning applications should:

- Approve applications that accord with an up to date development plan without delay; and
- Where the development plan is absent, silent or its relevant policies are out of date, granting permission unless:-

(a) there are any adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the provisions of the NPPF taken as a whole, or specific policies in the NPPF indicate development should be restricted; or

(b) any specific policies in the NPPF indicate that development should be restricted.

The impacts of the proposed development (both positive and negative) are considered under the various headings in the report

Further, part 6 of the NPPF is concerned with "Delivering a Wide Choice of High Quality Homes" which is relevant to the consideration of this application. Paragraphs 47 and 49 of the NPPF are particularly relevant to the consideration of this application.

Paragraph 47 states that:

To boost significantly the supply of housing, local planning authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- Identify and update annually a supply of specific deliverable sites (i.e. sites which are available, suitable and viable for housing) sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land;
- Identify a supply of specific, developable site or broad locations for growth, for years 6-10 and where possible, for years 11-15;
- For market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing

how they will maintain delivery of a five-year supply of housing land to meet their housing target; and;

- Set out their own approach to housing density to reflect local circumstances.

Paragraph 49 of the NPPF states that:

- Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant local policies in a development plan for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

As indicated by paragraphs 47 and 49 of the NPPF (set out above), under the NPPF the planning authority should identify an available and deliverable five-year supply of housing land. If such a supply of housing land cannot be robustly demonstrated, relevant local policies for the supply of housing are regarded as out of date, and therefore should be afforded little weight.

Following the revocation of the Regional Spatial Strategy in April 2013 (and the 5 year housing targets provided in the RSS), work is currently ongoing by the City Council towards establishing a five year supply of housing land based upon robust and up to date evidence of the city's housing needs. Although it is considered likely that a five year supply of deliverable housing sites in the city can be demonstrated, the work to support this view is still developing and has not been subject to independent examination through a public inquiry and is currently, in draft. Therefore, on balance, at this stage the Local Planning Authority cannot say with certainty that a five year supply of deliverable housing sites is available and therefore the more up to date development management and housing policies in the NPPF should be given greater weight when considering this application to the housing policies in the saved development plan.

#### Local Planning Policy

The site is identified as School Playing Fields in the UDP, though its actual use consists primarily of the College building and approximately 1.4 hectares of amenity greenspace (as identified in the 2013 Greenspace Audit). It is a brownfield site and has been identified as a 6-10 year SHLAA site- therefore residential development is broadly considered to be acceptable.

Whilst the applicant has submitted comments in their Planning Statement in relation to UDP Policy CF2 and Core Strategy policy DM5.4.

It is important that the impact of any re-use of the site is minimised, with good quality design and local community infrastructure enhanced, to benefit the community.

Furthermore, the application site is considered suitable for housing development and has been included in the Council's most recent Strategic Housing Land Availability assessment 2013 (SHLAA) as a 'deliverable' housing development site which is available, suitable and viable for residential development.

The application site has been included in the Council's draft five year supply of housing sites.

In line with the city's housing requirements outlined in the emerging Core Strategy (Revised Preferred Options Draft 2013), the Strategic Housing Land Availability Assessment (SHLAA) indicates that a 5 year supply of deliverable sites is in place. However, it should be recognised that this is an emerging view which has not been fully scrutinised through consultation or at examination, and therefore has limited weight in terms of decision making. Therefore, on balance, we cannot say with certainty that a 5 year supply of deliverable sites is available and the presumption in favour of sustainable development must take precedence.

#### Principle of Development - Summary

The application needs to be considered in light of the presumption in favour of sustainable development and the impact tests set out in paragraph 14 of the NPPF. The application site has been identified as being suitable for release for housing in the SHLAA and to assist in the delivery of high quality housing to meet the city's housing requirements. The proposed development is therefore considered to be acceptable in principle subject to the assessment of the other impacts of the development which are considered below.

#### Form of Development Proposed

The site extends to 4.0 hectares in area. The site is a predominately residential area a mix of contemporary detached and semi-detached housing estates and 1960/70s semi-detached housing and bungalows along Success Road.

The residential estate which lies adjacent to the north-east boundary of the application site is known as Kingston Mew was built in 2001 after being allocated on the Unitary Development Plan in 1998 and Trinity Park on the other site which was developed in 1998.

The indicative layout shows, 144 homes of various scale and massing with a mixture of two/three storey dwellings. However, members are reminded at this stage the planning application is only looking to establish the principle of development and access. The details of the scheme would be subject to a reserved matters application should planning permission be granted.

#### Demolition of the existing college

As part of the proposal it is intended to demolish and remove the existing college buildings and structures from the site. The current building and structures have a combined gross internal area of 13,464 square meters. If members are minded to grant planning permission it is recommended that a condition be imposed that a full demolition and method statement be submitted prior to any demolition commencing on the site.

#### Highway Access

The application is accompanied by a comprehensive Transport Assessment.

Access is proposed to be taken to the site from a single access point on Success Road with an additional emergency access route. The access points have been carefully considered and as such are satisfactory to comply with policy T14 of the adopted Unitary Development Plan.

However, Members should be aware that the access is a reserved matter's and is indicative access point on the submitted plan. The Local Highway authority is satisfied that access could be achieved from Success Road, however would be subject to a detailed reserved matter application.

## Sustainable Transport Links

### Internal Layout

The internal site layout should be designed and built to the council's adoption standards. The layout is a reserved matter and as such is not under formal consideration.

### Drainage

Any prospectively adoptable Sustainable Drainage Systems (SuDS) would likely require a commuted sum or maintenance agreement.

