

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.

North
Sunderland

Reference No.: 13/04336/VAR Variation of Condition

Proposal: **Variation of condition 2 of planning approval 11/01796/FUL (Erection of (70) 2, 3 and 4 bedroom dwellings with associated highways, landscaping and car parking) for substitution of house types to plots 12-15 and 42-51.**

Location: Land at Maplewood Avenue Marley Potts Sunderland SR5 5BN

Ward: Southwick

Applicant: Gleeson Developments Ltd

Date Valid: 11 February 2014

Target Date: 13 May 2014

PROPOSAL:

Members may recall that at the 25 August 2011 Development Control (Sub) North Committee meeting an application (ref. 11/01796/FUL) for the erection of 70 dwellings on land at Maplewood Avenue, Marley Potts, was granted planning approval. This approved development has been under construction for some time now, with some of the properties now being occupied.

The applicant for the approved development, Gleeson Developments Ltd, is also the developer, and in light of the commercial success of certain house types within the 11/01796/FUL approval are now seeking to introduce more of these within the development as a whole. Gleeson is therefore seeking to vary the 'in accordance with the approved plans' condition in order to substitute the previously approved house types on plots 12- 15 and 42 - 51. This change only affects 14 plots and the resultant development will still equate to a total of 70 dwellings.

TYPE OF PUBLICITY:

Press Notice Advertised

Site Notice Posted

Neighbour Notifications

CONSULTEES:

Southwick - Ward Councillor Consultation

Network Management

Final Date for Receipt of Representations: **03.04.2014**

REPRESENTATIONS:

No representations have been received following the neighbour consultations, public or press notices.

No representations have been received from consultees.

However, in order to assist Members the following responses were received as part of the 11/01796/FUL application:-

- Environment Agency (EA)

The EA confirmed that they had no objections to the development.

- Nexus

Nexus had no objection to the development. Nexus recognised that the area was well served by public transport.

- Northumbria Police (NP)

NP had no objections to the development.

- Northern Gas Networks

Northern Gas Networks had no objections to the development.

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
B_2_Scale, massing layout and setting of new developments
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

COMMENTS:

The principle of development has been established by the previous approval, which considered that as the land is identified as white land, Unitary Development Plan (UDP) policy EN10 was applicable.

Policy EN10, which is still applicable, requires development proposals to be compatible with the prevailing land use. Consequently, as the proposal seeks to provide new housing on a cleared housing site, the development is still considered to be acceptable in principle.

In terms of impact on the appearance and layout, the proposed substitutions are not considered to be out of character or onerous to the visual amenity of the wider estate and area. The proposed house types are the same as others within the

new development and will therefore compliment and assimilate into the street scene.

Furthermore, from a highway engineering perspective, the layout of the scheme will largely remain as per 11/01796/FUL approval and as such there are considered to be no material objection to the proposed alterations. Each new house type will be served by an in-curtilage parking space.

However additional information is being sought from the applicant to ascertain if any of the properties within the wider development have been sold off plan. This is to ensure that the spacing between those plots currently under construction and those plots which are to be varied are acceptable. This is presently under consideration and will be reported to Members by way of a Supplement Report.

Section 106 Agreements

A Section 106 Agreement was entered into as part of the 11/01796/FUL application. It was agreed that the applicant make a financial contribution of £49,070 for off-site play provision, whilst the applicant also provided an additional sum of £6,930 to be spent on improving the hardstand area/ path link to the west of 76 Maplewood Avenue and east of 78 Maplewood Avenue. This agreement required Gleeson to pay the contributions on or before commencement of the development and as the development has been under construction for some time these contributions have already been received. Therefore, as the density of development is not being altered, it is considered that the proposed substitution of house types is acceptable in this respect.

CONCLUSION

Taking the above into consideration, the proposal is considered to contribute positively to the regeneration of the Southwick area and is in the main acceptable in terms of design, layout and highway considerations. However, further information is still awaited in respect of whether any of the adjacent plots have been sold in order to ensure the spacing implications of the substitutions are acceptable. It is anticipated that this information will be received in order to report this to Members by way of a Supplement, where it is envisaged that a recommendation of approval will be made.

