ENVIRONMENTAL AND PLANNING REVIEW COMMITTEE 16TH JUNE 2008

SUNNISIDE PLANNING AND DESIGN FRAMEWORK

Report of the Director of Development and Regeneration

1.0 Why has the report come to the Committee?

1.1 To advise Environmental and Planning Review Committee of the responses received following consultation on the proposed policies and proposals outlined in the Sunniside Planning and Design Framework (SPDF) Consultation Draft and to seek Committee's comments on the revised SPDF.

1.2 The Committee's comments will be reported to Cabinet at its meeting on the 9th July 2008 when approval will be sought to a recommendation to Council that the amended Sunniside Planning and Design Framework be adopted as a Supplementary Planning Document.

2.0 Background

2.1 At its meeting in January 2003, Cabinet approved the revisions to the Policy Framework for Central Sunderland and the placing of the proposed amendments to the Unitary Development Plan (UDP) on statutory first deposit. The Public Local Inquiry into UDP Alteration No2 was held between July and August 2006. The Inspector's report was received earlier this year in light of which UDP Alteration No2 was appropriately amended and adopted by the City Council in September 2007.

2.2 Alteration No2 establishes a firm policy basis for guiding and controlling development in Central Sunderland, however to be fully effective in securing the regeneration and comprehensive redevelopment of Sunniside it needs to be complemented by a Supplementary Planning Document (SPD) which gives detailed planning guidance.

2.3 The UDP identifies Sunniside as a Strategic Area of Change where the Council will encourage the continuing development of the area as a lively, mixed use urban quarter with a high quality physical environment. Development proposals are expected to form part of a comprehensive master plan for the whole development site.

2.4 The Sunniside Regeneration Strategy, March 2006, sets out a long-term vision for the Sunniside area, which seeks to deliver the strategic objectives of the Sunniside Partnership, which are:

- Diversification of land uses
- Securing appropriate development
- Improving the public realm and environment
- Improving access and car parking
- Accelerating business development
- Raising awareness and interest

2.5 The Sunniside Planning Framework (SPF) was adopted as interim planning policy by the Council in March 2006. This document identified specific objectives for the area that set the context for delivering a framework for change and that delivers the partners' vision for the regeneration of Sunniside as a vibrant, mixed use urban quarter that residents will be proud of and that will attract visitors.

3.0 East Sunniside Masterplan

3.1 There has been a significant and increasing level of interest and activity in Sunniside, evidenced by investment by existing and new businesses, new housing developments, the award winning Sunniside Gardens and the development of thePlace business and arts centre which was recently opened. The refurbishment for residential use of a number of significant historic buildings led by Gentoo celebrates the area's historic identity. Much of this activity has, however, focused on the historic core of West Sunniside. It is apparent that the private sector has not so far invested significantly in the eastern part of the Sunniside regeneration area. There have been an increasing number of speculative development proposals, mainly for apartments. These developments do not form part of a coherent development strategy that will bring about the long-term, sustainable regeneration of the area.

3.2 In response to this and to ensure the co-ordinated future development of the eastern Sunniside area, Sunniside Partnership commissioned Elder and Cannon Architects, working with Turley Associates to provide planning input, and Knight Frank to provide commercial input, to prepare a master plan for the eastern part of Sunniside. The master plan establishes a high quality planning and development framework for three key areas in east Sunniside. Elder and Cannon completed the draft East Sunniside spatial masterplan and presented it to the Sunniside Partnership Board in October 2007. This masterplan has led into a review of the existing Sunniside Planning Framework and it is proposed that the revised SPF, to be known as the Sunniside Planning and Design Framework, be taken forward as a Supplementary Planning Document in support of Policy EC10A in the adopted UDP Alteration No2.

3.3 This revised framework will strengthen the Council's ability to ensure that individual developments are not considered in isolation and will ensure a co-ordinated approach to regeneration and redevelopment in the area. The masterplan has been developed in accordance with national, regional and local planning policies including:

- Planning Policy Statement 3 (Housing)
- Planning Policy Statement 6 (Planning for Town Centres)
- Planning Policy Statement 12 (Local Development Frameworks)
- Planing Policy Guidance 15 (Planning and the Historic Environment)
- The emerging Regional Spatial Strategy
- Sunderland Unitary Development Plan Alteration No. 2
- Sunderland Strategy (currently under review)
- The emerging Central Area Design Strategy (Draft SPD).

The masterplan and framework is also underpinned by guidance contained in 'By Design – Urban Design in the Planning System:Towards Better Practice' (DETR and CABE).

3.4 At its meeting on 16th January 2008 Cabinet considered a report by the Director of Development and Regeneration and approved the revised Sunniside Planning and Design Framework, incorporating the East Sunniside Masterplan, as a Draft Supplementary Planning Document for the purposes of public consultation.

4.0 Consultations on the Draft Sunniside Planning Framework

4.1 In order to facilitate the adoption of the Sunniside Planning and Design Framework and to ensure compliance with all relevant planning policies, the SPD was the subject of a formal five-week consultation process with statutory consultees, stakeholders, and the broader community. Copies of the Draft Sunniside Planning and Design Framework were placed in the City Library, Sunniside Partnership offices (176 High Street West) and the Civic Centre. In addition public exhibitions were held at the Partnership Offices and the Civic Centre. The exhibitions ran for 5 weeks from Monday 11th February to Thursday 20th March 2008. An informal drop in session was held during the evening on Wednesday 19th March during which staff from the Council's Planning Implementation Team and Sunniside Partnership were available to answer any questions. A total of 9 people attended the drop in session. Leaflets and comment forms were provided at all the display points to allow members of the public to express their views.

4.2 Copies of the Draft Planning and Design Framework were also sent to statutory consultees, community groups, estate agents and private planning consultants. A copy of the executive summary was sent to all residents and businesses within the study area alongside the Sunniside Up newsletter, which also rang an article about the consultation. A press release was made in the Sunderland Echo to advertise the consultation. Annex 1 contains a schedule of the key stakeholders consulted.

Summary of Consultation Responses

4.3 A total of 16 written responses were received; 7 from statutory consultees and 9 from non-statutory consultees. The majority of responses were broadly in support of the planning and design framework suggesting that the document achieved a good balance between strategic vision and more detailed guidance.

4.4 A summary of the main comments received and the Council's response to them is set out below. These comments have been grouped together under a series of subject headings. Annex 2 contains all comments received together with the Council's proposed response to them and an indication of any changes required to the document where considered appropriate.

SPD / AAP

4.5 There were two objections with regard to the intention to take forward the document as a Supplementary Planning Document rather than an Area Action Plan (AAP). The Home Builders Federation suggested that the document should be subject to an examination in public rather than introduced as an SPD. The Attey Group also stated that the document should be brought forward as an Area Action Plan so that it could be considered by an independent Planning Inspector at an Inquiry.