### Landscape and Visual Impact

It is acknowledged that the proposed development site is currently a college. Several objections to the proposed development have been received on the basis that the development proposed will alter and as a result damage the overall character of the area. However, the application site is not afforded special protection (e.g. it is not green belt land) and is not designated for its landscape value.

It is inevitable that over time landscape character will evolve and change as development occurs, however it is not considered that the proposed development will have an unacceptably damaging impact upon the character of the area. Furthermore, it is not considered that a refusal of planning permission could be sustained on this basis.

Members are reminded that landscaping is a reserved matter and as such would be the subject of a reserved matters application should planning permission be submitted.

### Trees

There are a number of trees located within the site boundary many of which are around the perimeter predominantly to the eastern boundaries. There are some trees that encroach further into the site and some located within two courtyard areas central to the school building. There are some level changes within the site (northern and southern boundaries in particular).

It will be necessary to remove some of the existing trees to facilitate the proposed development and to establish a higher level of arboricultural management for the site.



- Trees 1-5, 9-12, 32-37, 39, 46-49, 54, 71, 77-80, 83-84, 86-90, 94-99, 101-102, 105-108, groups 1-3, 6-8 and 10.
- Trees 14-17, 43, 76 and 104 should be removed due to structural defects and a limited safe useful life expectancy.

To mitigate the above removals new planting should take place throughout the site. Careful consideration should be given to all new planting positions to ensure the trees can grow fully into maturity without requiring major or regular pruning works. New specimens should not be positioned in close proximity to buildings, windows or utility services.

It will be necessary to design two separate tree protection plans to cater for the differing requirements between construction and demolition. It will be necessary to realign the protective barriers at the intermittent stage of the development between demolition and construction

### Tree Conclusion

As with any construction exercise near trees, there are potential areas of conflict where damage could be caused to retained trees. By using the protective elements dictated by British Standard 5837, no significant damage should take place during the demolition or construction phase and the tree cover should flourish in the longer term.

It is anticipated that all of the retained trees can be incorporated into the site design; however, it is vital that the ultimate size and spread of the trees should be considered when retaining trees near to the building and that shading and light penetration should also be considered when positioning the windows in the building. All tree works must conform rigorously to BS 3998 (2010) 'Recommendations for Tree Work'.

Therefore, if members are minded to grant planning permission it is recommended that suitable conditions are imposed to ensure a satisfactory form of development is achieved and to comply with policy CN17 of the Unitary Development Plan.

### Archaeology

Policy B11 and B13 are concerned with archaeological remains. Policy B11 states that:

The City Council will promote measure to protect the archaeological heritage of Sunderland and ensure that any remains discovered will be either physically preserved or recorded.

Policy B13 states that:

The City Council will seek to safeguard sites of local archaeological significance. When development affecting such is acceptable in principle, the Council will seek to ensure mitigation of damage through preservation of the remains in situ as a preferred solution. Where the physical preservation of remains in the original situation is not feasible, excavation for the purpose of recording will be required.

No archaeological desk based assessment was submitted with the application due to pre-application discussion have taken place with the Local Planning Department as the site has no archaeological features.

The County Archaeologist was consulted and confirmed the Local Planning Authority view that no archaeological works are required.

### Ecology and Biodiversity

Under Section 40(1) of the Natural Environment and Rural Communities Act 2006 a duty is placed on public authorities, including Local Planning Authorities, to have regard to biodiversity in exercising their functions. This duty covers the protection, enhancement and restoration of habitats and species.

The NPPF provides that Local Authorities should aim to conserve and enhance biodiversity. Paragraph 118 of the NPPF provides as follows:-

- If significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- Proposed development on land within or outside a SSSI which is likely to have an adverse effect on a SSSI should not normally be permitted. Where an adverse effect is likely, an exception should only be made where the benefits of the development clearly outweigh the impacts on the features of the SSSI and any broader impacts on the national network of SSSI.
- Opportunities to incorporate biodiversity in and around developments should be encouraged.

### Extended Phase I Habitat Survey

A full Extended Phase I Habitat Survey has not been prepared for the site on the advice of a professional ecologist. However, a detailed Bat Survey and Great Crested Newt Survey have been prepared to accompany the application proposals. These demonstrate that there will be no significant loss of habitat due to the redevelopment. Mitigation measures that contribute to managing the biodiversity of the site and locality have been proposed as part of the Surveys which will be considered at the detailed design stage.

### Protected Species

Natural England has been consulted regarding this application in accordance with the requirements of the Town and Country Planning (Development Management Procedure) Order, 2010. In addition to consultation with Natural England regarding the proposed development Policies CN18, CN20, CN21 and CN22 of the Unitary Development Plan are relevant to the consideration of this application in the context of ecology and biodiversity:

Policy CN18 states that:

The promotion of the interests of nature conservation will be sought throughout the City; the Council will work together with neighbouring authorities and other agencies in regard to aspects affecting the wider area. Areas of nature

conservation interest, particularly those of national importance, will be protected and enhanced, measures will include:

- The appropriate management of Council owned land;
- Encouraging land owners and occupiers to adopt management regimes sympathetic to nature conservation, especially in wildlife corridors;
- Making provision in development proposals for preservation of habitats or creation of compensatory habitats;
- Seeking opportunities in development proposals or other schemes for new habitat creation on both public and private land;
- Improving access and providing interpretation to appropriate sites of wildlife interest; and
- Refusing inappropriate development.

Policy CN20 states that:

Development which will adversely affect a designated or proposed site of special interest either directly or indirectly will not be permitted unless no alternative site is reasonably available and the benefits of the proposed development would clearly outweigh:

- The intrinsic national importance of the designation; and
- The national value of the network of such sites; and in all cases;
- Any appropriate mitigation or compensatory measures are secured through the use of planning conditions or where appropriate planning obligations.

