

**DEVELOPMENT CONTROL (NORTH SUNDERLAND)  
SUB-COMMITTEE**

**AGENDA**

**Meeting to be held in Committee Room No. 2 on  
Tuesday, 30th April, 2013 at 4.45 p.m.**

ITEM	PAGE
1. <b>Receipt of Declarations of Interest (if any)</b>	
2. <b>Apologies for Absence</b>	
3. <b>Applications made under the Town and Country           Planning Acts and Regulations made thereunder</b>	1
Report of the Deputy Chief Executive (copy herewith).	

**E. WAUGH,  
Head of Law and Governance.**

Civic Centre,  
SUNDERLAND.

22<sup>nd</sup> April, 2013

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If you require this, please telephone 0191 561 1044.**

## Development Control (North) Sub-Committee

30 April 2013

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### REPORT ON APPLICATIONS

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#### REPORT BY THE DEPUTY CHIEF EXECUTIVE

##### PURPOSE OF REPORT

This report includes recommendations on all applications other than those that are delegated to the Deputy Chief Executive for determination. Further relevant information on some of these applications may be received and in these circumstances either a supplementary report will be circulated a few days before the meeting or if appropriate a report will be circulated at the meeting.

##### LIST OF APPLICATIONS

Applications for the following sites are included in this report.

1. Site Of Hahnemann Court Carley Hill Road/ Thompson Road, Sunderland
2. Land at Marine Walk and Roker Park, Sunderland
3. Tesco Stores, Sunderland Retail Park, Sunderland

##### COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or email Development Control [dc@sunderland.gov.uk](mailto:dc@sunderland.gov.uk)

## **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/](http://www.sunderland.gov.uk/online-applications/)

Janet Johnson  
Deputy Chief Executive

**Reference No.:** 12/03269/FUL Full Application

**Proposal:** **Erection of a foodstore with associated access, car parking and landscaping; and relocation of an existing substation.**

**Location:** Site Of Hahnemann Court Carley Hill Road/ Thompson Road Sunderland

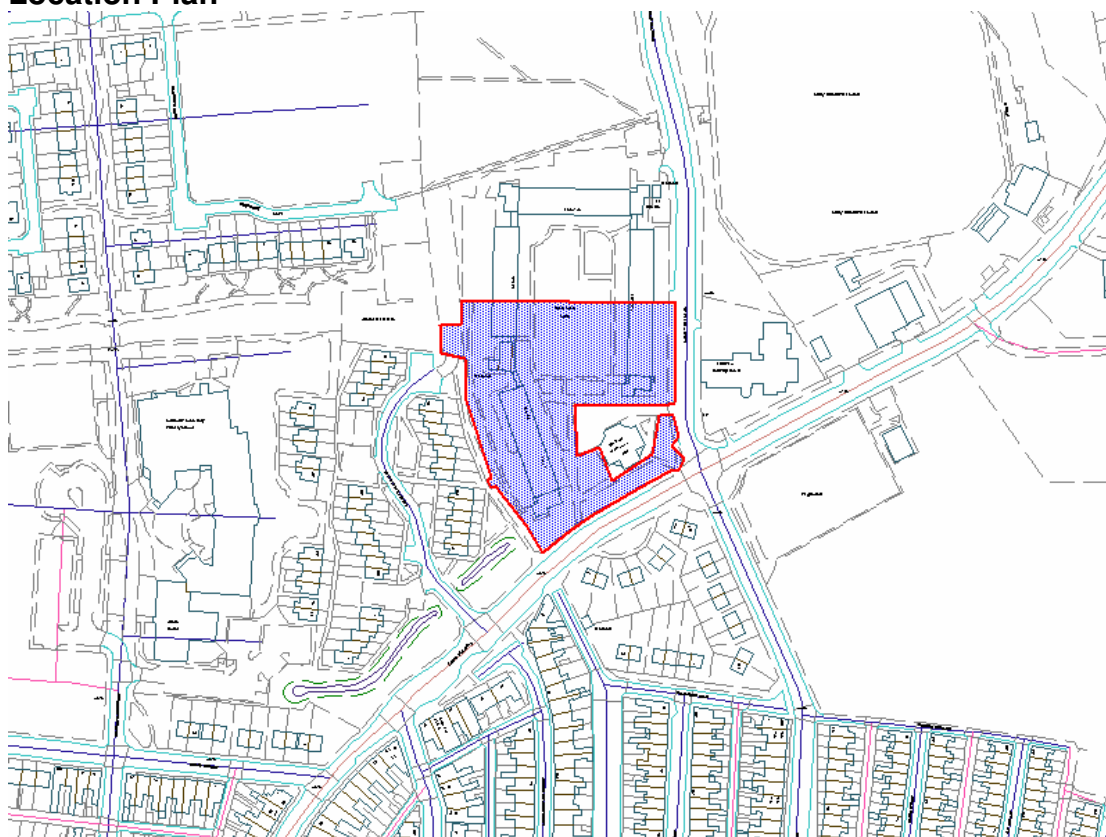
**Ward:** Southwick

**Applicant:** Aldi Stores Ltd

**Date Valid:** 7 December 2012

**Target Date:** 8 March 2013

### Location Plan



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### PROPOSAL:

Planning permission is sought for the proposed erection of a new food store with associated access, servicing and car parking at the site of Hahnemann Court, Carley Hill Road/Thompson Road, Sunderland.

