

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

Reference No.: 10/03918/FUL Full Application

Proposal: **The erection of a food store (class A1 Retail) with associated petrol filling station, parking, servicing, trolley bays, recycling facilities, new access road and hard and soft landscaping.**

Location: Jennings Riverside Road Sunderland SR5 3JG

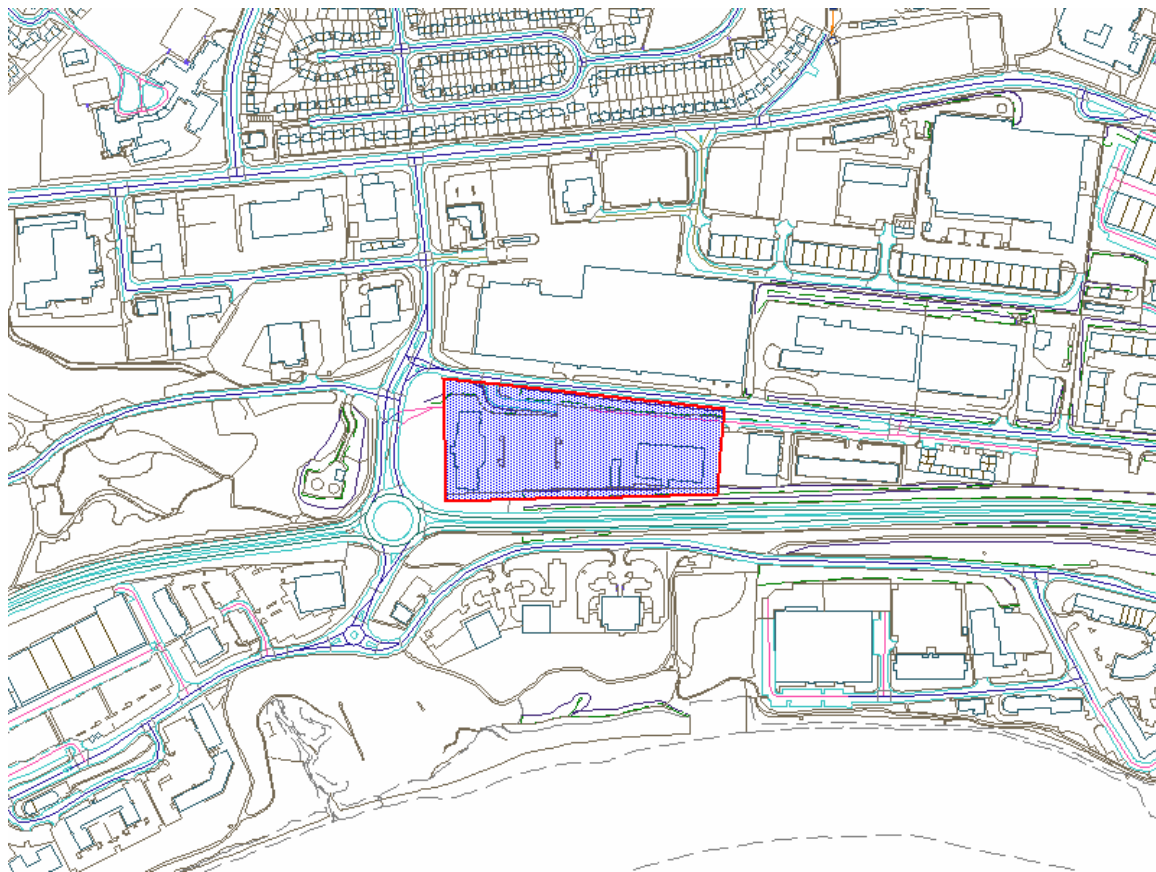
Ward: Southwick

Applicant: Terrace Hill LTD and Sainsbury's Supermarkets LTD

Date Valid: 30 November 2010

Target Date: 1 March 2011

Location Plan



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PROPOSAL:

The Planning Application

This planning application seeks full permission for a 10180sqm (gross) food retail store (supermarket) (falling into Class A1 of the Town and Country Planning (Use Classes) Order, 1995) with an associated six pump petrol filling station, car park,

access road and hard and soft landscaping. It is anticipated that the end user of the development proposed will be J Sainsbury.