Policy CN21 states that:-

Development which will adversely affect a designated or proposed Local Nature Reserve, Site of Nature Conservation Importance or regionally important geological/geomorphological site either directly or indirectly will not be permitted unless:

- No alternative site is reasonably available and the benefits of the proposed development would outweigh the regional or local value of the site; or
- Any loss of nature conservation or earth science interest can be fully compensated elsewhere within the site or in its immediate environs through the use of planning conditions and, where appropriate planning obligations.
- Also, in the case of an LNR, the effects of the proposal will be considered against the need to protect the following:
  - The ecological integrity of the LNR;
  - The contribution the LNR makes to education about or enjoyment of wildlife and nature conservation; and
  - The proper management of the LNR.

Policy CN22 states that:

Development which would adversely affect any animal or plant species afforded special protection by law, or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning

conditions and, where appropriate, planning obligations, and the overall effect will not be detrimental to the species and the overall biodiversity of the City.

It is proposed to develop the site for housing and works will include the demolition of the existing buildings. The grounds of the Campus are primarily unsuitable or of low suitability for great crested newts being dominated by built development, hard standing and short mown amenity grassland. Limited areas of more suitable habitat are present around the margins of the site where scattered trees and limited sections of hedge line are located.

Four ponds are present within the grounds, all man-made and either lined or of concrete construction. Two lie within enclosed courtyards. From a review of aerial photography and ordnance survey mapping a single additional area of standing water lies within 500m of the site, approximately 320m to the east. No access was available to this area of water as it does not lie within the ownership of the client, however E3 have previously completed survey of this off-site waterbody in relation to a separate development proposal. Survey of this off-site pond was completed during both the 2007 and 2012 seasons and no great crested newts were recorded.

Habitat Suitability Indices were calculated for the four ponds within the site, producing scores ranging from 0.39 to 0.67, providing an initial assessment of the ponds as being from poor to moderate suitability for the species.

Full surveys of all ponds were completed during the period April to June 2013 and no great crested newts were recorded. Goldfish are present in one of the ponds with common frog tadpoles and adult common frogs recorded in two of the remaining ponds.

It is concluded that great crested newt are most likely to be absent from the site and no impact on this species is predicted through the proposed development works. Proposals will result in the loss of the four ponds currently present within the site, however given the man-made nature of these waterbodies, it is concluded that this loss is not significant as such waterbodies can be readily recreated. No specific mitigation with respect to great crested newt is considered necessary.

However, it is recommended that consideration be given to incorporating wetland habitat into the proposed development, potentially including the creation of wildlife ponds. This would contribute to local and national biodiversity targets and benefit a range of species.

## Bats

Habitats within the college grounds are primarily of poor quality for foraging bats comprising short mown amenity grassland and hard standing used as car parking areas with limited introduced shrub planting and a small number of immature amenity trees around the buildings. A number of floodlights are present in the car park, creating high light levels through much of the site.

Slightly better quality habitat is present along the north eastern site boundary where a number of semi-mature broadleaved trees, including oak, beech and horse-chestnut provide a greater level of cover and foraging opportunities.

The buildings within the site comprise the main college complex and a single detached two storey modern porta-cabin type building.

The main complex varies in age with the modern front half of the complex being of breezeblock construction with metal door and window frames and some sheet cladding on upper walls. Roof coverings are modern sheet material with suspended ceilings internally. All is well sealed and well maintained such that the risk of bat use is very low.

To the rear, the older sections of the complex are of brick construction with the majority of walls being clad with sheet panelling and or timber and uPVC boarding. The main hall has sections of hanging tiles on the upper walls. All sections are flat roofed.

Potential roost sites for bats are provided where occasional sections of timber cladding at wall tops are rotting or coming away and where occasional bricks are missing. There may also be gaps associated with hanging tiles, however given the height of these features they couldn't be inspected at close quarters to confirm. One dusk emergence survey was completed during each of the months of May and June 2013.

The May survey recorded low level common pipistrelle activity within the site with two common pipistrelle concluded to have emerged from roosts within the roof structure and cladding of the main hall. A similar result was obtained from the June survey with two common pipistrelle recorded emerging from the vicinity of the main hall and flying eastward from the site.

The exact emergence point was not identified, however these bats were not recorded flying into the area with surveyors surrounding the hall to the north and west recording no activity and those to the south and east recording the two flights from close proximity to the building. No other activity was recorded apart from a single common pipistrelle briefly foraging within the south western corner of the site.

It is concluded that the roof structure of the main hall is used by individual roosting common pipistrelle bats. Levels of activity in early June were sufficiently low to allow the potential presence of a maternity roost to be ruled out. There is however a risk that individual bats may remain within the structure during the winter hibernation period should crevices with sufficiently stable temperatures be present. Roosts of this nature would be classed as being of local conservation value.

Development works will result in the following predicted impacts:

- Potential harm/disturbance to individual non-breeding common pipistrelle during demolition works.
- Loss of crevice roost sites currently used by individual non-breeding common pipistrelle bats 3218 Shiny Row Bat Survey R02\_474441
- Alterations to light levels within the site - development likely to result in a decrease in light levels as the site is currently well lit.

- Loss of poor quality foraging habitat for bats in the form of amenity grassland and hard standing.

Based on the above impact assessment, this report includes a detailed mitigation strategy which aims to minimise the risk of bats being harmed or disturbed during demolition works and seeks to ensure that the site retains the potential to be used in a similar manner in the long term post development. The strategy includes appropriate timing of works, precautionary working methods and ecological supervision where necessary. It is proposed to provide long term alternative roosting opportunities in the form of bat bricks within the new build properties.

