

**Development Control
(Sunderland South and City Centre) Sub-Committee**

SUPPLEMENT

1 February 2011

Item Number:	S1
Application Number:	10/03699/FUL
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 Limited
Date Valid:	23 December 2010
Target Date:	24 March 2011

As set out in the main agenda report the final date for the receipt of representation is not until 4 February.

Following the preparation of the main agenda further consideration has been given to the following issues:-

- 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 provided the following comments.

Level Difference – Additional information, namely plans indicating

- 'Camberwell Way – Retained Land for Highway Improvements',
- 'Retained Council Land Filled Level',
- 'Proposed Site Layout – Construction' and
- 'Proposed Highway Improvement – Doxford'

were submitted in response to the above level issues. The information contained on the above named plans illustrates the detailed proposals for the development site along with the filling of the Council owned land ahead of any future highway improvement works (something which was apparently agreed with the Council's

Property Services at the outset of the site purchase discussions).

Access Barrier – It is the end users (Cloverleaf) policy to use smaller local and regional suppliers with the usual maximum vehicle gross weight of 12 tonnes and measuring 7.5m in length by 3.5m in height. The waste recycling collections will be undertaken by various vehicles, the largest for the collection of trade waste having a gross vehicle weight (full) of 32 tonnes and measuring 10.36m in length, 2.5m in width and 4.5m in height. The arrival and departure times of these vehicles are proposed to be carefully co-ordinated and managed to ensure that this approach corresponds to a time when peak business traffic has dissipated and the barrier is in an open position i.e. after 9:30am. This will obviate the need to set back the barrier as far back into the site as has been suggested, which is critical to the end user both in terms of overall car parking layout and obtaining the ACPO ‘Secured by Design’ accreditation.

Footpath and Frontage to Camberwell Way – The footpath to Camberwell Way is designed as a pedestrian link for local business and other users as well as acting as a Fire Exit route in the event of an emergency evacuation. Camberwell Way currently has double yellow lines on the south western side of the road which prohibit vehicles from stopping or permanently parking there. Therefore any temporary obstruction is highly unlikely. The car park has been designed to facilitate the flow of vehicles dropping off and picking up patrons.

Wall Details – Additional information was provided on drawing ‘Terrace Wall Details’.

Cycle Storage – The proposed cycle storage comprises of 8 open Sheffield style hoops for potential customers together with covered storage located in the secure service area for 12 staff cycles.

Electric Vehicle Provision – This is not something that has been budgeted for, however the agent has confirmed that the end user would be happy to support the development of electric vehicle infrastructure where this is practically possible and safe to do so.

Following consideration of the above, the points made in respect of the patio wall detail, cycle storage and electric vehicle provision are accepted. However, the previous comments made in respect of level differences, the proposed access barrier and the footpath and frontage to Camberwell Way remain applicable and the agent was advised accordingly of the need to (1) provide further information as to the intended infill, level and grass seeding of the identified areas. The information submitted to date is considered to be ambiguous due to the lack of levels in the vicinity of the existing embankment. (2) Whilst the intended use of the barrier is understood the previous comments made in respect of the need to set back the barrier within the site remain applicable and must be adhered to in order to achieve an acceptable form of development. (3) The recommendation

made to extend the guardrail beyond the proposed footpath remains applicable and should be indicated on the proposed drawings. Should the applicant wish, then the pedestrian guardrail may be installed by the Local Highway Authority at their expense.

With regard to the above, negotiations are still taking place and it is anticipated that a resolution to the situation will be detailed on a report to be circulated at the meeting.

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)

Details of the proposed ventilation system for the restaurant have been submitted (plan ref: 0917/11) as part of the planning application and are currently under consideration. Further consideration is also being given to the ground conditions and whether or not there is any requirement for ground investigations to be carried out. It is anticipated that further consideration of these matters will be detailed on a report to be circulated at the meeting.

Highways Agency.

No objection to the proposed development.

REPRESENTATIONS

As stated above the final date for the receipt of representation is not until 4 February, which is after the Committee meeting. Therefore it is anticipated that should any additional representation be received during the intervening period (1-

4 February) then the report will be reported back to the first available Committee.

To date no third party representation has been received.

CONCLUSION

In light of the above, whilst the proposal is considered to be acceptable in land use policy there remains outstanding urban design and highways issues that require further discussion and consideration. Therefore it is anticipated that a recommendation will be made on a report to be circulated at the meeting.