The application is supported by the following documents and information:

- Plans (various)
- Planning Policy Statement 4 (PPS) statement
- Community Consultation Statement
- Design and Access Statement
- Transport Assessment
- Travel Plan
- Economic Impact Assessment
- Sustainability Statement
- Flood Risk Assessment
- Tree Survey
- Ecology Report
- Ground Investigation Interpretive Report
- Planning Application Summary Report
- Sensitivity Analysis of Household Surveys and Comparison Goods Growth Rates

The Application Site

The application site comprises 2.4 hectares and is located on the northern side of the River Wear, around 4km from Sunderland City Centre.

The site which is accessed from Riverside Road, is currently occupied by Jennings Motor Retailers who operate a Ford and Mazda car dealership from the site and a Jennings car parts and servicing centre. Currently the two storey car dealership occupies the western end of the site and the car parts and servicing is carried out in a second building, which has an appearance akin to an industrial unit and occupies the eastern end of the site. The remainder of the site is used as vehicle parking in connection with both the car dealership and the servicing and parts centre.

The application site occupies a plateau between the A1231 Wessington Way and Riverside Road. Access to the site is currently taken from the western end of Riverside Road which lies approximately 2.5 metres above the application site at the eastern end and which is 5.5 metres higher than the application site at the western end (nearest to Castletown Way). As a result of the sites differing topography a long sloping access road currently provides access to the Jennings car dealership via a junction from Riverside Road at its western extent.

The application site is bounded to the north by Riverside Road and North Hylton Road Industrial Estate; to the south by bank of trees which acts as a buffer and screening of the site from the A1231 Wessington Way, further to the south of the site beyond Wessington Way is Hylton Riverside Office and Retail Park and the River Wear. To the east of the application site is industrial and commercial premises on North Hylton Industrial Estate and to the West is Castletown Way and its associated highway verges and landscaping.

The nearest residential dwellings to the application site are those located approximately 234 metres to the north of the site on Raleigh Road (located on the northern side of North Hylton Road). There are also residential dwellings located to the eastern extent of Riverside Road between Burntland Avenue,

North Hylton Road and Northern Way. The nearest residential street to the site, as the crow flies, in this direction is Breadsheath Road, this is located approximately 643 metres to the east of the application site.

Members may recall that following their request at an earlier meeting of the Development Control North Sub Committee, a visit to this application site took place on Friday 8 April 2011.

The Proposed Development

An A1 food retail store (supermarket) comprising 10180sqm (gross)/ 5611sqm (net) of new retail floorspace is proposed. Of the 5611 sqm net floor area 3143 sqm will be for convenience (food) retail and 2468 sqm will be for comparison (non-food) retail.

In association with the retail food store the following are also proposed: a six pump petrol filling station, 537 car parking spaces (including 34 car parking spaces designated for use by disabled drivers and 30 car parking spaces designated for parent and child use), bicycle parking for 40 bicycles and a new access road from Riverside Road.

Taking each part of the proposal in the following order:

1. Access Road
2. Food Retail Store (Supermarket)
3. Car Parking
4. Bicycle Parking
5. Petrol Filling Station

1. Access Road

The proposed development will be accessed via Riverside Road from a new junction formed towards the eastern boundary of the site (the new access will be located approximately 275 metres east of the Riverside Road/Castletown Way junction). From its junction with Riverside Road the access road will extend straight ahead toward the southern boundary of the site before sweeping towards the west and doubling back on itself in a northerly direction. The access road will then bear left towards the western boundary of the site where it will provide access to several rows of marked out car parking bays comprising the 537 car parking spaces. The access road proposed is designed to accommodate two way traffic so traffic leaving the store will exit via the same road and the new road junction on to Riverside Road. The proposed petrol filling station will be located towards the eastern boundary of the site within the loop formed by the access road.