As a bat roost has been confirmed within the site and would be destroyed as part of demolition works, a Natural England development licence will be required to allow works to proceed. Implementation of all mitigation proposals detailed within this report will form the terms of the licence.

### Drainage and Flooding

Policy EN12 is relevant to the consideration of this planning application in terms of its potential impact upon flooding and water quality.

Policy EN12 states that:

In assessing proposals for development (including changes of use), the Council, in conjunction with the Environment Agency and other interested parties, will seek to ensure that the proposal would:

- I. Not be likely to impede materially the flow of flood water, or increase the risk of flooding elsewhere, or increase the number of people or properties at risk from flooding; and
- II. Not adversely affect the quality or availability of ground or surface water, including rivers and other waters, or adversely affect fisheries or other water based wildlife habitats.

Several objections to the proposed development have been received in connection with the way in which water, both foul and surface, will drain from the site into the surrounding area

Both the Environment Agency and Northumbrian Water have been consulted regarding the proposed development. No objections have been offered from either consultee, subject to suitable conditions being imposed should members be minded to grant planning permission.

A Flood Risk and Drainage Assessment Report have been submitted by the applicant.

The development site is located in Flood Risk Zone 1. (Low Probability of Flooding)

## Existing Surface Water Run-Off

To establish the restriction which is to be placed on the proposed drainage system it is important to take into account the surface water generated by the existing site.

The existing site is considered to be Brownfield. The existing impermeable area is 2.87 hectares and the proposed indicative layout for the redevelopment has an impermeable area of 1.96 hectares. Therefore, the proposed indicative redevelopment has a net reduction of impermeable area in the region of 0.91 hectares when compared to the existing development.

The rate of discharge of surface water from the development will be no greater than the pre-developed site and will therefore not increase the risk of flooding elsewhere

Given the site is located within Flood Zone 1 there are minimal requirements on the setting of proposed floor levels. However, it is advised that where possible, floor levels of buildings are set at least 150mm above surrounding proposed ground levels. Where this cannot be achieved, ground levels should fall away from the building or if this is not possible threshold drainage must be provided. Designing in accordance with these measures will protect the interior of any buildings from any potential localized overland flow or ponding during heavy rainfall.

The gravity drains will deliver the surface water from the development areas to the existing public surface water sewer.

## Surface Water and Drainage conclusion

The proposed method is considered acceptable to deal with the surface water run off and as such is considered to comply with policy EN12 of the adopted Unitary Development Plan.

If Members are minded to grant outline planning permission it is recommended that a condition be imposed to ensure the agreed rate is adhered to, this has been recommended by

## Ground Conditions

Policy EN14 is relevant to the consideration of this planning application.

Policy EN14 of the adopted UDP states that:

Where development is proposed on land which there is a reason to believe is either:

- Unstable or potentially unstable;
- Contaminated or potentially at risk from migrating contamination;
- Potentially at risk from migrating landfill gas or mine gas;

The Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site, where the degree of instability, contamination, or gas migration would allow

development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

This planning application is accompanied by a preliminary Geotechnical and Ground Contamination Desk Top Review.

The Environment Agency and the City Council's Pollution Control Team have been consulted regarding the proposed development.

The Environment Agency has no objection to the proposed development.

The City Council's Pollution Control team has confirmed that it has no objection to the proposed development subject to the inclusion of planning conditions on any approval granted requiring submission of further geotechnical assessments, proposed remediation measures, verification report and also a condition to deal with any contamination that is uncovered unexpectedly during the construction phase of the development.

The proposed development is therefore considered to be acceptable in terms of ground conditions and in accordance with the requirements of Policy EN14 of the adopted UDP.

#### Section 106 Provision

A viability assessment is currently under consideration in respect of Section 106 contributions for affordable housing, education and off site childrens play provision. It is anticipated that the findings of this assessment will be detailed in a subsequent report to Members.

#### Conclusion

For the reasons set out above the proposed development appears to be acceptable in principle, however before a recommendation can be made on the application agreement must be reached in respect of the Section 106 contributions.

**RECOMMENDATION: Deputy Chief Executive to Report**



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**Reference No.:** 14/00768/LP4 LP4 (Regulation 4) 3rd Party Developer

**Proposal:** **Change of use from community centre to single family dwelling with associated garden area, external alterations and erection of a single storey extension to create garden room. (Amended description 04.07.2014)**

**Location:** Hetton Community Centre Summerson Street Hetton-le-Hole Houghton-le-Spring DH5 9DL

**Ward:** Hetton  
**Applicant:** Ms Angela Benkinson  
**Date Valid:** 21 May 2014  
**Target Date:** 16 July 2014

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### **PROPOSAL:**

The proposal relates to the change of use of Hetton Community Centre to a single family dwelling with associated garden areas. The change of use would include external alterations to the elevations of the building and the erection of a single storey extension to create a new garden room.

The host property has historically operated as a community centre however in 2008 The Hetton Community Association dissolved and the building has since remained vacant. The building is positioned between the southern most point of South Market Street and the northern most point of Summerson Street in a predominantly residential area of Hetton-le-Hole.

The existing building presents a predominantly bricked single storey structure of limited architectural detailing set within a wider plot of approximately 2100m<sup>2</sup>. The building is currently served by high level windows on three elevations with existing access points on the northern and western elevations. Beyond the confines of the host plot the land to the south and east currently appears to be used for grazing and forms part of a wider area of open space which also includes allotments. To the immediate east of the building is the residential terrace of Summerson Street.