RECOMMENDATION: Deputy Chief Executive to Report

Reference No.: 14/00515/LAP Development by City(Regulation 3)

Proposal: **Repair pier foundations and repoint walls. Repair, redecorate and replace sections of handrails to original design. Replace existing pier deck with imprinted concrete to replicate existing pattern including works to the locomotive track and pier vents (amended description 19.03.2014)**

Location: Roker Pier Marine Walk Sunderland SR2 0PL

Ward: St Peters
Applicant: Mr Daniel Hattle
Date Valid: 13 March 2014
Target Date: 8 May 2014

PROPOSAL:

Planning permission is sought for restoration works comprising of the renewal of the pier deck at Roker Pier, Marine Walk, Sunderland. A separate Listed Building Consent application has also been submitted for determination which is reported on the agenda (Reference: 14/00516/LAL).

Roker Pier is situated at the southern end of Roker beach lying approximately 0.5km north of Sunderland Harbour. The Pier, along with the South Pier, forms the outer sea defences of the docks and river mouth. Roker Pier is curved and is 609.60m long, 10.6m wide at the shore side, increasing to 12.10m wide at the seaward end. The pier terminates in a roundhead measuring 20.10m across.

Roker Pier is a Grade II listed structure (NL No. 1279906) and lies within the Roker Park Conservation area (SCC 2007). The pier is constructed of red Aberdeen granite, accommodating an integral tunnel along its full length, originally provided to allow the lighthouse keeper access during adverse weather.

Over the years Roker Pier has been incessantly battered by high winds and large waves and still forms part of the primary sea defences protecting the Port of Sunderland and harbour properties. In this time the structure has remained vulnerable to failure in structural integrity, water ingress and its ability to be used by the public.

In particular the pier deck has suffered from its exposed location whilst hundreds of metres of the original railings have been lost into the sea or removed. Various other pieces of ironwork, including the rails which were used to transport the concrete blocks into place, have also been lost. The deck, originally constructed using a process of pressed-concrete to reproduce the effects of a cobble street, has suffered from various poor attempts to patch and repair the surface and is now a patchwork of concrete and tarmac.

A significant part of the maintenance costs on Roker Pier have been associated with deck slab repairs with the majority of work adjacent to the embedded rails. The ongoing costs of patching the deck have escalated over the last 8 years whilst the New South Pier, which was resurfaced over 10 years ago, has had no recent maintenance costs.

The Pier is now at a point where it is closed regularly due to trip hazards and other dangers associated with the loss of large areas of the deck. As such it is proposed to utilise a concrete repair material which is generically similar to the original Portland cement based concrete used in the current surface. The proposed concrete will have the same finish as the existing, including the cobbled pattern, but will benefit from improved technology, resulting in greater durability.

A major issue with regard to the on going deterioration of the pier deck has been attributed to the locomotive track which is constructed on foundations which join the original pre cast concrete blocks and is a weak point. The track has seen significant decline with large areas of pitting and erosion. The foundations show signs of crumble and staining.

In accordance with the above it is proposed to interpret the track by using specially commissioned printing moulds and hand-tools to create a matching pattern within the proposed new concrete pier deck. This will be coloured using a non-metallic, dry shake, cementations product that provides uniform colour that can accurately replicate the current rail track appearance. The product is chloride free and contains pigments that are stable and colourfast in the presence of lime and sunlight. This new interpretation work will complement two sections of new track which will be inserted into the deck at the roundhead and pier entrance, preserving part of the decks original form.

The Heritage finish to the Pier deck will be imprinted using custom moulded polyurethane matting. Irregular boundaries and corners will be tooled by hand to ensure a consistent finish across the complete deck surface. The locomotive track interpretation will be trowelled into the concrete and stained in-situ following the imprinting process. The exposed aggregate effect which essentially introduces colour into the remaining surface will be achieved by careful exposure of the top surface following the concrete pour & consolidation. A number of sample panels will be utilised prior to the deck renewal to refine the required deck finish and solicit Heritage approval.

The current brass caps to the pier vents which are located within the deck are thought to be a more recent addition to the structure following the failure of original 'skylights'. It is proposed to reinstate glass covers to the original apertures which will provide natural light to the tunnel.