The proposed food storey will be a single storey building with a gross internal floor area of 1473 sq.m and a sales area of 990 sq.m. The building is proposed to be sited towards the north-western section of the site with an entrance out onto Thompson Road. The remaining area of the application site will be predominantly occupied by customer car parking (99no. spaces in total of which 4no. will be designated for disabled persons and 9no. parent/child spaces) with access proposed to be taken off Carley Hill Road. Two further pedestrian access points are proposed, one off Thompson Road and one adjacent to the public house (The Mill). 4no. cycle stands are proposed within the site providing secure parking for 8 bicycles.

It is also proposed that part of the existing palisade fence to the western boundary will be removed in order that residents living in Coldstream Avenue can gain direct access to the footpath.

The application site covers approximately 0.76 hectares and comprises previously developed land which was part of the former Hahnemann Court flats complex and the junction of Carley Hill Road and Thompson Road in Southwick. Following the demolition of the flats the site was levelled and has not had any particular use. The application site is approximately 370 m to the north-east of Southwick Green Local Centre.

The proposed single storey food store will have a parapet height of 5.46m and be of a flat roof design. A cantilevered canopy is proposed to cover the shop front which will also wrap around the store to provide shelter over the store entrance. The building is proposed to be constructed from modern, contemporary materials with large elements of glazing along the frontage.

A soft and hard landscaping scheme is proposed around the site which will consist of low level, hardy shrubs ranging between 1.8m and 10m in depth, similar planting is also proposed along the sites frontage with Carley Hill Road.

The proposal also intends to enhance existing planting along the western boundary.

The application will require the relocation of the existing sub station towards the western boundary of the site.

The applicant has indicated within the submitted proposal that they seek to operate the building between the hours of 08.00 and 22.00 Monday to Saturday and 10:00 - 16:00 Sundays and Bank Holidays. 20 persons are proposed to be employed at the store.

The application has been advertised by way of site notices, a press notice and neighbour letter notification.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

City Services - Network Management  
Environmental Health  
Northumbrian Water  
Director Of Children's Services  
Northern Electric  
Southwick - Ward Councillor Consultation  
Force Planning And Police Architectural Liaison Officer  
Business Investment  
Nexus  
North Gas Networks

Final Date for Receipt of Representations: **25.01.2013**

## **REPRESENTATIONS:**

### Consultee Bodies

Nexus - No objection however they would request the provision of a 2.5 bay cantilever shelter with electronic connection at the northbound bus stop on Carley Hill Road. Contractors must not obstruct the bus services in the area during construction.

Northumbrian Water - Impose a condition in relation to the diversion of apparatus or redesign the proposal to avoid building over NWL apparatus.

Northern Gas Networks - No objection however diversionary works may be required and will be addressed by the applicant should permission be granted.

Environmental Health - No objection in principle however a noise assessment should be undertaken to ensure that the development does not exceed the background noise as an absolute maximum. Ground contamination and ground gas issues are to be resolved prior to works commencing on site. It is also advised that the choice of machinery to be used should be given consideration in relation to noise and as such a construction methodology should be prepared and the hours of construction activities limited to 7am - 7pm Monday to Friday, 7:30am - 2pm Saturdays and at no time on a Sunday or Bank Holiday.

### Neighbour/Local Representation

2 objections to the proposal

The main grounds for opposing the development are as follows:-

Over representation of food stores in the area (Tesco and Sainsbury's) and local centre of Southwick  
Impact of the proposal on smaller retail outlets  
Hours of operation  
Nature of the goods to be sold at low prices namely alcohol resulting in anti-social behaviour  
Detrimental to the immediate area  
Loss of view

Increased levels of traffic (included within four letters of support)

1 email stipulating no initial objection to the proposal but concern raised with regards to the timing of deliveries and noise from reversing vehicles, loading and unloading of goods. Such activities should not commence before 7am.

42 pieces of correspondence in support

The main grounds for supporting the proposal are as follows:-

Positive development for Southwick

Value for money

Job creation

Boost for the area

Attract visitors to the area

Create convenience shopping in the area

Good community facility

### **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments

T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

NA\_36\_Proposed strategic footpath link from Fulwell Quarries to Harbour View

CN\_23\_Measures to conserve/ improve wildlife corridors

T\_8\_The needs of pedestrians will be given a high priority throughout the city.

### **COMMENTS:**

The application is currently under consideration and it is anticipated that a full detailed report will be set out in a supplement to the main agenda.