4.6 Proposed response: the Local Development Scheme identifies the Sunniside Planning Framework as a proposed SPD. Policy SA55B.1 of the UDP Alteration No. 2 identifies the Sunniside site as a strategic location for change. These areas are more generally dealt with in policy EC5B, which sets out in broad terms the uses that will be acceptable and unacceptable within these areas. It also states that,

"Development Proposals should comprise or form part of a comprehensive master plan for the whole development site, to be agreed with the City Council, having regard to the UDP Supplementary Planning Guidance.

For each site, the City Council will prepare a broad framework document setting out key principals to be reflected in each comprehensive masterplan"

4.7 Policy SA55B.1 focuses on the Sunniside area and sets out the uses that should remain predominant as well as additional uses that will be acceptable. It encourages a greater concentration of living opportunities associated with mixed use development and cross refers to Policy SA74A (Evening Economy Development) as well as the Sunniside Development Framework Supplementary Planning Document. The text that accompanies policy SA55B.1 states that

"Until the Sunniside Development Framework Supplementary Planning Document is adopted by the City Council, the interim draft Sunniside Planning Framework will be a material consideration in the determination of planning applications in the Sunniside area."

4.8 It is therefore clear that the Sunniside Planning and Design Framework has been prepared to supplement and expand upon the policies set out in the UDP Alteration No.2. The SPD itself incorporates the East Sunniside Masterplan, which contains detailed design guidance for new development, as well as determining the distribution of activities/uses that will be allowed within this area. The aim of the Masterplan is to set out a high quality comprehensive regeneration framework that will help to provide certainty in the development process and attract private sector investment. It is entirely appropriate for the Council to bring forward a planning guidance document for the Sunniside area.

4.9 The SPD has been prepared in accordance with national guidance as contained within Planning Policy Statement 12: Local Development Frameworks and follows the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004

4.10 'A Companion Guide to PPS12' sets out guidance for Local Authorities when preparing SPDs. This states that an SPD can be used to expand policy or provide further detail to policies in development plan documents. The guidance provides pointers for preparing SPDs in particular reference is made to a 'fit for purpose approach and states that SPDs can cover diverse issues in different formats such as design guides, practice advice notes and masterplans. They must be consistent with national planning policy and in general conformity with the regional planning policy.

4.11 The draft SPDF document directly conforms with UDP Alteration No2 in particular Policy EC10A and SA55B.1 and is consistent with national planning guidance and in conformity with regional planning policy (see comments from the North East Assembly). The site was identified as a Strategic Location for Change in policies SA55B.1 and EC5B of UDP Alteration No.2. These policies allocate the site for mixed use redevelopment and provide details of acceptable and unacceptable uses. They also pave the way for further detailed guidance in the form of an appropriate SPD and masterplan. The proposed SPD does not seek to allocate uses for the area, but merely confirms the Council's desire as to how the existing allocation policies should be delivered.

Level of Detail

4.12 The Home Builders Federation and the Attey Group, representing property owners within the North East Sector expressed concerns regarding the level of detail within the SPDF suggesting it is an overly prescriptive document.

4.13 Proposed response: the SPDF provides a similar level of detail with regard to design issues as the previous Planning Framework Document. The SPDF does not intend to stifle creativity rather it seeks to encourage design quality as set out in PPS1. In order to deliver the vision of the Masterplan guidelines have been provided to help facilitate the physical development of East Sunniside. The guidelines are intended to provide a consistent threshold across the large scale of development envisaged.

Compulsory Purchase Order (CPO)

4.14 The Attey Group objected to the masterplan suggesting it would unfairly prejudice landowners and will result in a scheme that will require CPO before it can be implemented. They also suggested that any future CPO would not satisfy the test set out in Circular 06/2004 for CPO's. GL Hearn (God TV) also suggest further clarification in respect of whether the Council would use CPO powers.

4.15 Proposed response: The detailed nature of the Masterplan is intended to facilitate the strategic redevelopment of the area as well as helping to provide certainty to encourage private sector investment. This will underpin the regeneration of the area and will help to generate confidence. The proposed regeneration may well involve CPO, as envisaged in the implementation section of the proposed SPD, but it is premature to consider whether a CPO would be needed. The proposed SPD makes it clear that no decision has

been made in relation to CPO and there will clearly be an opportunity to test the case for CPO at a public inquiry if one is promoted by the City Council.

Crown House

4.16 GL Hearn (on behalf of God TV) made representations regarding various issues including the difficulty of achieving 'Life Homes' standards with conversion of existing properties, the height of any block that would replace Crown House and the description of the existing building.

4.17 Proposed response: the SPDF has been amended to give further clarification in relation to the standards that new housing will be required to meet including the conversion of existing properties and further detail provided in relation to acceptable building heights should Crown House be redeveloped.

Supporting Comments

4.18 The North East Assembly and One North East were in support of the Planning and Design Framework suggesting that the document is in clear conformity with the Regional Spatial Strategy (RSS) and that it is an integral document in realising the vision for Sunniside and its overriding objectives. The North East Chamber of Commerce also expressed support for the document and the attempts to give direction to development in the area.

5.0 Amendments to the Draft Sunniside Planning Framework

5.1 In light of the submitted comments received and following a period of analysis the Planning and Design Framework has been amended. Annex 2 outlines the key changes that have been made. Copies of the revised Planning Framework are available in the Member's library.

6.0 Reason for Decision

6.1 The reason for the decision is to facilitate the regeneration of the Sunniside area of central Sunderland in accordance with a planning and design framework that reflects the City's planning policies and aspirations for the area as well as current best practice in masterplanning.

7.0 Alternative Options

7.1 The Council could choose not to adopt the amended Planning and Design Framework as a SPD. The consequences of this would be an uncoordinated approach to future development, particularly in the eastern part of the area, which would result in a lost opportunity to create a comprehensively planned, attractive, sustainable, high quality environment. The opportunity to focus and maximise the benefit of public sector funding towards the regeneration of Sunniside would be missed. Failure to adopt the Framework will also weaken the Council's ability to discharge its responsibilities in respect of the control of development in Sunniside.

8.0 Other Relevant Considerations

8.1 The Sunniside Planning and Design Framework has been prepared in accordance with the relevant Planning Regulations. If adopted as a Supplementary Planning Document, the Planning and Design Framework will be a material consideration in determining planning applications in Sunniside.