Due to the exposed coastal location of the pier there is only a small window of opportunity to carry out the required works. Should the scheme be considered acceptable it is proposed to carry out the works over the summer months of 2014. This will require the full closure of the pier to ensure the safety of the public. The project has been planned to tie-in with the on-going public realm work at Marine Walk and once it's completed the new surface will allow access for all, with existing kerbs, potholes and slippery surfaces removed.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management
County Archaeologist
Environmental Health
Amenities Societies
Port Manager
English Heritage
St Peters - Ward Councillors Consultation
The Society For The Protection Of Ancient Buildings
The Georgian Group
The Ancient Monuments Society
The Council For British Archaeology
Victorian Society
Campaign To Protect Rural England
English Heritage
Network Management
Environmental Health
County Archaeologist
Port Manager
St Peters - Ward Councillors Consultation

Final Date for Receipt of Representations: **18.04.2014**

REPRESENTATIONS:

Neighbours:

The expiry date for the press and site notice are 18.04.2014 and 10.04.2014 respectively and in this regard no representations have been received to date. Should any comments be received they will be reported by way of a supplement report.

Consultees:

The final date for consultee responses has also expired with the last date being 09.04.2014. The following responses have been received:

English Heritage:

English Heritage were consulted as, if Members are minded to grant listed building consent, the application would need to be referred to the Secretary of State for Communities and Local Government for determination, in accordance with regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990. A response has been received, raising no objections to the proposal. The following general observations were however noted.

The significance of the grade II listed Roker lighthouse and pier is built up of many facets and in this regard is of strong historical value of an impressive feat of Victorian engineering. It is noted as a visually pleasing and imposing structure constructed of high quality materials and an attention to detail beyond purely functional with a clear communal value as a landmark structure.

The significance of the pier track lies in what it can tell about how the pier was constructed and not a deliberate design feature of the pier. It is regrettable to lose the original fabric of the track however the demarcation in the concrete and good documentation and reference is considered to be satisfactory to understand how the pier was constructed and as such will not be harmful to the significance of the structure.

The repair and replacement of the railings will enhance the significance of the structure by reinstating a design scheme and along with the new deck surface will create a uniformity that will visually tie the structure together and reinforce its aesthetic qualities.

In accordance with the above, English Heritage welcome the move to restore Roker pier which will enhance both the significance of the grade II listed structure and the wider conservation area. Given the current economic climate it is stated that it is heartening to see the commitment of the local authority to the conservation of the heritage asset.

The application is considered to satisfy the requirements of section 131 of the NPPF and it is recommended that application be determined in accordance with national and local policy and on the basis of the in-house conservation team advice. It is stated no further consultation is necessary with English Heritage.

National Amenities Societies:

Upon the expiry of the consultation period no comments or representations have been received.

Built Heritage:

The proposed works to Roker Pier has been subject to detailed involvement from the Built Heritage Team and as such the application is considered to be acceptable subject to the imposition of conditions pertaining to materials and a method statement for the works.

Network Management:

No observations or recommendations were received.

County Archaeologist:

No comments were offered in respect to the proposed works.

Public Health:

Comments remain outstanding and are likely to be provided prior to the Committee Meeting.

Natural Heritage:

In terms of nature conservation it is considered that the application documentation lacks an up to date ecological assessment and as such detailed opinion of impact to biodiversity factors and any necessary mitigation and enhancement measures can not be provided at this stage.

Notwithstanding the above it is understood an updated ecological assessment is currently being finalised and is likely to be given detailed consideration prior to the Committee Meeting. Additionally it is understood that the findings of the ecology assessment confirms that the proposed works will be of negligible risk whilst no further ecological surveys are required.

As Natural Heritage matters remain outstanding further consideration is to be given to the updated ecology report and any comments or recommendation will be made by way of a supplement report.

POLICIES:

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

NA_5_Provision / improvement of visitor facilities at tourist attractions

NA_6_Encouragement to improvement of commercial and social structures in the Coastal zone

NA_26_Development / enhancement of Coastal & Seafront Zone for leisure and tourism; retention of open space.

B_2_Scale, massing layout and setting of new developments

B_4_Development within conservation areas

B_6_Measures to preserve and enhance conservation areas

B_10_Development affecting the setting of listed buildings

B_13_Sites and monuments of local importance affected by development

T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

COMMENTS:

The main issues under consideration in the assessment of this application relates to the principle of the development, the impact of the development upon the character and appearance of both the Grade II Listed Building and the wider street scene, residential amenity and Natural Heritage.