2. Food Retail Store (Supermarket)

The main food store building will stand on stilts on the site to facilitate undercroft car parking beneath the store and also to maximise the presence of the building when viewed from Wessington Way. Access to the store from the car park level will be via lifts and travelators (escalators).

The store will be 12.5 metres tall at its highest point from car park level with the lowest part of the main body of the store being 6.8 metres high, which is the minimum height necessary to meet Sainsbury's operational needs.

A glazed entrance atrium is proposed on the northern elevation of the store. This will measure approximately 11 metres in height and will create a distinctive entrance for the building. In addition, a canopy is proposed on the front (northern) elevation of the building facing Riverside Road. The canopy will be 11 metres in height and will project a distance of 10 metres from the façade of the building.

3. Car Parking

537 car parking spaces are to be provided to serve the store. These spaces will be provided in a mixture of surface level and undercroft parking with the store elevated on stilts above the undercroft element of the car parking area.

4. Bicycle Parking

A total of 20 Sheffield Style Cycle Stands are proposed which will provide parking for 40 bicycles. 10 of the cycle stands (providing 20 cycle parking spaces) proposed will be located adjacent to the store entrance and an additional 10 stands will be located at the car park level close to the lifts and travelators providing access to the store.

5. Petrol Filling Station

The proposed Petrol Filling Station is to be located in the eastern area of the application site and will be accessed via a right hand turn from the new access road in to the site. The Petrol Filling Station is surrounded by the loop arrangement of the new access road on its eastern, western and southern sides. To the north of the proposed petrol filling station is an area for recycling for use by customers calling at the store.

The proposed Petrol Filling Station is to be covered by a canopy measuring approximately 18 metres by 23 metres and will stand to a height of 4.8 metres to the underside of the canopy. The canopy will be supported by six steel columns one located on each of the six islands which accommodate the fuel pumps. The kiosk which will serve the Petrol Filling Station measures approximately 15.3 metres by 7.7 metres and is 4.1 metres in height.

Job Creation

The supporting information submitted with this planning application indicates that there will be in the region of 450-500 jobs created within the food store. A further 400 temporary jobs within the construction industry will be created during the construction phase of the proposal and 100 jobs will be retained by the facilitation of relocating the Jennings car dealership operation to an alternative more suitably sized site within Sunderland.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Environment Agency
Business Investment
The Highways Agency
City Services - Transportation
Street Scene (Environmental Service)

Force Planning and Police Architectural Liaison Officer
Nexus
Northumbrian Water
North East Chamber Of Commerce
City Centre Manager
Government Office for the North East
Association of North East Councils

Final Date for Receipt of Representations: **23.12.2010**

REPRESENTATIONS:

7 representations have been received.

Of the 7 representations received:

- 5 representations are in opposition to the proposed development; and
- 2 representations are in favour of the proposed development.

POLICIES:

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

EC_4_Retention and improvement of existing business and industrial land
NA_1_Retention and improvement of existing industrial area
S_1_Provision of enhanced shopping service, including local provision, based on existing centres.
NA_11_Retention and improvement of existing shopping centre
NA_12_New site for local convenience retailing with community / leisure facilities
B_2_Scale, massing layout and setting of new developments
S_7_Design and requirements for new retail development
B_19_Creation of a "user friendly" environment
R_1_Working towards environmentally sustainable development
R_2_Taking account of spare infrastructure / reduced travel / vacant & derelict land
R_4_Incorporation of energy saving measures
T_8_The needs of pedestrians will be given a high priority throughout the city.
T_9_Specific provision will be made for cyclists on existing/new roads and off road
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
T_22_Parking standards in new developments
EN_12_Conflicts between new development and flood risk / water resources
EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas
CN_17_Tree Preservation Orders and replacement of trees
EN_10_Proposals for unallocated sites to be compatible with the neighbourhood

COMMENTS:

All matters relating to this application remain under consideration. However, Members are advised that the application raises a number of issues that have city-wide implications. In particular:

- The application is accompanied by a retail impact assessment as required by policy EC14 (Supporting evidence for planning applications for main town centre uses) of Planning Policy Statement 4, which examines the potential effects of the proposed development upon other existing retail centres, in particular Southwick Green and Sunderland City Centre. Although the retail impact assessment submitted remains under consideration by the Local Planning Authority, because Sunderland City Centre lies outside of the Sunderland North boundary it is considered that the eventual findings of this retail impact assessment are likely to have implications beyond the "Sunderland North" area.
- The application is accompanied by a sequential test as required by policy EC14 (Supporting evidence for planning applications for main town centre uses) of Planning Policy Statement 4 to establish that there is no other available site capable of accommodating the proposed development, which would be preferable in terms of its location either within, or on the edge of, an existing centre. The sequential test supplied includes the examination of sites that lie outside of the Sunderland North area. Although the sequential test submitted remains under consideration by the Local Planning Authority it is considered that the eventual findings of this sequential test are likely to have implications beyond the "Sunderland North" area.

Consequently it is considered essential that this planning application be determined by a Committee with city-wide responsibility for planning matters and accordingly, Members are recommended to refer the application to Planning and Highways Committee on the grounds of its city-wide significance, for consideration at a meeting to be held in early July by which time it is anticipated that all considerations relating to this development will be concluded.

RECOMMENDATION: Refer to Planning and Highways

Reference No.: 11/00288/FUL Full Application

Proposal: **Proposed new local centre development comprising food store (class A1), retail units (class A1), commercial units (class A1-A5), offices / non residential institutions (class B1a / D1) and restaurant (class A3 / A5) : associated parking, landscaping, servicing and access arrangements.**

Location: Land Bounded By North Hylton Road Castletown Way
Riverbank Road Southwick Industrial Estate Sunderland