9.0 Background Papers

- UDP Alteration No 2. Central Sunderland
- Unitary Development Plan (UDP)
- Interim Strategy for Housing Land (ISHL)
- Planning Policy Statement 1 – Delivering Sustainable Development (PPS1)
- Planning Policy Statement 3 – Housing (PPS3)
- Planning Policy Statement 6 – Planning for Town Centres
- Planning Policy Statement 12 – Local Development Framework (PPS12)
- Planning Policy Guidance 15 – Planning and the HistoricEnvironment
- By Design – Urban Design in the Planning System (DTLR)
- 'Creating Local Development Frameworks' – A Companion guide to PPS12

ANNEX 1 – SCHEDULE OF KEY STAKEHOLDERS CONSULTED

Internal Consultations

Environment, Development and Transport Portfolio Holder
Ward Members
Planning and Highways Committee
Development Control Sub-Committee
Director of Community & Cultural Services
Director of Education
Director of Social Services

External Consultations

Alexandra Design
Anchor Trust
Anglian Home Improvements
Anthony Stiff Associates
Anthony Watson Architects
B3 Burgess Ltd
Barton Willmore Partnership
Berwin Leighton
Bill Hopper Design Ltd
British Gas (Transco)
Browne, Smith, Baker
Budget Windows
Building Design Partnership
Building Surveying and Design Partnership
Burgess Dent Partnership Ltd
Burns Architects
Calmont
Cecil M Yuill Ltd
Chadwick and Partners
Chester-le-Street Council
Christopher Brummit
City Hospitals Sunderland NHS Foundation Trust
City of Durham Council
City of Newcastle upon Tyne Council
Commission for Architecture and the Built Environment
Coulson, Swinburne & Moses
Crusader
CTP
David Lock Associates
De Pol Associates
Design Services
Dixon Dawson Chartered Architects
Durham County Council
Easington District Council
Elder and Cannon
Elder Lester Garland McGregor
England and Lyle

English Heritage
English Partnerships
Enterprise 5's Housing Association
Environment Agency
Façade Design
Fairhursts
Faulkner Brown
Fitz Architects
Fluid Designs
G Craig Architectural Services
G L Hearn
Gateshead MBC
Gentoo Group Ltd
Government Office for the North East
Gray Fawdon & Riddle
GVA Lamb Edge
GWK Architects
Highways Agency
Home Housing Association
House Builders Federation
Housing 21
Housing Corporation
Howarth Litchfield Partnership
I.J Bell & B. Wilkinson
Ian Darby Partnerships
Ian M Cook
JDDK Ltd
JM Architects
John Potts Ltd
Leybounre Associates Ltd
Life Homes
M.W.E Architects
Mackella Architects
Mario Minchella Architects
Miss M.R.M Ambelez
Montagu Evans
Mr M Graham
Mr P Wilson
Mr W Heads
Ms Ann Mulroy
N Power
Napper Architects
Nathaniel Lichfield & Partners
Natural England
NEDL
Network Rail
North British Housing Association
North East Assembly
North East Chamber of Commerce
North East Housing Board
North Tyneside MBC
Northern Architecture

Northern Electric
Northumbrian Water Ltd
O2
One North East
Orange Communications
Otec
Owen Technical Services
P and HS Architects
Page and Park
Peacock and Smith
Pele Housing Association
Phoenix H.I.S Ltd
PHS Architects
Planit Design
Red Box Design Group
Riverside & Wearmouth Housing Association
Ryder HKS Ltd
Seaton Building and Garden Centre
Self Build & Design Architects
Signet Planning
South Tyneside Council
Strategic Health Authority
Sunderland arc
Sunderland Divisional Police HQ
Taylor Woodrow
The Planning Bureau
Thornfields Properties
Three Rivers Housing Association
T-Mobile Customer Services
Turnbull House
Two Castles Housing
University of Sunderland
Vodafone Corporate Communications
W Dot Homes
Ward Hadaway
Waring And Nett Partnership
Web plans

ANNEX 2 – SCHEDULE OF RESPONSES AND KEY CHANGES TO PLANNING FRAMEWORK

Consultee	Comment	Council Response
Network Rail (statutory)	Support measures to encourage new development to utilise excellent availability of public transport and reduce reliance on the motor car including the use of developer contributions to facilitate public transport accessibility or green travel plans.	**Comment noted – no change proposed**.
Northeast Assembly (statutory)	Support the production of a masterplan in line with Policy 13 of the RSS The regeneration of this part of Sunderland will assist in the implementation of a number of regional planning policies. The principle of regenerating Sunniside is consistent with the locational strategy in the RSS further proposed changes and RPG1. The proposals are also consistent with Policy 6 of the RSS proposed changes, which gives priority to the regeneration of the River Wear Corridor in central Sunderland. The NEA particularly supports the inclusion of policies to aim to reduce the cause and impact of climate change, particularly by minimising energy consumption through good building design. The NEA supports the development of the Sunniside Planning and Design Framework SPD within the council's Local Development Framework.	**Comment noted - no change proposed**
English Heritage (statutory)	English Heritage welcomes the emphasis on the historic character of the area and the retention of the traditional grain and scale of Sunniside whilst building up scale to the east of the area. The Conservation Area status could be introduced early on in the document Reference to 'candidate World Heritage Site of St Peter's Church'. Whilst 'candidate' is the formal terminology, the status of the WHS may be more easily understood if described as the 'proposed' WHS Para 5.33 states that the site lies within the designated buffer zone – the buffer zone is still a proposal and it is likely that the site would lie just outside the latest boundary. Although EH have no concerns over the principle of the suggested scale of buildings in the North East corner it would be helpful to	**Comment noted - no change proposed.** **Comment noted – Document amended** A new paragraph (1.5) has been inserted into the document, which refers to the Central Area and Old Riverside Conservation areas. **Comment noted – Document amended** All references to 'candidate' WHS replaced with 'proposed'. **Comment noted – Document amended** Para 5.24 has been amended to read The site lies adjacent to the designated buffer zone to protect the setting of the proposed World Heritage site at St Peter's Church

	show full consideration has been given to views from St Peter's Church and possible impact of such a development.	on the north bank of the river
Northumbria Water (statutory)	Support the general principles of the document and in particular the requirements for water conservation measures and the use of SUDS for controlling surface water run off in policies SPDF1 and SPDF2. Section 5.15 refers to the need to obtain Northumbria Water's approval for any new buildings over the interceptor sewer. It is requested that the wording "new buildings or piling of foundations over….." is inserted to cover the situation where piling may be required when modifying an existing building.	**Comment noted – no change proposed** **Comment noted – Document amended** Para 5.15 amended and new sentence to read Any construction of new buildings or piling of foundations over this will require approval of Northumbrian Water.
One North East (statutory)	One North East welcomes the Council's intention to provide this Supplementary Planning Document. The emphasis placed by the framework on the importance of the successful regeneration of the eastern area of Sunniside is welcomed. One North East has already embarked upon implementing a land assembly strategy for both the North Eastern Sector and East Sector on the basis of the emerging East Sunniside Masterplan. Establishing this control will result in the public sector obtaining a controlling interest in these areas to prevent speculative piecemeal development. The adoption of this planning and design framework SPD is considered to be integral in realising the vision for Sunniside and its overriding objectives	**Comment noted – no change proposed.** **Comment noted** – no change proposed**.** **Comment noted** – no change proposed**.**
Highways Agency (statutory)	The Agency considers that there are no specific sustainability or transport issues relating to the development proposals at this stage as set out in the Framework document. The Highways agency would wish to be consulted at the earliest opportunity regarding any major development proposals, which could potentially impact upon the safe and efficient operation of the Trunk Road Network.	**Comment noted – no change proposed.** **Comment noted – no change proposed**. The Highways agency will be consulted on any major development proposals which come forward through the statutory planning process