Policy Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that a planning application should be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, paragraphs 2, 11, 12, 13 and 196 of the National Planning Policy Framework (the NPPF) emphasise that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. They confirm, also, that the NPPF is a material consideration in planning decisions.

At the heart of the National Planning Policy framework is the presumption in favour of sustainable development. Protecting and enhancing the historic environment is an important component of the NPPF's drive to achieve sustainable development. The appropriate conservation of heritage assets forms one of the 'core planning principles' that underpin the planning system. Section 12 of the NPPF, incorporating paragraphs 126-141, principally expands upon this and seeks to conserve and enhance the historic environment. The paragraphs from section 12 relevant to this application are as follows:

Paragraph 131: In determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Local adopted planning policy and guidance

The council's saved Unitary Development Plan (UDP) adopted in 1998 is the statutory development plan for Sunderland. Highlighted below are the relevant planning policies for this application.

Policy B2 of the UDP relates to new development, redevelopment and alterations to existing buildings and states in part that the scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy. Policies B4 and B6 require all development within conservation areas to preserve or enhance their character or appearance and encouraging the retention of existing buildings and the improvement of features. In addition, UDP policy B10 advises that proposals in the vicinity of listed structures do not adversely affect their character or setting.

Policy NA5 relates to tourism and visitor facilities stating provision and or improvement of facilities and other works to enhance the attraction of the Roker and Seaburn seafront zone will be encouraged. Policy NA6 of the UDP states that the City Council will encourage improvements to the existing commercial and social structures in the coastal zone to help ensure their viability and maximise their potential contribution to the environment of the seafront. In addition, UDP policy NA26 dictates that the seafront zone between the river mouth and the city boundary with South Tyneside will be retained for passive recreation use; the zone will be protected and enhanced by environmental improvements which retain unspoilt views.

The pier deck and its features have evidential and historic significance in telling the story of the piers construction and the proposals seek to replace the decaying historic fabric on a like-for-like basis, with new interpretation work replacing elements of the deck that cannot be practicably saved or renewed. Whilst it would have been preferred to retain all historic features in-situ this has been proven to be untenable due to existing and projected maintenance costs, time

constraints and the impact on the structure's continued ability to remain open to the public. Therefore it is considered that the public benefits outweigh the less than substantial harm which will be caused by the removal of the locomotive track.

With regard to the above it is considered that the proposed works will be of benefit to the tourist and visitor attractiveness of the pier, safeguarding its future and of benefit to the wider area. The proposed deck works will also reduce the amount of closures on a yearly basis due to health and safety issues whilst the proposed scheduling during the summer months should limit disruption and length of time the pier will be closed. Although it is acknowledged there will be inevitable disruption to nearby residential occupiers this is considered to be limited and be of a temporary nature during the proposed works.

Conclusion

For the reasons given in this report it is considered that the principle of development is acceptable and the scheme does not have any significant adverse impact to residential or visual amenity while improving the condition of the deck. The scheme is considered to comply with the abovementioned policies of the adopted UDP.

Notwithstanding the above further consideration is being given to Natural Heritage and Environmental Health issues whilst the consultation period for the press notice does not expire until 18 April 2014. These outstanding considerations and the additional information in the form of the ecology assessment are likely to be available prior to the Committee Meeting in time to allow a recommendation to be made on a supplement report.

RECOMMENDATION: Deputy Chief Executive to Report

Reference No.: 14/00516/LAL Listed Building

Proposal: **Repair pier foundations and repoint walls. Repair, redecorate and replace sections of handrails to original design. Replace existing pier deck with imprinted concrete to replicate existing pattern including works to the locomotive track and pier vents (amended description 19.03.2014)**

Location: Roker Pier Marine Walk Sunderland SR2 0PL

Ward: St Peters
Applicant: Mr Daniel Hattle
Date Valid: 5 March 2014
Target Date: 30 April 2014

PROPOSAL:

Listed Building Consent is sought for restoration works at Roker Pier, Marine Walk, Sunderland and comprise of below water repairs to the foundations of the superstructure, selective pointing of the vertical pier walls on each elevation, renewal of the concrete pier deck on a like-for-like basis (including cobble pattern), retention of small quantity of in-situ steel locomotive track with the remainder to be interpreted with concrete banding, the shot blasting, re-decoration and reinstatement of the original Victorian handrails and works to the pier vents. The superstructure repair does not require planning or listed building consent and is not therefore included as part of the application.

