

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/

Janet Johnson
Deputy Chief Executive

1.

South
Sunderland

Reference No.: 14/00398/VAR Variation of Condition

Proposal: **Variation of condition 11 (opening hours) of planning application 08/03881/FUL to extend stores trading hours Monday to Saturday to 9pm.**

Location: LiDL Durham Road Sunderland SR3 4DF

Ward: Barnes
Applicant: Lidl UK GmbH
Date Valid: 21 February 2014
Target Date: 23 May 2014

PROPOSAL:

Consent is sought under Section 73 of the Town and County Planning Act 1990 to vary condition 11 of planning permission ref. 08/03881/FUL, which approved the erection of a retail food store (Lidl) with associated car parking and landscaping at the site of the former Prospect Hotel, Durham Road.

The condition in question reads as follows:

'The premises shall only be operated for the purposes hereby approved between the hours of 08:00 and 20:00 Monday to Saturday and 10:00 and 16:00 Sundays, in order to protect the amenities of the area and to comply with policy EN5 of the UDP'.

The current application proposes an extension in the allowed operating hours by 1 hour to 08:00 - 21:00 Monday to Saturday.

The application has been advertised accordingly by way of site and press notices and neighbour notification letters.

TYPE OF PUBLICITY:

Press Notice
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Barnes - Ward Councillor Consultation

Network Management
Environmental Health
Nexus

Final Date for Receipt of Representations: **01.04.2014**

REPRESENTATIONS:

Third Party Consultation

Further to the publication of the application by way of letters to neighbouring properties and site and press notices, no representation has been made to the application at this stage.

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

EN_6_Limit exposure of new noise/vibration sensitive developments to existing sources

COMMENTS:

The main issues to consider in assessing this application are the impact of the proposed extended operating hours on residential amenity and the local highway network. Both issues are currently being considered and it is anticipated that a subsequent report will be presented to Members in advance of the meeting.

RECOMMENDATION: Deputy Chief Executive to Report