North East Chamber of Commerce (statutory)	Supportive of the aims and ambitions of the Framework and are pleased to see attempts to give direction to development in the area The provision of follow-on-space for growing businesses within the area is particularly welcomed, as this will be crucial in fostering economic sustainability within the city and wider region. NECC is keen to see the planning system be as supportive as possible to the development envisaged in this document. Where developers come forward with schemes in keeping in the framework they should be given maximum assistance to progress them through the planning system. It is vital that the interests of existing businesses within the area are catered for during the redevelopment process, with full support offered if there is any need for relocation or to mitigate any possible disruption caused by the work	**Comment noted – no change proposed**. **Comment noted – no change proposed.** **Comment noted – no change proposed**. **Comment noted – no change proposed**.
Home Builders Federation	HBF is concerned that this document is seeking to impose a plethora of prescriptive policies on developers, which could have an impact on developments and their viability. As such the document should be examined independently as a Development PLAN Document where the implications can be properly tested through the examination process rather than introduced as an SPD.	**Comment noted – No change proposed.** The emerging Supplementary Planning Document hangs from Policy SA55B.1 (UDP Alteration No2) which refers to supplementary planning guidance for Sunniside in the form of a SPD. The SPD has been prepared in accordance with national guidance as contained within Planning Policy Statement 12: Local Development Frameworks and follows the requirements of the Town and Country (Local development) (England) Regulations 2004. 'A Companion Guide to PPS12' sets out guidance for Local Authorities when preparing SPDs. This states that an SPD can be used to expand policy or provide further detail to policies in development plan documents. Para 10.2 of the guidance provides pointers for preparing SPDs, in particular reference is made to a 'fit for purpose approach and states that SPDs can cover diverse issues in different formats such as design guides, practice advice notes and masterplans'. They must be consistent with national planning policy and in general conformity with the regional planning policy. The SPDF has developed partially in response to the need to update the Interim Planning Framework for the area, which was originally prepared under the old regulations as Supplementary Planning Guidance. Effectively the Council is updating and transferring what was

		originally intended to be a SPG to an SPD. Para 10.3 'Creating LDF's' suggests that it is appropriate to use existing and emerging supplementary planning guidance as part of the evidence base in the production of new SPDs. The reasons for developing a more detailed masterplan as part of the SPDF were set out clearly in the Cabinet report earlier this year (16th January 2008). The master plan has led to a review of the existing Sunniside Planning Framework. The draft SPDF document directly conforms with UDP Alteration No2 in particular Policy EC10A and SA55B.1 and is consistent with national planning guidance and in conformity with regional planning policy (see comments from the North East Assembly). The site was identified as a Strategic Location for Change in policies SA55B.1 and EC5B of UDP Alteration No.2. These policies allocate the site for mixed use redevelopment and provide details of acceptable and unacceptable uses. They also pave the way for further detailed guidance in the form of an appropriate SPD and masterplan. The proposed SPD does not seek to allocate uses for the area, but merely confirms the Council's desire as to how the existing allocation policies should be delivered. In summary there is no valid argument why the document should be progressed as an alternative planning document such as a DPD
	The SPD covers too much detail with regard to design issues. The attempt to impose such prescriptive policies with regard to the design of buildings will stifle any innovation on the part of home builders. Moreover many of the issues mentioned are adequately covered by Building Regulations, and it is therefore inappropriate for the Council to seek to introduce it's own separate requirements with regard to building design.	**Comment noted – no change proposed** The SPDF provides a similar level of detail with regard to design issues as the previous Planning Framework. The SPDF does not intend to stifle creativity rather it seeks to encourage design quality as set out in PPS1. The SPDF refers to various national quality standards including English Partnerships' Design Quality Standards and Building for Life. It should be noted that Building for Life is a scheme led by CABE and the Home Builders Federation and sets a national benchmark for well designed housing and neighbourhoods. The 20 questions that make up the CABE-Home Builders Federation Building for Life standards are

		supported by the government as the standard for the design quality for new homes. The design guidance for both the Historic Core and East Sunniside area has been formulated following a detailed analysis of the unique qualities found within the historic core. The general architectural assessment of new developments has shown the need to improve the design quality of new developments. In order to deliver the vision of the Masterplan, guidelines have been provided to help facilitate the physical development of East Sunniside. The guidelines are intended to provide a consistent design approach across the large scale of development envisaged. The Council would dispute the suggestion from the HBF that many of the issues in the SPDF are covered by Building Regulations. Issues such as facades, building frontages, entrances and doors, roofscape and elevational treatments are not dealt with through building regulations.
Natural England	The guidance document 'Environmental Quality in Spatial Planning' (The Countryside Agency, English Heritage, English Nature and the Environment Agency, June 2005) emphasises that plans and strategies should be objectives led and suggests that the plan making system should strive to achieve development that is: ▪ More sustainable ▪ Respects the ability of the environment to accommodate change (including climate change); ▪ Avoids damage to and increases or enhances the environmental resource; ▪ Reduces risks to, and potential arising from, the environment; ▪ Respects local distinctiveness and sense of place and is of high design quality, so that it is valued by communities; and ▪ Reflects local needs and provides local benefits We would expect to see these general principles reflected in your LDF documents and policies The DPD should recognise the requirements for protected species. This is most likely to relate to the presence of protected species on development sites or in properties subject to extension or regeneration. Those most likely to be involved are great crested newts in space to be developed, either green or	**Comment noted – Document amended** New paragraph inserted (para 2.8) 'PPS9:Biodiversity and Geological Conservation aims to meet the Government's international and domestic commitments and sets out policies to ensure that planning, construction, development and regeneration have minimal impacts on biodiversity and enhance it wherever possible. Policies in Local Development Frameworks should reflect and be consistent with national, regional and local biodiversity policies.' **Comment noted – Document amended** New paragraph inserted in Implementation Chapter to read Protected Species - In the face of growing concern for the future of our natural environmental many animals and plants are given legal

	brownfield, and bats and their roosts in existing properties. Any development must meet the legislative requirements, as set out in PPS9, ODPM circular 06/05 and the habitats Regulations, as amended 2007.	protection under both national and European legislation. This may apply to the habitat and feeding grounds of plants and animals, as much as to the species themselves. The possible presence of various species must be taken into account when considering development proposals. Protected species most likely to be affected are bats within existing properties. Where such protected species exist, all development will be required to meet the legislative requirements as set out in PPS9, ODPM circular 06/2005 and the Habitats Regulations, as amended 2007. For further guidance see http://www.naturalengland.org.uk/conservation/wildlife-management-licensing/default.html In order for a full assessment to be made of the effects of a development on protected species, a detailed species survey may be required with a planning application or as a condition if planning permission is granted. Seasonality is very important. The time of year when a survey can be undertaken may vary according to the species. This may give rise to a lead-in time before development can begin, whilst waiting for the appropriate time to undertake the survey. To be accepted by the Council, the surveys must be undertaken ▪ At the correct time of the year ▪ By a suitably experienced surveyor ▪ Using the correct methodology ▪ Properly and fully reported
GL Hearn (on behalf of GodTV)	SPDF2 – Sustainable and Accessible Homes – Whilst the desire of providing Lifetime Homes and homes that achieve three/four star ratings within the Code of Sustainable Homes is noted and supported in principle, it should be recognised that re-use of existing buildings and conversion to residential may not be able to achieve these standards due to the existing layout and form of the building. This should not in itself prevent such schemes coming forward if appropriate in planning terms.	**Comment noted – document amended** It is recognised that in the conversion of existing properties it may be difficult to meet the Lifetime Homes standards however it is perfectly feasible to convert buildings and improve the general environmental performance of an existing building. The code for sustainable homes is only applicable to new homes and does not relate to the conversion of existing properties. Nevertheless the EcoHomes 2006 accreditation system remains applicable to existing homes. Policy SPDF2 refers to 'new' proposals for housing development In order to avoid any ambiguity the document has been amended and SPDF2 to read " All new proposals for housing within Sunniside should:

		Demonstrate how the development performs against the sustainable design categories set out within the Code for Sustainable Homes in respect of energy, water, materials, surface water run off, waste, pollution, health and well being, management and ecology, and; Achieve at least a 3* star rating under the Code by 2010 4* beyond 2010 and 6* by 2013. Be designed to meet the 16 Lifetime Homes standards All refurbishment schemes to create new homes will be required to meet a 'very good' Eco Homes accreditation under the 2006 standards."
	Para 3.12-3.17 – It is important for the City Council to take a pragmatic approach to residential development that comes forward in the Sunniside area recognising the wider regeneration benefits of such proposals. It would not be appropriate for a mixed use development including residential to be prevented from coming forward or being restricted in terms of the residential development it could contain, on the basis of housing allocation numbers.	**Comment noted – no change proposed**. The housing allocations for Sunniside are based on Policy H5A within the adopted UDP Alteration No2, which states that the Sunniside area has a total potential capacity of 900 dwellings. The SPDF does not rule out additional housing coming forward within the Sunniside area within the plan period given that Sunniside performs very well in terms of sequential and sustainability tests. The SPDF makes it clear that as a figure of 500 units is set until 2012 through the adopted UDP Alteration plan, the 'roll forward' of the overall housing allocation for the area is being considered through the Housing Allocations DPD which is at the issues and options stage. This will allow the housing allocations to betaken forward to 2021 and planned, monitored and managed within a strategic context. Any additional applications for large scale housing development (over 10 dwellings) which comes forward prior to this will be considered on their individual merits. Para 3.18 states that the provision of housing will be acceptable subject to compatibility with all relevant planning and design guidelines contained in the Framework.
	Para 3.58 – It is noted that Crown House is stated as having a "scale, form and architectural expression" that is detrimental to the overall character and appearance of the	**Comment noted – document amended** Amend para 3.55 to read "A number of landmark buildings have a significant

	area. Whilst we do not dispute the existing property is of limited townscape merit, we do not necessarily consider that the scale and overall form is inappropriate. Subject to either redevelopment to a similar scale or conversion with new build, the existing building could be significantly enhanced and provide a positive townscape quality	impact on the overall quality of Sunniside, including Crown House and the Telephone Exchange. The scale, form and architectural expression of the telephone exchange and general architectural quality of Crown House are considered to be detrimental to the overall character and appearance of the area.
	Para 5.25 – This section recognises that Crown House offers significant redevelopment potential to provide a key gateway building either through high quality redevelopment or refurbishment. We support this point in principle, but suggest it should be revised to delete the first reference to "redevelopment" and amended so that it reads "Crown House offers significant potential to create a key gateway building either through high quality refurbishment (that could include new additional build)	**Comment noted – document amended** Text amended to read "Crown house offers significant redevelopment potential to create a key gateway building either through high quality refurbishment, which may include a limited amount of new build or redevelopment."
	D11 – We suggest text be revised to read "Crown House conversion, or conversion with new build, or redevelopment for residential/commercial/retail/food and drink type uses".	**Comment noted – document amended** Amend plan for Tavistock to include food and drink uses to ensure consistency between the list of preferred and acceptable uses
	Para 5.42 – The text states that the "redevelopment or enhancement of Crown House will not exceed the height and scale of the existing point block incorporating a plinth up to three storeys" It should be made clear that "point block" means the overall upper height of the existing building. We consider that the enhancement or redevelopment of the building has potential for additional building height both at lower levels and upper levels. It is not appropriate for the policy to seek to prevent further height that could well be achievable in order to maximise the potential of the site subject to a quality of design. At the lower levels we consider that three storeys could be inappropriately low and if the Council does feel it necessary to indicate the height that could be achievable at lower floors then we suggest this should	**Comment noted – document amended** The proposed building heights have been formulated following a detailed townscape assessment and urban design analysis undertaken by the masterplan team including architects from Elder & Canon. This work has been used to inform the masterplan proposals and subsequent building heights. Further guidance on Tall Buildings is contained within Policy B2B UDP Alteration No2 and the Central Area Design Strategy. To avoid any ambiguity it is proposed to amend the text to read "redevelopment or enhancement of Crown

	be at least four storeys. At the upper levels we would note that the current building has a plant room with telecommunications equipment at roof level. The removal of this with a high quality addition would provide additional height whilst providing significant improvement to the townscape quality for example. Para 6.38 – This section should confirm that the Council would not use CPO powers where there is developer/owner interest in bringing forward regeneration proposals of their own that accord with the general presumptions of the planning framework.	House will not exceed the height and scale of the existing block (10 storeys) incorporating a plinth block of up to three storeys" **Comment noted – no change proposed.** Para 6.37 – 6.39 set out the circumstances under which the Council may consider using its CPO powers. This section makes it clear that the four tests set out in the OPDM Circular 06/2004 would need to be met before the Council would consider using its CPO powers. One of these tests is whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.
Attey Group	Level of detail within the North Eastern Sector of the masterplan, which pays no regard to existing land ownership, nor has it been developed through consultation with landowners. The proposed masterplan will unfairly prejudice landowners and will result in a scheme, which will clearly require CPO's before it can be implemented. Not only will this process result in significant delays and cost to the Council but in our view any proposed CPO will not satisfy the tests set out in Circular 06/2004	**Comment noted – no change proposed** The SPDF provides a similar level of detail with regard to design issues as the previous Planning Framework. The SPDF does not intend to stifle creativity rather it seeks to encourage design quality as set out in PPS1. The masterplan has been produced as part of collaboration between Sunderland City Council, Sunniside Partnership and Sunderland arc, with close involvement and consultation with One North East and English Partnerships. **Comment noted – no change proposed** The SPDF sets out a clear Implementation strategy explaining how acquisitions will be made in strategic locations to facilitate the implementation of the masterplan. The Council and its partner organisation including Sunniside, Partnerships, One North East and English partnerships are already working with various landowners throughout the Eastern part of Sunniside to assemble more comprehensive development sites. This approach is consistent with PPS1. Para 5 states that planning should facilitate and provide sustainable and inclusive patterns of urban and rural development by:

		Making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life. Furthermore paras 9 and 10 in Appendix A of the Crichel Down Rules for CPOs states that 'policies for promoting regeneration initiatives can have a significant impact on land use …….but they are not necessarily capable of being delivered solely or mainly through the granting or refusal of planning permission. They may require a more proactive approach by the relevant planning authority including facilitating the assembly of suitable sites, for which compulsory purchase powers in Section 226(1)(a) may provide helpful support'. Para 6.37 – 6.39 set out the circumstances under which the Council may consider using it's CPO powers. This section makes it clear that the four tests set out in the OPDM Circular 06/2004 would need to be met before the Council would consider using its CPO powers. One of these tests is whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. The detailed nature of the Masterplan is intended to facilitate the strategic redevelopment of the area as well as helping to provide certainty to encourage private sector investment. This will underpin the regeneration of the area and will help to generate confidence. The proposed regeneration may well involve CPO, as envisaged in the implementation section of the proposed SPD, but it is premature to consider whether a CPO would be justified. The proposed SPD makes it clear that no decision has been made in relation to CPO and there will clearly be an opportunity to test the case for CPO at a public inquiry if one is promoted by the City Council.
	The draft SPD seeks to circumnavigate the correct planning procedure. It is established that supplementary guidance must not be used to avoid subjecting a particular proposal to public scrutiny, in accordance with statutory procedures, policies and proposals which should be included in the development plan. In view of the above we are of the view that its weight in planning terms will be diminished in accordance with section 54A of the Act. We believe such a proposal should	**Comment noted – No change proposed** The document will be progressed as an SPD. The Local Development Scheme identifies the Sunniside Planning Framework as a proposed SPD and states that it will, *"review the existing interim planning guidance (based on policies of the UDP Alteration No.2) and will provide guidance*

	be brought forward as an Area Action Plan if the Council insist on the approach outlined in the draft SPD as its soundness can then be considered by an independent Planning Inspector. The adoption of such a detailed masterplan, setting out the way which the area should be developed will, in our view, be counter productive and will stifle development rather than facilitating development as is claimed within the Draft SPD. The approach set out in the masterplan is in our view, undeliverable without significant CPO and fails to consider views and aspirations of many existing landowners who currently operate businesses in the Sunniside area. If the Council pursue the current SPD, in what many landowners feel is an unfair and unsound manner, a consortium of the landowners will be considering seeking a judicial review of the Council's decision if the SPD is adopted in its current form.	*on development within the Sunniside area and additional detailed guidance for the eastern part of Sunniside".* Policy SA55B.1 of the UDP Alteration No. 2 identifies the Sunniside site as a strategic location for change. These areas are more generally dealt with in policy EC5B, which sets out in broad terms the uses that will be acceptable and unacceptable within these areas. It also states that, *"Development Proposals should comprise or form part of a comprehensive master plan for the whole development site, to be agreed with the City Council, having regard to the UDP Supplementary Planning Guidance.* *For each site, the City Council will prepare a broad framework document setting out key principals to be reflected in each comprehensive masterplan"* Policy SA55B.1 focuses on the Sunniside area and sets out the uses that should remain predominant as well as additional uses that will be acceptable. It encourages a greater concentration of living opportunities associated with mixed use development and cross refers to Policy SA74A (Evening Economy Development) as well as the Sunniside Development Framework Supplementary Planning Document. The text that accompanies policy SA55B.1 states that *"Until the Sunniside Development Framework Supplementary Planning Document is adopted by the City Council, the interim draft Sunniside Planning Framework will be a material consideration in the determination of planning applications in the Sunniside area."* It is therefore clear that the Sunniside Planning and Design Framework has been prepared to supplement and expand upon the policies set out in the UDP Alteration No.2. The SPD itself incorporates the East Sunniside Masterplan, which contains detailed design guidance for new development, as well as determining the distribution of activities/uses that will be allowed within this area. The aim of the Masterplan is to

		set out a high quality comprehensive regeneration framework that will help to provide certainty in the development process and attract private sector investment. It is entirely appropriate for the Council to bring forward a planning guidance document for the Sunniside area. The emerging Supplementary Planning Document hangs from Policy SA55B.1 (UDP Alteration No2) which refers to supplementary planning guidance for Sunniside in the form of a SPD. The SPD has been prepared in accordance with national guidance as contained within Planning Policy Statement 12: Local Development Frameworks and follows the requirements of the Town and Country (Local development) (England) Regulations 2004. The Council would dispute that there is any intention to circumnavigate the correct planning procedure. 'A Companion Guide to PPS12' sets out guidance for Local Authorities when preparing SPDs. This states that an SPD can be used to expand policy or provide further detail to policies in development plan documents. Paragraph 10.2 of the guidance provides pointers for preparing SPDs, in particular reference is made to a 'fit for purpose approach and states that SPDs can cover diverse issues in different formats such as design guides, practice advice notes and masterplans. They must be consistent with national planning policy and in general conformity with the regional planning policy. The SPDF has developed partially in response to the need to update the Interim Planning Framework for the area, which was originally prepared under the old regulations as Supplementary Planning Guidance. Effectively the Council is updating and transferring what was originally intended to be a SPG to an SPD. Paragraph 10.3 'Creating LDF's' suggests that it is appropriate to use existing and emerging supplementary planning guidance as part of the evidence base in the production of new SPDs. The reasons for developing a more detailed masterplan as part of the SPDF were set out clearly in the Cabinet report earlier this year (16th January 2008). The master plan has led to a review of the existing Sunniside Planning Framework. The draft

		SPDF document directly conforms with UDP Alteration No2 in particular Policy EC10A and SA55B.1 and is consistent with national planning guidance and in conformity with regional planning policy (see comments from the North East Assembly). The site was identified as a Strategic Location for change in policies SA55B.1 and EC5B of the UDP Alteration No 2. These policies allocated the site for mixed use redevelopment and provide details of acceptable and unacceptable uses. They also pave the way for further detailed guidance in the form of an appropriate SPD and masterplan. The proposed SPD does not seek to allocate uses for the area, but merely confirms the City Council's desire as to how the existing allocation policies should be delivered. In summary there is no valid argument why the SPDF is overly prescriptive or why the document should be progressed as an alternative planning document such as an Area Action Plan.
JPL (on behalf of MMF (UK) Ltd	MMF supports the inclusion of the guidance in UDP Policy H5A which states that the Sunniside area has a potential capacity of 900 dwellings for the period 2004-2021, with 500 of those brought forward between 2004 and 2011. The site has permission for up to 45 dwellings and therefore should be included within those 900 dwellings. Para 3.14 states that completions and committed planning consents were approximately 400, up until November 2007. The aforementioned site was granted permission for 24 units within that timeframe and presumably is included within the approximate figure of 400. The Inspectorate has since allowed an appeal for the permission to be revised to "up to 45 dwellings" and therefore it is felt that the additional 21 dwellings should also be included as part of the approximate 400 dwellings, either completed or with existing permission. Para 3.49 –MMF supports para 3.49, which states that residential development, particularly in the Tavistock area, is encouraged. Our client also agrees with Council support for further apartment style block developments, where they are key gateway sites (the Murton Street site can be	**Comment noted – No change proposed.** The SPDF was drafted using the figures available at the time. There is no need to amend the text to refer to the exact number of completed and committed consents at this point in time. The SPDF makes it clear that additional housing above and beyond the 500 allocation for the 2004-2012 could come forward given the regeneration aspirations for the area and given how well the area performs in terms of sequential and sustainability tests. **Comment noted – no change proposed** The SPDF does not promote apartment led development throughout Sunniside. The emphasis in Tavistock is on the very best in sustainable city centre family living with architecturally innovative housing