Roker Pier is situated at the southern end of Roker beach lying approximately 0.5km north of Sunderland Harbour. The Pier, along with the South Pier, forms the outer sea defences of the docks and river mouth. Roker Pier is curved and is 609.60m long, 10.6m wide at the shore side, increasing to 12.10m wide at the seaward end. The pier terminates in a roundhead measuring 20.10m across.

Roker Pier is a Grade II listed structure (NL No. 1279906) and lies within the Roker Park Conservation area (SCC 2007). The pier is constructed of red Aberdeen granite, accommodating an integral tunnel along its full length, originally provided to allow the lighthouse keeper access during adverse weather.

Over the years Roker Pier has been incessantly battered by high winds and large waves and still forms part of the primary sea defences protecting the Port of Sunderland and harbour properties. In this time the structure has remained vulnerable to failure in structural integrity, water ingress and its ability to be used by the public.

In particular the pier deck has suffered from its exposed location with hundreds of metres of the original railings lost into the sea or removed. Various other pieces of ironwork, including the rails which were used to transport the concrete blocks into place, have also been lost. The deck, originally constructed using a process

of pressed-concrete to reproduce the effects of a cobble street, has suffered from various poor attempts to patch and repair the surface and is now a patchwork of concrete and tarmac.

A significant part of the maintenance costs on Roker Pier have been associated with deck slab repairs with the majority of work adjacent to the embedded rails. The ongoing costs of patching the deck have escalated over the last 8 years whilst the New South Pier, which was resurfaced over 10 years ago, has had no recent maintenance costs.

The Pier is now at a point where it is closed regularly due to trip hazards and other dangers associated with the loss of large areas of the deck. As such it is proposed to utilise a concrete repair material which is generically similar to the original Portland cement based concrete used in the current surface. The proposed concrete will have the same finish as the existing, including the cobbled pattern, but will benefit from improved technology, resulting in greater durability.

A major issue with regard to the on going deterioration of the pier deck has been attributed to the locomotive track which is constructed on foundations which join the original pre cast concrete blocks and is a weak point. The track has seen significant decline with large areas of pitting and erosion. The foundations show signs of crumble and staining.

In order to address the issues associated with the track a number of options were explored including the refurbishment of the locomotive rails in-situ and refurbishment of rails off site. These options were discounted due to time constraints, practicality, site constraints, potential damage and costs. Additionally the pier has been closed for 114 days over the last 18 months due to health and safety issues and the two above options would result in closure for at least two years.

Due to the issues associated with the track it is suggested that the most viable option relates to the removal of 1650m of rails which are badly degraded and causing major maintenance issues. As such it is proposed to interpret the track by using specially commissioned printing moulds and hand-tools to create a matching pattern within the proposed new concrete pier deck. This will be coloured using a non-metallic, dry shake, cementations product that provides uniform colour that can accurately replicate the current rail track appearance. The product is chloride free and contains pigments that are stable and colourfast in the presence of lime and sunlight. This new interpretation work will complement two sections of new track which will be inserted into the deck at the roundhead and pier entrance, preserving part of the decks original form.

The Heritage finish to the Pier deck will be imprinted using custom moulded polyurethane matting. Irregular boundaries and corners will be tooled by hand to ensure a consistent finish across the complete deck surface. The locomotive track interpretation will be trowelled into the concrete and stained in-situ following the imprinting process. The exposed aggregate effect which essentially introduces colour into the remaining surface will be achieved by careful exposure of the top surface following the concrete pour & consolidation. A number of sample panels will be utilised prior to the deck renewal to refine the required deck finish and solicit Heritage approval.

The current brass caps to the pier vents which are located within the deck are thought to be a more recent addition to the structure following the failure of original 'skylights'. It is proposed to reinstate glass covers to the original apertures which will provide natural light to the tunnel.

The works to the handrails comprise of repairs and repainting whilst sections are to be replaced with the original design. The sections of railings to be replaced are towards the eastern end of the Pier towards the roundhead.