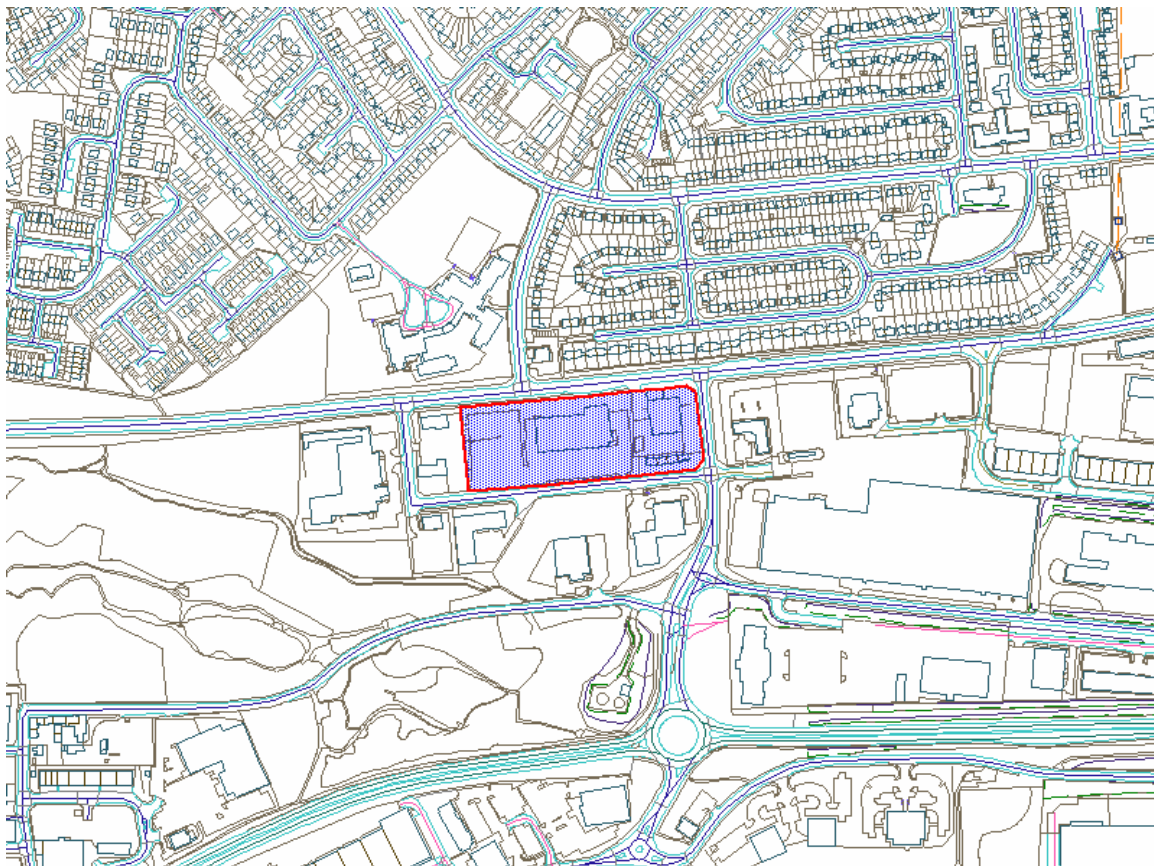
Ward: Castle

Applicant: Verum Victum Limited and Penmarric Plc

Date Valid: 2 February 2011

Target Date: 4 May 2011

Location Plan



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PROPOSAL:

This planning application seeks full permission for a new local centre development comprising food store (class A1), retail units (class A1), commercial units (class A1-A5), offices / non residential institutions (class B1a / D1) and restaurant (class A3 / A5): associated parking, landscaping, servicing and access arrangements.

The application is supported by the following documents and information:

- Plans and elevations
- Retail and Planning Statement
- Community Consultation Statement
- Design and Access Statement
- Transport Assessment
- Sustainability Statement and economic statement.
- Flood Risk Assessment
- Interim Travel plan and transport statement.
- Ground Investigation Report
- Landscape strategy statement
- Ventilation and extraction statement.
- Air quality statement.
- Noise assessment.

The Application Site

The site is the former Cowies/Arriva commercial vehicles site and is located North Hylton Road at the junction with Riverbank Road and Castletown Way, approximately 4km from the City Centre.

The site which is proposed to be accessed from North Hylton Road is currently occupied by various unauthorised uses including a car wash.

The site is bounded to the north by North Hylton Road but the rest of the area is in industrial use. To the north of the site across North Hylton Road are residential dwellings.

The proposed Class A1 retail units vary in size from 1,035-17,600sq.ft with a gross area of 38,420sq ft. In addition there are proposed two B1 or D1 (Offices or Halls, Clinics etc) units of 5,350 and 4,275 sq.ft. respectively. There are also proposed one A2 unit of 1,035sq.ft (Bank, estate agent etc.) and one A3/A5 unit of some 2,600sq.ft. (Restaurant or Takeaway).

Parking spaces are proposed for a total of 186 vehicles, 3 motorcycle bays and 28 cycle hoops.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Northumbrian Water
Northern Electric
North Gas Networks
City Services - Transportation
Street Scene (Environmental Service)
Environment Agency
Business Investment
The Highways Agency
Force Planning and Police Architectural Liaison Officer

Final Date for Receipt of Representations: **09.03.2011**

REPRESENTATIONS:**Consultees****Highways Agency (HA)**

The Highways Agency is satisfied that the development will not generate significant flows of traffic on the Strategic Road Network in the area, and therefore hold no objections to the application being determined.

Travel Plan

The revisions proposed by the applicants to the Travel Plan appear to be satisfactory. The applicants should now produce a revised Travel Plan before any determination of the application that includes the proposed revisions described in a letter to the Highways Agency dated 6 April 2011. The Travel Plan will then be conditioned as part of the determination of the application.