	seen as such) and where they offer solid urban design benefits	typologies including town houses and duplex units. Paragraph 3.49 of the SPDF makes it clear that apartment style block developments will only be permitted where there are clear urban design reasons for that style of buildings, for example in framing key gateway sites. The Murton Street site referred to is not identified as a key gateway site and is located in the middle of Murton Street. It is therefore completely inaccurate to suggest it forms a key gateway site.
	Para 4.7 – MMF objects to the Council's stance that schemes have been put forward in isolation of the wider character of the area and that such schemes fail in terms of design quality. In the absence of an adopted Masterplan strategy, existing proposals, such as the redevelopment at 8-12 Murton Street, have conformed to all relevant development plan guidance as well as national planning policy.	**Comment noted – no change proposed** There is clear evidence in the eastern part of Sunnside that new developments have come forward in a piecemeal manner and that the overall architectural quality of these schemes does not meet with the Council's aspirations for the area. The recently approved scheme at Murton Street contains single aspect units, which cannot be considered to provide a high quality living environment. Although a number of schemes have been approved and deemed to be in conformity with the Sunniside Planning Framework this does not necessarily imply genuine architectural quality. In response to these concerns the Council and its partners have prepared the Masterplan for the eastern part of Sunniside to provide further design guidance to improve the general quality of new developments.
	Para 5.40 – MMF support the Council's aim to provide an active frontage on Tatham Street Back as noted in para 5.40	**Comment noted– no change proposed.**
	Tavistock – MMF supports the inclusion of 8-12 Murton Street site for residential development. However, the inclusion of so many existing individual sites raises issues of site ownership. Bringing forward larger sites such as the one in Tavistock would be detrimental to the aims of the Sunniside Planning and Design Framework because of the complicated land ownership issues. Therefore, MMF requests the East Sunniside Masterplan includes reference to the fact that land ownership issues are a constraint in bringing forward larger development sites.	**Comment noted – no change proposed**. Section 6 of the SPDF deals specifically with Implementation, paragraph 6.16 refers to the need to assemble development sites of sufficient size to enable large scale phased developments to be brought forward. Furthermore paragraph 6.20 states that the Sunnisde Partnership will together with its partners make strategic land acquisitions to promote the delivery of comprehensive development and to assist with the challenging land assembly issues in the area. There is no need to amend the text as the issues surrounding land assembly

		are already covered by the existing text.
Mr Tumman	General comment - Proposals, which are intended to cover the next 15 years, are very aspirational and whilst acknowledging the need to set high targets to maximise the development potential, such goals need to be tempered by an awareness of what is achievable in practice. It will in general prove difficult to generate a significant demand for major new development. If the proposals stand a chance of being realised in anything like the form aspired to, it is likely that an interventionist approach will be required on the part of the public sector in many parts of the area.	**Comment noted – no change proposed** The SPDF outlines how the public sector may intervene in chapter six of the document in particular explaining how strategic acquisitions may be undertaken to assemble larger more comprehensive development sites.
	Although some recent development has taken place, at Biscop House and on Nile St, I suggest the reason that the rate is slow and that some schemes with permission have not materialised to date is because confidence in obtaining a return on investment is low. Developments to date seem neither to achieve a particularly high standard of design nor to be well considered or co-ordinated in their wider setting. It may be thus considered that the development control process alone cannot achieve the desired design results.	**Comment noted - no change proposed** One of the key reasons for preparing the SPDF and masterplan is the quality of development in the eastern sector and the fragmented nature of new development. It is recognised that the DC process alone will not secure the quality of design sought hence the desire to bring forward and adopt the SPDF and masterplan
	I suggest some intervention by a public agency will be necessary to assemble suitable sites which can then be disposed of for development to an acceptable environmental standard with design parameters built into the development brief to achieve the design co-ordination the Council seem to be seeking.	**Comment noted – no change proposed** The SPDF describes how 'intervention' may be used in the Implementation chapter. Reference is made to how One North East and EP are already committing to the regeneration of Sunniside through a range of projects including strategic site acquisitions.
	There is no direct evidence within the document of any intention by the public sector to become involved in site assembly, it merely refers vaguely to 'co-operation between public sector organisations, private developers landowners and the people of Sunderland.' It appears that the construction industry has gone into recession; the slowing down of overall rates of development increases the need for the Council to create a climate conducive to investment in the area by land assembly, and also provides the opportunity time-wise.	**Comment noted - no change proposed** See response above
	Proposed uses – Surprised by the scale of office development proposed. Would question upon what evidence of demand the	**Comment noted – no change proposed** Knight Frank were commissioned to

	proposals are based.	produce residential and commercial market assessments to inform the framework and masterplan. This showed high demand in the short and medium term for Grade A quality small and medium floorplate B1 office accommodation.
	Specialist/non chain retail – Question the evidence of a demand for such uses. May prove difficult to encourage speculative developers to include retail uses especially if ensuing rental levels are high. It is not reasonable to assume small independent specialist shops will be operating on a low budget and therefore not likely to be able to afford the rental levels needed to before promoting retail uses in developments, possibly except on the High Street frontage. The most obvious location for any retail development is on the High Street West frontage, where such uses would help to ensure a continuity of active frontages leading to the exchange and eagle building regeneration initiatives, and be in a relatively prominent and hence attractive location. In this respect I am in agreement with the allocation shown between Gibbons and the former tobacco warehouse. However, I am not so sure about the other locations identified for retail. The square behind the north side of High St East could have some potential for niche development, if marketed as a specialist 'destination' although I suggest for development here to become a reality there would have to be an explicit demand or a developer found who was prepared to take a high risk	**Comment noted - no change proposed** The SPDF and masterplan have been informed by a detailed market assessment completed by Knight Frank. Para 5.17 refers to the importance of understanding the current and likely future nature of the property market within the area. As part of the development of the Framework Knight Frank has produced residential and commercial market assessments to help inform the framework and masterplan. The market assessment and demand analysis provides broad guidance of relevance to inform the policies and master plan framework for East Sunniside. This work showed that although demand for A1 retail and food and drink uses is unlikely to be significant in the short term, as redevelopment progresses demand for unique and niche destination opportunities is likely to grow.
	Elsewhere, localities proposed for retail development seem doomed to failure. There seems to be an arbitrary distribution of shops proposed in the middle of Villiers St and Nile St and some around the service lane south of High St West. These are neither prominent nor grouped and so will not create a critical mass, which might make them attractive to potential occupiers or customers. If there is any demand other than on High St West, I would suggest it could be best met by grouping units on Coronation St, possibly in the vicinity of the proposed live/work block or alternatively on the corners with Nile St and Villiers St, currently proposed for office use. This location would provide both a higher profile and a coherent grouping with complementary uses.	The masterplan does not specifically allocate retail uses to any single properties rather preferred uses and acceptable uses are identified. Retail uses are identified as an acceptable use throughout the Framework area therefore it is not relevant to question or speculate whether there will be sufficient demand for such retail uses. As stated above market assessment work has been completed by Knight Frank to ensure the Framework is grounded in the realities of the market. The commercial, retail and leisure elements are spread throughout the development in order to contribute to the rich and varied mix of uses needed to support the viable, sustainable regeneration of the area. The masterplan emphasises the role of mixed use development throughout the area in providing active frontages with residential