Due to the exposed coastal location of the pier there is only a small window of opportunity to carry out the required works. Should the scheme be considered acceptable it is proposed to carry out the works over the summer months of 2014. This will require the full closure of the pier to ensure the safety of the public. The project has been planned to tie-in with the on-going public realm work at Marine Walk and once it's completed the new surface will allow access for all, with existing kerbs, potholes and slippery surfaces removed.

The elements of repair to the substructure and Pier foundations will be sequenced with the renewal of the Pier deck surface, to allow continuous phasing from the seaward end of the Pier toward the land.

Both elements of works require continuous delivery of mass concrete, but the Pier deck repair renewal will only commence after the sub-structure works situated directly below have been completed. This will allow an adequate working platform to be preserved for both operations.

The Pier deck renewal element will then follow the sequence of sub-structure works along the Pier length.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management
County Archaeologist
Environmental Health
Amenities Societies
Port Manager
English Heritage
St Peters - Ward Councillors Consultation
The Society For The Protection Of Ancient Buildings
The Georgian Group
The Ancient Monuments Society
The Council For British Archaeology
Victorian Society
Campaign To Protect Rural England
Network Management

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The Society For The Protection Of Ancient Buildings
The Georgian Group
The Ancient Monuments Society
The Council For British Archaeology
Victorian Society
Campaign To Protect Rural England

Final Date for Receipt of Representations: **18.04.2014**

REPRESENTATIONS:

Neighbours:

The expiry date for the press and site notice are 18.04.2014 and 10.04.2014 respectively and in this regard no representations have been received to date. Should any comments be received they will be reported at the Committee Meeting.

Consultees:

The final date for consultee responses has also expired with the last date being 09.04.2014. The following responses have been received:

English Heritage:

English Heritage were consulted as, if Members are minded to grant listed building consent, the application would need to be referred to the Secretary of State for Communities and Local Government for determination, in accordance with regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990. A response has been received, raising no objections to the proposal. The following general observations were however noted.

The significance of the grade II listed Roker lighthouse and pier is built up of many facets and in this regard is of strong historical value of an impressive feat of Victorian engineering. It is noted as a visually pleasing and imposing structure constructed of high quality materials and an attention to detail beyond purely functional with a clear communal value as a landmark structure.

The significance of the pier track lies in what it can tell about how the pier was constructed and not a deliberate design feature of the pier. It is regrettable to lose the original fabric of the track however the demarcation in the concrete and good documentation and reference is considered to be satisfactory to understand how the pier was constructed and as such will not be harmful to the significance of the structure.

The repair and replacement of the railings will enhance the significance of the structure by reinstating a design scheme and along with the new deck surface

will create a uniformity that will visually tie the structure together and reinforce its aesthetic qualities.

In accordance with the above, English Heritage welcome the move to restore Roker pier which will enhance both the significance of the grade II listed structure and the wider conservation area. Given the current economic climate it is stated that it is heartening to see the commitment of the local authority to the conservation of the heritage asset.

The application is considered to satisfy the requirements of section 131 of the NPPF and it is recommended that application be determined in accordance with national and local policy and on the basis of the in-house conservation team advice. It is stated no further consultation is necessary with English Heritage.

National Amenities Societies:

Upon the expiry of the consultation period no comments or representations have been received.

Built Heritage:

The proposed works to Roker Pier has been subject to detailed involvement from the Built Heritage Team and as such the application is considered to be acceptable subject to the imposition of conditions pertaining to materials and a method statement for the works.

Network Management:

No observations or recommendations were received.

County Archaeologist:

No comments were offered in respect to the proposed works.

POLICIES:

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

B_4_Development within conservation areas
B_6_Measures to preserve and enhance conservation areas
B_7_Demolition of unlisted buildings in conservation areas
B_10_Development affecting the setting of listed buildings

COMMENTS:

The main issues under consideration in the assessment of this application relate to the impact of the development upon the character and appearance of a Grade II Listed Building.