The submitted plans indicate that the building is to be internally modified to provide for three bedrooms, a kitchen/dining room, a study, a store room, two W.C's, a utility room, a plant room and a large garaging area.

External modifications are to include a single extension to the western elevation in order to provide a garden room whilst new windows and doors are to be inserted on the northern and western elevations. Two large roller shutter doors are to be installed on the eastern elevation to allow for vehicular access in to the garage. The proposed curtilage of the plot is defined on the submitted site plan and this would appear to correspond with the existing curtilage that was observed during the officer site visit.

## **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Network Management  
Hetton Town Council  
Hetton - Ward Councillor Consultation  
Environmental Health  
Northumbrian Water

Final Date for Receipt of Representations: **11.08.2014**

## **REPRESENTATIONS:**

### Consultations

Neighbour representations - One letter of representation has been received to the application from the occupier of No.1 Summerson Street. Whilst no specific objections have been made and the occupier has stipulated that the change of use to a residential home is desirable, concerns have been expressed that the property and the associated land maybe used for a non residential use such as the storage of commercial/agricultural vehicles and the grazing of livestock/equine.

The latest expiry date for the public consultation period is 11 August 2014. If any additional comments are received within this timeframe they shall be reported at the sub-committee within a report for circulation.

Network Management - It is observed that the property will have a large garage to house equestrian vehicles and further clarification has been requested as to whether the property is to be used as a commercial business. It has also been noted that the western boundary of the site abuts Summerson Street which is an unmade private street. In this respect the Advanced Payment Code as detailed under S.219 of the Highways Act 1980 would apply.

Northumbrian Water - No observations or recommendations 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)  
CF\_2\_Consideration of alternative community uses when existing sites become surplus  
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 issues to consider in respect of this application are;

1. The principle of the change of use
2. Impact of development upon residential amenity
3. Impact on visual amenity and street scene
4. Parking and Traffic Implications -

1. Principle of use

The site in question lies within an area designated as open space within the adopted Unitary Development Plan. As such policy L7 and B3 are applicable in this instance.

Policy L7 aims to protect land allocated for open space or outdoor recreation. This policy dictates that planning permission for other uses on such land will only be granted if:

- (i) alternative provision, of an equivalent scale, quality and accessibility is made; or
- (ii) the development is for educational purposes; and
- (ii) there would be no significant effect on the amenity, recreational and wildlife habitat value of the site.

UDP Policy B3 goes on to state that public and private open space will be protected from development which would have a serious adverse effect on its amenity, recreational or nature conservation value and that proposals will be considered in the light of their contribution to urban regeneration and to the importance of such space to the established character of the area.

In respect of policy L7 it is noted that the proposal does not fully comply with the three criteria as laid out above. Nonetheless, other than the addition of a small scale extension it is clear that the works do not involve any substantial development rather within this area rather they relate to the re-use of a vacant building and the use of the existing land within the fenced curtilage for private garden. On this basis, it is considered that the development would have no significant effect on the amenity, recreational and wildlife habitat value of the site.

Similarly in respect of policy B3 it is not considered that the development would have a serious adverse effect on the amenity, recreational or nature conservation value of the land whilst it could conceivably be argued that the re-use of a vacant building would represent sustainable development that would contribute to the urban regeneration of the site.

In addition to the above as the building is currently allocated for a community use it is also necessary to consider the requirements of UDP Policy CF2. This policy requires such a community facility to be available for alternative

public/community uses, unless evidence can be provided to demonstrate that there is no need for such a use or that it can be suitably accommodated elsewhere. This is supported by Paragraph 70 of the National Planning Policy Framework which states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should; 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs'.

With regards to the above the City Council's Estates and Valuation Section has provided a background to the site. As has been discussed, the building has remained dormant since 2008 when the community association dissolved. In 2009 the Council offered a 3 year lease to a number of local community groups who all expressed an interest. One of the groups submitted a business plan for the building (the other 2 did not) but this interest appeared to have ended in late 2009 and this group is now currently located in Hetton Lyons Country Park.

The building thereafter has sat empty with no expressions of interest until it was advertised for sale in August 2013. (as the building was in need of substantial expenditure to bring it back into use the Council were not in a position to lease it).

The sales particulars asked for financial bids and two bids and one application to lease the building to Hetton le Hole and Hetton Town Community Action Group for community uses were received. However with regard to the community use no sustainable business plan was provided and based on the Council's community policy (surplus building policy community benefit) there is no evidence of need for an additional community facility in Hetton. There is currently a large community hub at the Hetton Centre which is operated by Hetton Town Trust and it has been opined that any additional facilities could potentially harm the sustainability of that group who offer premises to the community.

Based on the above reasoning, it is considered that the principle of converting the building to a residential dwellinghouse is acceptable without adversely impacting on the land use or the level of community provision within Hetton-le-Hole. The proposal is therefore considered to comply with policies L7, B3 and CF2 of the UDP and Para 70 of the NPPF.

## 2. Impact of development upon residential amenity

Policy B2 of the UDP requires that new development respects residential amenity and retains acceptable levels of privacy. Supplementary Planning Guidance and the 'Residential Design Guide' Supplementary Planning Document to the UDP provide spacing standards to which new residential development should adhere, in order to achieve acceptable levels of privacy and provide adequate levels of outlook. The SPG and SPD state that a distance of 21 metres should generally be maintained between main living windows of residential buildings, and 14 metres between main living windows and an elevation free of main living windows.

The closest residential properties to the host building are located to the west on Summerson Street. Spacing of between 20m and 23m exists between the host building and the front elevations of No's 3 to 6 Summerson Street whilst a 1.5m high fence currently subdivides the host plot from the adjacent private road.