		living space above. This allows for variation in architectural treatment where the ground floor treatment sits distinct from the upper storeys. Paragraph 5.39 of the SPDF refers specifically to flexibility of use and states that accommodation designated as mixed use should offer maximum flexibility for providing retail, office, restaurant, café/bar and live work units and also include the option of reverting to private residential use. The SPDF also encourages commercial floor space to be designed to be sufficiently flexible to be able to be converted into residential units where market conditions change.
	What controls will the Council be able to deploy to ensure the retail units will be specialist in nature? The Use Classes Order does not make such a differentiation. I accept that by and large retailers are unlikely to be part of a chain given the location. If retail units are developed but cannot be let, what uses would the Council then regard as appropriate? Will developments containing retail units be designed with sufficient flexibility to allow for non retail occupation of retail units.	**Comment noted – no change proposed** The SPDF and masterplan set out the aspirations for the area and although it is correct to suggest the difficult of using the use classes to distinguish between niche retail and other retail uses there is no reason why the document should not set out the type of uses sought for the area which relate to the wider vision. Any change of use application for a vacant retail unit would be assessed on the guidance contained within the framework. The framework encourages mixed-use facilities that provide flexibility of use over time and are capable of providing accommodation for a number of needs.
	The plans on p13 and 15 (executive summary) imply that 29 & 30 Villiers St will be retained, but this is not clear as the 'existing & approved development' notation is shown a little north of their site.	**Comment noted – document amended** The plans that are referred to are in the executive summary of the full document, more detailed plans are provided on page 116 of the SPDF. It is accepted that the masterplan proposals plan does not accurately reflect the exact positioning of these listed buildings. The plan will be amended accordingly.
	The illustrative model on p 29 does not show them as being retained. Further if they are to be retained, it is not clear how they are to be developed, there seeming to be a light industrial notation over the rear part of the premises, which would imply low quality development with ramifications for the future maintenance of the fabric of the buildings.	The illustrative model on p29 is 'illustrative' and should not be interpreted literally. The plans in the SPDF confirm the retention of the listed building. It is worth stressing that the SPDF places a particular emphasis on retaining all historic buildings in the area that contribute to the character of Sunniside. The Heritage plan on page 34 of the SPDF clearly identifies these listed buildings. There is a light industrial

		notation over the rear part of these properties however it is restricted to B1 (b) (c) uses associated with creative industries activities, including artists' studios, workshops and managed workspace (Page 118 of the PDF)
	The relationship of development with other listed buildings on Villiers St: In addition to 29&30, buildings comprising the former Presbyterian chapel and school on the west side of the street at its southern end are also listed. It is hoped that the design, scale and material to be used on developments on these southern blocks will provide a better relationship with these buildings than does the recently developed Biscop House with the Presbyterian Chapel.	**Comment noted – No change proposed** The SPDF recognises the architectural shortcomings of recent developments in the locality and seeks to ensure new development responds to and complements existing historic properties in a positive manner
	East side of Villiers St – Whilst appreciating and accepting the desire to set up a rhythm to the buildings on the east side of Villiers St where they abut the Eastern Relief road, I am disappointed that the Council apparently do not wish to retain the grain of the layout of the east side of the Villiers St frontage. The height of the proposed buildings and the fact that they are turned edgeways to Villiers St is likely to create an uneasy effect, contrasting and conflicting with the traditional layout on the west side and the dignity of the listed buildings at the southern end (see previous point)	**Comment noted – no change proposed** The proposed block layout on the eastern side of Villiers Street reflects a desire to avoid creating a continuous wall of development backing onto Sans Street and created a large impenetrable block. The configuration of blocks perpendicular to Villiers Street allows for blocks of varying height to add townscape interest. In addition the proposed block configuration maximises the views eastwards from these developments to wards the coast and river corridor. The arrangement will facilitate the creation of landscaped areas between blocks thereby ensuring high levels of amenity space.
	North of High Street – The proposals to encourage a 9-10 storey landmark building on the north side of High Street West at the junction with the Eastern Relief Road does not appear to take into account the importance of providing an attractive setting for Lambton House, which adjoins the site, nor the other listed buildings on the south side of the street. Nor does it reflect the traditional scale of this part of High St west, unlike the sensitively designed student accommodation on the opposite corner. Perhaps a more sensitive approach may be to have a building of say 4, possibly 5 storeys sweeping round the edge of the relief road, continuing to the High St junction and terminating in an iconic corner design of a similar height, but with a feature of some kind, at the High St corner. This would be both restful on the eye and provide a more appropriate setting for nearby buildings.	**Comment noted – no change proposed** The masterplan seeks to create a striking and eye catching gateway to Sunniside incorporating a landmark building and architecturally interesting development blocks that will complement rather than detract from the historically important properties fronting High Street West. The slender nature of these blocks, configuration and layout will ensure that they do not adversely affect surrounding historic properties such as Lambton House. The proposed layout will also ensure that development does not create a barrier, which restricts views northwards.
Mrs SE Carroll	Question how the planners want to seek to retain the historical element of the area when	**Comments noted – no change proposed**

	demolishing solidly built bricks and mortar houses and replacing them with prefabricated “glass type accommodation”. The community spirit will be gone forever if these plans go ahead.	
	A better plan would be along the lines of Foyle ST, Frederick St and John ST.	The SPDF seeks to maintain and reinforce the area’s distinctive townscape and architectural identity in particular the historic properties found throughout the area. Rather than demolishing historical buildings the SPDF seeks to encourage high quality contemporary and architecturally innovative designs which will complement these historic buildings.
	People won’t come through the city to use restaurants, cafes and snack bars as there is already a large selection already serving meals and snacks in the city centre	There is already considerable evidence of people coming into Sunniside to eat out and socialise for example several new restaurants have opened in recent years including Angelo’s and the Thai Manor on West Sunnside.
	Most people like socialising in the city centre because they can go from bar to bar as there is one on nearly every corner and some next door to each other	The SPDF promotes mixed-use development throughout Sunniside. The strategic aims for the area is reflected in UDP Alteration No2, which encourages the development of a lively mixed, use urban quarter with a high quality physical environment. All proposals for licensed premises will be assessed against the Evening Economy SPD.