Policy Considerations

At the heart of the National Planning Policy framework is the presumption in favour of sustainable development. Protecting and enhancing the historic environment is an important component of the NPPF's drive to achieve sustainable development. The appropriate conservation of heritage assets forms one of the 'core planning principles' that underpin the planning system. Section 12 of the NPPF, incorporating paragraphs 126-141, principally expands upon this and seeks to conserve and enhance the historic environment. The paragraphs from section 12 relevant to this application are as follows:-

Paragraph 128: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 129: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

Paragraph 131: In determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 134: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 137: Local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 141: Local planning authorities should make information about the significance of the historic environment gathered as part of development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

Local adopted planning policy and guidance

The council's saved Unitary Development Plan (UDP) adopted in 1998 is the statutory development plan for Sunderland. Highlighted below are the relevant planning policies for this application.

B4: Development in Conservation areas

All development within and adjacent to conservation areas will be required to preserve or enhance their character or appearance.

B6: Preserve and Enhance Conservation areas

The council will preserve and enhance the character or appearance of conservation areas; measures will include:-

- Encouraging the retention of existing buildings and the improvement of features, open spaces, historic street patterns and plot boundaries;
- Giving special attention to the preservation of important views into and out of the area;
- Promoting environmental improvement and enhancement programmes.

B7: Demolition in Conservation Area

Applications for demolition of unlisted buildings in a Conservation Area will be determined by the extent to which the integrity, character and appearance of the area is affected, taking into account any replacement proposals. Where unlisted buildings make a positive contribution to the character or appearance of a conservation area, the criteria in policy B8 which concerns the demolition of listed buildings will apply.

B10: Development and listed buildings

The city council will seek to ensure that development proposals in the vicinity of listed buildings do not adversely affect their character or setting.

The pier deck and its' features have evidential and historic significance in telling the story of the piers' construction and the proposals seek to replace the decaying historic fabric on a like-for-like basis, with new interpretation work replacing elements of the deck that cannot be practicably saved or renewed. Whilst it would have been preferred to retain all historic features in-situ this has been proven to be untenable due to existing and projected maintenance costs, time constraints and the impact on the structure's continued ability to remain open to the public. Therefore it is considered that the public benefits outweigh the less than substantial harm which will be caused by the removal of the locomotive track.

In accordance with the above it is considered that the only way for the pier to move forward and continue to its current function is to carry out the proposed works. Whilst elements of the decaying historic fabric will be lost, the future of the pier complex will be secure for another generation, with the lost elements replaced with modern interpretations and in the case of the skylights and handrails, restored to their former condition. The proposed works are considered to be a positive step and of significant benefit to the wider Conservation Area.

In accordance with Regulation 13 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990, applications made by a Local Authority for listed building consent must be referred to the Secretary of State for determination. The

period for the receipt of representations does not expire until 18 April 2014, which is after the preparation of the Committee Report.

Accordingly, should Members resolve to be minded to grant consent, subject to no representations being received and subject to the conditions below, the application will then be forwarded to the Secretary of State. If any representations are received prior to the Sub-Committee meeting, these will be relayed by way of a report for circulation and the recommendation reappraised if necessary.

RECOMMENDATION: Minded to Grant Consent

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Location Plan received 31.03.2014.

Drawing No. 2511006/ARCH/100 Rev B: Existing Plan and Railing Elevations of Roker Pier and Railing Proposals, received 05.03.2014

Drawing No. 2511006/ARCH/101 Rev P1: Existing Plan and Elevations of Roker Lighthouse and Roundhead, received 05.03.2014.

Drawing No. 2511006/ARCH/103: Roker Pier Deck Refurbishment Imprint Mat Details Rev P1, received 05.03.2014

Drawing No. 2511006/ARCH/104: Existing Post Types to be Replaced, received 05.03.2014

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

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including pointing, handrails, pier deck and pattern, pier vents, paint colour finishes etc has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 4 Notwithstanding the approved plans, no part of the works hereby granted consent shall be commenced, until a detailed method statement for dismantling and repair work, including specifications of concrete deck, vents, skylights, pattern and finish has been submitted to and approved in writing by the Local Planning Authority in the interest of maintaining the

historic fabric of the building and to comply with the requirements of Section 12: Conserving and Enhancing the Historic Environment of the National Planning Policy Framework

- 5 A programme of recording shall be completed and submitted to and approved in writing by the Local Planning Authority during the removal of the deck. For the avoidance of doubt this shall include a full photographic record of the removal of the pier deck and associated features in order to provide an archive record of the historic building and to comply with policy B11 of the UDP.