For the most part this pre-existing spacing would not be curtailed as only minor fenestration changes are proposed to the western elevation with the subject windows serving a study and bedroom. It is however noted that a new garden room is also to be located on this elevation which would reduce spacing to approximately 16m to 17m in front of No's 3 and 4 respectively. Whilst this is below the 21m recommended above, this in effect a relatively small scale extension to the building and it is acknowledged that many small scale extensions to properties will generally impinge on spacing standards to some degree. The vast majority of the main building does adhere to these standards and it is further noted that the established spacing within the area is well below the 21m guideline. (Spacing between the front elevations on South Market Street is just 11m)

On the basis of the above, it is not considered that the proposed works to the building would have any significant demonstrable harm to the opposing occupiers on Summerson Street in terms of loss of outlook, loss of privacy or a loss of day/sunlight. Notwithstanding the above, subject to permission being granted it is considered prudent to remove permitted development rights for future residential extensions to the property, given the proximity of the properties on Summerson Street.

To the north of the building spacing of approximately 18m is retained between the side gable wall of the new build dwelling(s) constructed on the site of the former band hall. There are no primary windows located within the side gable of this property therefore no direct overlooking or loss of privacy would occur from the introduction of the new windows proposed on the northern elevation of the host building.

One representation has been received from a nearby resident based on the future use of the premises and concerns have been raised that the occupier would be running a business from the property given the size of the garaging area and the fact that sheep are currently grazing within areas around the plot. The agent has clarified that the property is to be used as a single family dwelling and on the basis of the plans submitted, there are no significant grounds to consider that the applicant is proposing to utilise the property for anything other than a residential dwelling.

Clearly were this is found not to be the case in the future, then additional considerations would need to be given to the extent of the operations that were being carried out from within the site. The basis of whether a material change of use of land or building had occurred would very much depend on fact and degree. For instance the mere garaging of a small number of equestrian vehicles is likely to be simply ancillary to the main residential use of the property as indeed would be the grazing of horses or sheep on the proviso that they were not being grazed in connection with a business operated on the land.

In view of the above, it is considered that the proposed development would not significantly impinge on the living conditions of nearby occupiers therefore the proposal accords with policy B2 of the UDP.

### 3. Impact on visual amenity and streetscene

In its current form the building and the surrounding grounds are rather unkempt whilst the building itself is of limited aesthetic value. Whilst the proposed roller

shutter doors required to accommodate vehicular access to the garage are large, they are to be positioned on a non prominent elevation of the building and would thus be of little evidence within the fronting street scene. Some additional areas of hardstanding are proposed on the western elevation around the new garden room and around the eastern corner adjacent to the garage access. This aside, the application indicates that the majority of the existing grassed areas and hardstanding areas are to remain. One discrepancy has been observed on the existing and proposed site plans in relation to the southern boundary fence. These plans show a 9m distance between the gable of the existing building and the fence line rather than the approximate 4m distance which is currently evident. The agent has acknowledged this oversight and a revised plan is to be submitted to regularise this matter.

On the whole it is considered that the proposed fenestration alterations and the general works required to upgrade the building and land for residential use can only enhance its visual appearance within the context of the area. In this respect the proposal is considered to accord with the provisions of UDP policy B2.

#### 4. Parking and Traffic Implications

Policy T14 of the UDP 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

The proposed plans adequately demonstrate that the site has ample areas of hardstanding and would provide an extremely large garaging area for vehicles. In this respect, the proposal can quite easily provide accessible parking within the curtilage of the site and therefore complies with policies T14 and T22.

#### Conclusion

For the reasons provided in this report it is considered that the scheme is acceptable in principle and does not have any significant adverse impact on visual or residential amenity whilst providing adequate in-curtilage parking. The proposal therefore complies with policies L7, B3, CF2, B2, T14 and T22 of the UDP.

However, as noted above the period for the receipt of representations has not yet expired. Details of any representations received ahead of the Committee meeting, together with a recommended decision and suggested condition, will be provided on a brief report to be circulated prior to the meeting.

**RECOMMENDATION: Deputy Chief Executive to Report**

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**Reference No.:** 14/01256/FUL Full Application

**Proposal:** **Change of use from industrial unit to ambulance training facility, to include installation of 3 no. windows to North elevation.**

**Location:** Units 1-3 The HG Building Mercantile Road Rainton Bridge Industrial Estate Houghton-le-Spring DH4 5PH

**Ward:** Hetton

**Applicant:** The Newcastle Upon Tyne Hospitals NHS

**Date Valid:** 30 June 2014

**Target Date:** 25 August 2014

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### **PROPOSAL:**

The property to which the application relates is the HG Building, a recently constructed industrial unit, located on Mercantile Road within Rainton Bridge Industrial Estate. Members may recall that planning permission was granted for the erection of the building at a meeting of the Sub-Committee on 1 August 2006.

The building has been erected and is now partially occupied by Herrington Gate Furniture and as part of the approved plan, the building was shown as subdivided into two areas, one being marked as the production area for the furniture company, the other being approved for use within Use Class B2 (General Industry) of the Town and Country Planning (Use Classes) Order. At the time of a site visit on 7 July 2014, this part of the unit, totalling 876 square metres in floor area and the associated car parking provision to the front remained unoccupied.

Planning permission is now sought for the change of use of the unoccupied part of the building to an ambulance training facility. The proposal also includes the insertion of three new windows to the north elevation of the building. The nature of the proposed use of the building is as follows:

The site is designed to support a new service to be known as NECTAR (North-East Children's Transport and Retrieval) which is to house medical teams specialising in children's care. The training facilities provided in the building include a stabilisation lab, ambulance simulator and also facilities to offer training to local hospital staff in resuscitation and stabilisation of patients. The applicant has advised that the maximum number of people who would be on site at any one time to receive training would be 40, although occasions when this number is reached would be limited to approximately once a year.