Environment Agency (EA)

EA have no objection to the development as proposed subject to the following conditions being imposed on any planning permission:

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the LPA. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The information provided with the planning application indicates that the site has been subject to a number of potentially contaminative land-uses. The environmental setting of the site is sensitive as it lies on the Magnesian Limestone, a principal aquifer and within Zone III of a currently designated groundwater Source Protection Zone. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.

Condition: Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: The information provided with the planning application indicates that the site has been subject to a number of potentially contaminative land-uses. The environmental setting of the site is sensitive as it lies on the Magnesian Limestone, a principal aquifer and within Zone III of a currently designated groundwater Source Protection Zone. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Unsuspected contamination may exist at the site which may pose a risk to controlled waters.

EA have also requested the following informative notes be added to any consent;

A copy of the following report was submitted in support of this application:

- Phase 1 Desk Study Report for the proposed new local centre at North Hylton Road, Sunderland (Jan 2011). Verum Victum Ltd

Information within this document meets the requirements of a Preliminary Risk Assessment (PRA), in respect to addressing the risks to controlled waters only. Information within the report indicates that the site has been subject to a number of potentially contaminant land uses e.g. garage, engineering works. In addition, the site lies within an area of high environmental sensitivity, as the Magnesian Limestone principal aquifer underlies the site and the site lies within Zone III of a currently designated groundwater Source Protection Zone.

The report recommends that further site investigation works should be undertaken to refine the conceptual understanding of the site (investigate identified pollutant linkages) in order to determine the level of risk posed by the site. We acknowledge and agree with the need to undertake these works. The applicant should ensure that they carry out sufficient leachability/groundwater samples in order to assess the risks to the underlying principal aquifer.

With regards to flood risk, providing NWL agree to accept the surface water discharge, it would be NWL who must agree discharge rates or storage requirements.

EA would recommend that the discharge to sewer remains the same as existing and would encourage the use of SUDS wherever possible and hope they can be incorporated into the design. It is unfortunate of all the SUDS methods referred to, it may be only permeable paving that is utilised. For example it may be useful to consider the use of green roofs, rain water harvesting or swales in car parks which can all be used to help attenuate surface water.

Environmental Health

The following advice has been received from the Council's Environmental Health experts.

Ground Contamination

The Applicant has submitted an assessment in respect of ground contamination. It is recommended that no works other than investigation works should be carried out on the site prior to the receipt of written approval of the desktop study and any necessary remediation strategy in respect of this matter. This can be controlled by condition.

Air Quality

The North Hylton area is not identified in the report to be of concern with regards to air quality. As the site is not within an AQMA, a simple-level assessment has been undertaken in accordance with DMRB. The DMRB spreadsheet (version 1.03) has been used to predict concentrations for the base year 2010, and the future year 2012 without the development (DM) and with the development (DS).

There is a small magnitude impact on air quality predicted, and therefore the impact of the proposal in terms of air quality can be described as negligible given that total NO₂ concentrations were below 36 ug/m³.

Noise (operational)

The Applicant has also submitted a noise impact assessment which assesses the likely impact of the proposed development on nearby residential premises. The

report relies upon detailed traffic flow data which has been provided by AECOM which indicates that the largest increase in traffic flow is predicted to arise on a Saturday therefore the Saturday traffic flow data has been used to calculate the noise level change with the development in place.

The significance of the noise level differences with and without the development in place is very low (maximum of 1 dB) and is not anticipated to be perceptible to the human ear.

Odour (From proposed A3/A5 use)

It is understood that the proposed development seeks permission for the inclusion of restaurant (class A3/A5). Regard must therefore be had to the potential for odorous emissions from the proposed restaurant to give rise to complaints of nuisance or disturbance from nearby residential properties. It is therefore recommended that a suitable and effective extraction / ventilation system which efficiently captures odours and incorporates a grease filtration system shall be provided to serve the restaurant. The extraction system should terminate in a suitable position above eaves level and not be fitted with any restriction at the final opening, such as a plate, cap or cowl.