In addition, the building would be used as the operational base of the NECTAR service. The aim of the service is that children requiring specialist care would be collected by this ambulances belonging to this service and taken to the nearest available hospital bed. No patients would be taken to the application premises. The on site staff would comprise ambulance drivers, consultants and senior nurses. The call centre for the service would also be located in the building. The service would cover a relatively large area from Berwick in the north to Whitehaven in the west and Teesside in the south. Primarily, the children

referred by the service would be treated at The James Cook Hospital in Middlesbrough and The RVI and Freeman Hospitals in Newcastle. Children would be taken to the nearest available hospital bed.

The submitted information indicates that the area of forecourt and car park, totalling 17 spaces, to the front of the presently vacant accommodation would be available to the proposed facility. The internal layout of the building would be such that ambulances could park inside, whilst entrances, training rooms, conference rooms, simulator rooms, locker and shower rooms, workshops and storage would be proposed at ground floor level. A larger open plan office area, individual offices and W.C. accommodation would be incorporated at first floor level.

The three new windows to be installed into the north elevation of the building are by way of steel frames with aluminium windows and timber feature panels incorporated.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Network Management  
Hetton - Ward Councillor Consultation  
Hetton Town Council

Final Date for Receipt of Representations: **23.07.2014**

#### **REPRESENTATIONS:**

##### Neighbours

No representations have been received.

##### Consultees

The Network Management Team has been consulted in respect of highway safety and car parking issues and has raised no observations or recommendations.

The Business Investment Team has confirmed that an adjacent unit has been used as a fire station for many years without causing any operational issues for other tenants of the industrial estate. Additionally, the property has been on the market for quite some time at a reasonable rent and whilst there have been expressions of interest, these have failed to proceed. There are not therefore considered to be any business investment issues with the proposal.

#### **POLICIES:**

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



B\_2\_Scale, massing layout and setting of new developments  
EC\_4\_Retention and improvement of existing business and industrial land  
HA\_1\_Retention and improvement of established industrial / business areas  
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 consider in determining this proposal are:

1. Principle of the development.
2. Amenity Issues.
3. Access and highway issues

### 1. Principle of the development

Policies EC4 and HA1.5 of the adopted Unitary Development Plan (UDP) identify the area in which the application site is located as an established industrial estate, in this case Rainton Bridge North which extends to 19.73 Hectares. The UDP identifies the primary allocated uses of the estate as being for offices, research & development, light and general industry, warehouses and storage (Uses falling within Use Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order which should be retained and improved. Applications for other uses will be considered on their individual merits.

In considering the acceptability of the development in principle, it is noted that the nature of the proposed use of the building is not one of those which is identified as the primary desired uses on the industrial estate. Therefore, consideration of the proposal's individual merits is required.

Considering the nature of the proposal, in that it includes elements of office work with associated training, as well as the operation of the ambulances themselves from the building, it is considered likely that it will be best suited to an industrial environment. Alternative locations, for instance in close proximity to residential properties would not be desirable for a use such as this, whilst the proposal is not dissimilar to that of the fire station which stands adjacent. In addition, the comments of the Economic Development Team that the premises to which the application relates have been on the market for a number of years now, aimed at attracting an industrial tenant without success and that the proposal would not likely compromise operational needs of other tenants of the industrial estate should be considered insofar as the proposal would bring the building in to beneficial use.

The National Planning Policy Framework (NPPF) requires planning to support sustainable economic growth. It aims to promote healthy communities by ensuring an integrated approach to considering the location of housing, economic uses and community facilities and services. The proposed use of the unit in this location is considered to meet the NPPF criteria because it is located within an area which would allow easy access to the major road network by way of its proximity to the A690 and thus the A19 and A1(M) and would allow ambulances dispatched from the unit to reach patients as quickly as possible.

For the reasons set out above, it is considered that the proposal is acceptable in principle with due regard to relevant local and national planning policy.

## 2. Amenity Issues

Policy B2 of the Unitary Development Plan which dictates that the scale, massing, layout or setting of new developments should respect and enhance the best qualities of nearby properties and the locality and should relate harmoniously to adjoining areas.

In considering the impact of the proposals in this regard, it should be noted that physical alterations to the building are limited to the three new windows proposed to be inserted into the north elevation. These windows are designed so as to reflect the appearance of the existing building and the application suggests that the windows would comprise materials which match those used in the construction of the existing building.

As such, the impact of the proposal upon visual amenity is considered to be acceptable, subject to the imposition of a condition requiring the use of appropriate construction materials. In respect of residential amenity, the site stands within an industrial estate and the nearest dwellings are approximately 350 metres away in the Dairy Lane Estate to the north and approximately 500 metres away in Redburn Row and Thurlow Way to the west and east respectively. These distances are considered to be sufficient in order that the amenities of nearby residents are not unacceptably compromised as a result of the proposal.

For the reasons set out above, the proposal is considered to accord satisfactorily with UDP policy B2 in that it would not impact unacceptably upon visual or residential amenity.

## 3. Access and 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. In addition, policy T22 seeks to ensure that the necessary levels of car parking provision will be provided.

In this regard, the Network Management has been consulted in respect of highway safety and car parking issues and has raised no observations or recommendations. The proposal allows for the provision of 17 on site parking spaces and based on the submitted plans also makes provision for an indoor ambulance parking area.

For the reasons set out above, the proposed change of use of part of the building is considered to accord satisfactorily with policies T14 and T22 as set out above. The proposal is therefore considered to be acceptable in terms of its impact on the highway network.