The applicant must also ensure that suitable provision is made for the disposal of refuse, in particular food waste, to deter the attraction of pests

Construction Issues

In view of the close proximity of the proposed development to nearby residential premises the applicant should make application for prior consent in respect of work on construction sites under the Control of Pollution Act 1974, Section 61 to Community and Cultural Services, Environmental Services, Pollution Control Section. Application should be made prior to the commencement of any works. This issue could be controlled by condition should consent be granted.

It is also recommended that on-site operations should not commence before 07:00 hrs and cease at or before 19:00 hrs Monday to Friday inclusive, and 07:30 and 14:00 hrs Saturdays. No works shall be permitted to take place on Sundays and Bank Holidays at any time without prior approval from Environmental Services (Pollution Control). Approval will only be given for such working in exceptional circumstances for example on the grounds of safety and public protection. This could also be controlled by condition should consent be granted.

Provision should be made for the reasonable prevention of dust generation. Where this is not possible adequate dust suppression management should be applied. As such a suitable and constant supply of water (mains supply or water bowsers in sufficient numbers) adequate for dust suppression purposes must be provided to the site. This could also be controlled by condition.

NEIGHBOURS

Four petitions, seven individual letters of objection and two letters of support have been received.

Petitions

- A petition bearing approximately 450 signatures has been received which is opposed to the development.

- A further petition bearing approximately 700 signatures opposing the development has been received on grounds of: competition, loss of community facility, loss of jobs convenience for the elderly.
- A further petition from a store in Witherwack bearing approximately 300 signatures has been received opposed to the development.
- A further petition from a store in Witherwack bearing approximately 480 signatures has been received opposed to the development.

Individual Letters of objection.

Seven letters have been received in objection to this proposed development on the following grounds:

- The site is allocated for industry and should be kept for that use.
- The proposal is considered to be another food store in the vicinity where there already exists a Netto, Aldi and Cooperative.
- The proposed office development is unnecessary as there are empty office premises in the Riverside area.
- North Hylton Road is a busy road which will be dangerous for pedestrians to cross and the large car park will become a magnet for boy racers at night.
- Traffic Congestion would increase with the proposal.
- The development will encourage car users to the area. By putting 184 car parks spaces it shows the development and the developers intend to attract a large number of cars to the retail units.
- There is not much substance to the travel plan it provides details of how people could get there using public modes of transport but does not include in detail how traffic created by the development will be handled.
- It is suggested that the people from the local residential area will use the facility and it is a walkable distance for employees.
- Statistics taken from the North East Regional Road Safety Resource Project Report: 22 (Distance from Home) have shown there have been 14 accidents between 2005 - 2009 on that particular part of North Hylton Road as well as Castletown Way. Although there have been no further statistics reports for the past 2 years that have been published at least 2 other major accidents that happened last year one of which was a fatality.
- North Hylton Road is a 40 mile per hour road and the developers are encouraging people to walk across a very busy road.
- The development is close to a school encouraging school children to cross the road.

- HGV traffic will also increase with deliveries to the retail units.
- There are a number of retail outlets and units within the north of Sunderland that are vacant at the Wheatsheaf retail park as well as in Southwick. Any new businesses should be looking to fill these not creating new developments.
- The Sunderland Echo refer to the Local Data Company (LDC) reporting that the city centres vacancy rate rose to 21.5 per cent last year an increase of four per cent from 2009. The national economy has an impact on the propensity to spend and as this reduces there is a corresponding increase in the number of vacant shops.
- Technological factors such as the growth in internet on-line shopping also reduce the need for more shops.
- The Council have (allegedly) raised the rent for retail properties within the vicinity of the proposed development, by more than 100% which will force further small business to shut and create more derelict properties within the city.
- This is acknowledged in the Sunderland Retail Assessment report of 2009 in point 5.56 where it states that supermarkets have continued growth in the market share at the expense of smaller supermarket operators and independent retailers.
- Sunderland Retail Assessment report of 2009 also states that a planning application for a new Tesco store at Sunderland Retail Park is currently pending consideration, and, if approved, would meet the qualitative need for additional food and grocery provision in the area towards the north of the City, and would reduce the leakage of convenience expenditure to the Asda store at Boldon Colliery. Why isn't the Council taking the advice of the consultants who wrote that report, ignoring their own development plans by creating further retail units which as far as the report is concerned are not needed within the north of the city?
- Having fast food retailers so close to a school should also be considered, by having such units near children will encourage the chance of obesity.
- Objections have been received from the local independent shops with regards to the proposal causing unwanted competition, loss of trade and subsequent loss of jobs and businesses.