## Conclusion

In light of the above, the development is considered to be acceptable in terms of its principle, layout and impact on the highway network.

Members are recommended to approve the application subject to the conditions set out below.

**RECOMMENDATION: Approve**

**Conditions:**

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 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 Location Plan - Drawing Number 101, received 10 June 2014;  
The Site Plan - Drawing Number 102, received 28 May 2014;  
The Existing Plans - Drawing Number 105.01, received 28 May 2014 and  
The Proposed Plans and Elevations - Drawing Number 105.02, received 28 May 2014.

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.

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**Reference No.:** 14/01575/LP4 LP4 (Regulation 4) 3rd Party Developer

**Proposal:** **Creation of new pedestrian access from the B1284 into the Rainton House. comprising of a new 2-way access control turnstile cut into the existing security fence, with a 1.5 metre wide bitmac surfaced footway.**

**Location:** N Power Rainton House Cygnet Way Rainton Bridge South Houghton-le-Spring DH4 5QZ

**Ward:** Hetton

**Applicant:** Npower Northern Limited

**Date Valid:** 4 July 2014

**Target Date:** 29 August 2014

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#### **PROPOSAL:**

Planning permission is sought to provide a single 2-way pedestrian turnstile within the northeast boundary of the site to provide access for employees. The proposed turnstile measures 1410mm in width and has an overall height of 2225mm and would be mounted on a 200mm thick concrete plinth. A bitmac surface would be provided to afford access through the turnstile and an area of approximately 3m of hedging would be removed to accommodate the proposal.

It is set out in the applicant's supporting statement that the turnstile would provide a more direct route for employees using a nearby off-site car park to the northeast which provides overspill parking on a short-term basis to cater for a projected increase in staff numbers by the end of 2014. It is anticipated that, with the transfer of staff to other offices and the promotion of agile working, the parking requirements associated with the site will be reduced in future. As such time that the turnstile is no longer required, the existing fence, verge and hedging would be reinstated to its current form.

The site to which the application relates comprises a series of modern office buildings situated within Rainton Bridge South, an allocated employment area. Substantial in-curtilage car parking is afforded from the northwest to the east, which is accessed from the west via a roundabout, and grassed verge and footway run along the west and north boundaries of the wider site.

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

Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Hetton - Ward Councillor Consultation

Final Date for Receipt of Representations: **06.08.2014**

### **REPRESENTATIONS:**

The Council's Network Management section has raised no objection but recommended that a condition be imposed, should Members be minded to grant consent, requiring the turnstile to be removed and fence reinstated once off site parking is no longer required, to avoid drop off / pick up along the highway within the vicinity of the turnstile. It is also noted that the applicant has engaged with the Council's Network Operations section in respect of works to the highway under the Highways Act.

No representations have been received from neighbouring occupants.

### **POLICIES:**

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

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

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

### **COMMENTS:**

The main issues to consider in assessing the proposed development are:

1. The impact of the proposal on visual amenity and
2. Highway implications.

#### 1. Visual Amenity

One of the core principles of the National Planning Policy Framework (NPPF), as set out by paragraph 17, is that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'.

Policy B2 of the UDP requires that the scale, massing and layout of new development should respect and enhance the best qualities of nearby properties and the locality.

The design and materials of the proposed turnstile are considered to be acceptable within its industrial/employment setting. It is noted that the turnstile would protrude approximately 700mm higher than the boundary fencing to which it would be attached and would result in the loss of areas of hedging and grassed verge. However, these are required for the proper function of the turnstile and such loss of hedging and verge is considered to be limited, particularly given the wider context of the employment area, and these would be reinstated when the turnstile is no longer required. In addition, the turnstile would be coloured to match the fencing to which it would be attached, which is considered to be appropriate in respect of minimising any visual impact.

## 2. Highway Implications

Policy T14 of the UDP requires proposals for new development to be readily accessible by pedestrians, cyclists and users of public transport and indicate that development should not cause traffic congestion or highways safety problems on existing roads.

As set out earlier in this report, the proposal would facilitate a shorter means of access for employees using the nearby off site car park, which is a temporary measure due to a recent influx in staff numbers. The nearest existing pedestrian access in the northeast boundary is in excess of 200m from that currently proposed, so the proposal would significantly shorten walking distances between the host building and the off site car park. Whilst the proposal may lead to additional pick ups and drop offs along the highway, given the relatively close vicinity of the off site car park it is not considered, upon consultation with the Council's Network Management section, that this would be excessive and, should Members be minded to grant consent, it is recommended that a condition be imposed requiring the turnstile to be removed and the site returned to its current state at such time that the off site car park is no longer used.

### Conclusion

For the reasons given above, it is not considered that the proposal would be detrimental to visual amenity, highway safety or the free passage of traffic, in accordance with policies B2 and T14 of the UDP. It is therefore recommended that Members grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended).

### **RECOMMENDATION: GRANT PP under Regulation 4**

#### **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 PF4000FH3S Revision 1: Proposed turnstile details received 31.07.2014

Proposed elevation of turnstile and fencing received 31.07.2014

Drawing number MAP/RAIN/014/A: Location plan received 04.07.2014

Drawing number MAP/RAIN/015/A: Aerial photograph received 07.07.2014

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 any indication of materials which may have been given in the application, the frame of the turnstile hereby approved shall be finished to match the colour of the fencing to which it would adjoining, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.
- 4 The turnstile hereby approved shall be removed within three months of the point when the off-site car park identified 'B' on drawing number MAP/RAIN/015/A is no longer utilised by the occupant(s) of Rainton House and the fence, verge and hedging shall be reinstated to its current form, in the interest of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.