Driving Test Centre

The management of the nearby centre is concerned that the proposal will inconvenience the operation of the centre with conflicting traffic users.

Representations in Support

Two letters of support have been received welcoming the competition and variety to be offered requesting under cover parking for cyclists/motor cyclists.

POLICIES:

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

S_2_Encouraging proposals which will enhance / regenerate defined existing centres.

S_3_Support to other existing centres, local groups and small shops, including new provision

S_12_Criteria for hot food takeaways, restaurants, other A3 uses and amusement centres

S_13_Resisting retail development on land allocated for industry

EC_4_Retention and improvement of existing business and industrial land

S_1_Provision of enhanced shopping service, including local provision, based on existing centres.

NA_1_Retention and improvement of existing industrial area

NA_11_Retention and improvement of existing shopping centre

NA_12_New site for local convenience retailing with community / leisure facilities

B_2_Scale, massing layout and setting of new developments

S_7_Design and requirements for new retail development

B_19_Creation of a "user friendly" environment

R_1_Working towards environmentally sustainable development

R_2_Taking account of spare infrastructure / reduced travel / vacant & derelict land

R_4_Incorporation of energy saving measures

T_8_The needs of pedestrians will be given a high priority throughout the city.

T_9_Specific provision will be made for cyclists on existing/new roads and off road

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

COMMENTS:

At a previous meeting Members requested that a site visit was held, this took place on 8 April 2011.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the development plan comprises the 2008 North East of England RSS and saved policies in the 1998 Sunderland Unitary development Plan (UDP).

Other material considerations taken into account include the national planning policy documents particularly PPS4 Planning for Sustainable Economic Growth 2009.

All matters relating to this application remain under consideration including in particular the highway safety implications and the impact of further retail development in Sunderland.

Members are advised that the application raises issues in addition to the highway issues that may have implications in the wider area. The application is accompanied by a retail impact, assessment as required by policy EC14 (Supporting evidence for planning applications for main town centre uses) of

Planning Policy Statement 4, which examines the potential effects of the proposed development upon other existing retail centres. The retail impact assessment remains under consideration as the proposed developments are likely to have implications beyond the immediate area.

The application is also accompanied by a sequential test as required by policy EC14 (Supporting evidence for planning applications for main town centre uses) of Planning Policy Statement 4 to establish that there is no other available site capable of accommodating the proposed development, which would be preferable in terms of its location either within, or on the edge of, an existing centre. The sequential test submitted remains under consideration as the eventual findings may have implications beyond the immediate area.

This application was submitted shortly after a proposal for further major retail development that is being considered on a nearby site (The erection of a food store (class A1 Retail) with associated petrol filling station, parking, servicing, trolley bays, recycling facilities, new access road and hard and soft landscaping on the present Jennings site on Riverside Road, Ref: 10/03918/FUL) (See item 1 of this report). That proposed development could potentially affect other retail centres including the Town Centre and accordingly item 1 of this report is asking for that application to be determined by Planning and Highways Committee.

This present application needs to be considered together with application reference 10/03918/FUL in terms of cumulative retail impact. Accordingly it is considered that this planning application be determined by a Committee with city-wide responsibility for planning matters and accordingly, Members are recommended to refer the application to Planning and Highways Committee on the grounds of its city-wide significance for consideration at a meeting to be held in early July by which time it is anticipated that all considerations relating to this development will be concluded.

RECOMMENDATION: Refer to Planning and Highways