### **RECOMMENDATION: Deputy Chief Executive to Report**

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**Reference No.:** 13/00219/LAP Development by City(Regulation 3)

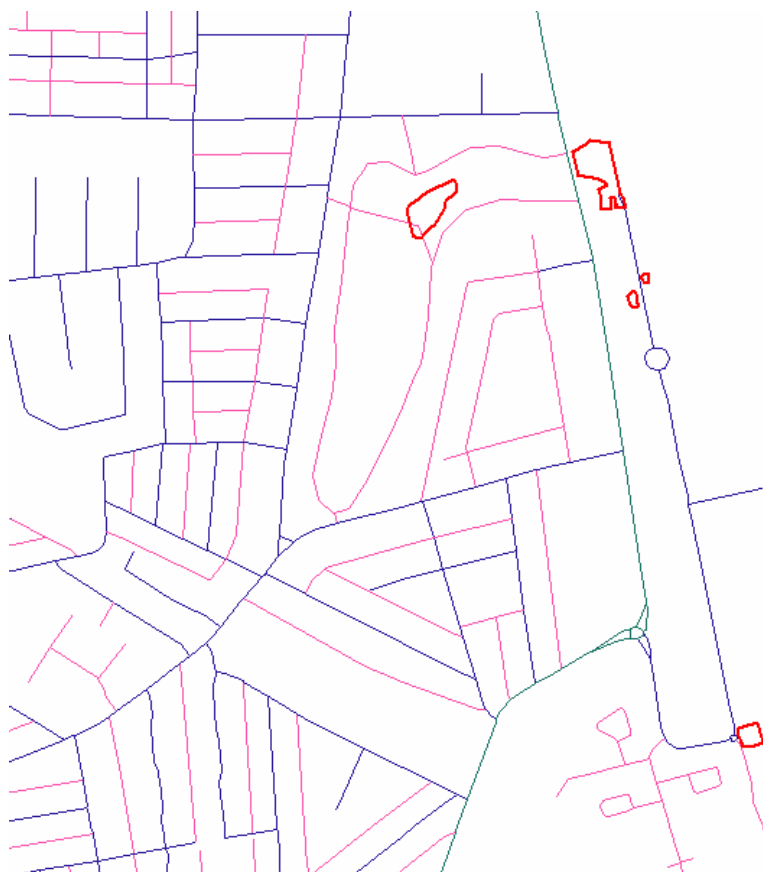
**Proposal:** **Provision of three mobile 'Cannonball' pods to be used for retail, educational and social/cultural operations. (Amended Site Address)**

**Location:** Land At Marine Walk And Roker Park Sunderland SR6 0PL

**Ward:** St Peters  
**Applicant:** Sunderland City Council  
**Date Valid:** 15 February 2013  
**Target Date:** 12 April 2013

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### Location Plan



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### PROPOSAL:

This application proposes the siting of 3no. mobile 'Cannonball' pods to be positioned within 5no. defined areas (4no. along Marine Walk and 1no. in Roker Park) as identified by the proposed site plan.

The proposed development is part of the Sea Change programme and the 'Roker Cannonballs' have been developed as concept designs by the design group Art Gene in the summer of 2009 in response to the need to regenerate the seafront of Roker and provide more accommodation on Marine Walk to meet a range of identified needs. The spherical form has been chosen to reflect the 'cannonball' rock which is part of the identity of Roker whilst research indicates that movable beach huts were in operation on Roker Beach during the Victorian period to provide bathing huts for visitors.

The external appearance of each Cannonball would be essentially identical, taking the form of a sphere with a diameter of just under 3.5m with a square opening fronted by a platform and mounted on a steel trailer. Each unit would be finished with steam bent green oak and a strip of LEDs would be incorporated whilst the inner shell would be constructed with Glass Reinforced Plastic coloured predominantly Sulphur Yellow (RAL 1016) and Pebble Grey (RAL 7032) and a set of double doors of the same colour scheme would be provided. A battery bank and electricity and water connections would be provided within each Cannonball.

One location is identified to the south of Marine Walk opposite the Volunteer Life Brigade building and residences in Liddell Court, 2no. sites are identified near to the amusement arcades to the north of the Pier and another area is highlighted to the northernmost point of Marine Walk between the base of the cliff, the currently vacant shelter and the archway which runs under Whitburn Road. A further area has been identified in Roker Park adjacent to the bandstand, a modest paved play area and an area of dense greenery.

The Commercial/Retail Cannonball would accommodate a kiosk which would be leased to local businesses and would be sited only to the northernmost section of Marine Walk. The Education Cannonball would primarily provide a base for children to undertake experiments based on finds from the beach and would be sited within the area identified in Roker Park or any of 3no. of the 4no. areas identified along Marine Walk. The Performance Cannonball would be used flexibly, including to support local events and not limited to performances, and would also be sited in 3no. of the 4no. areas identified along Marine Walk. The pods would be moved using a tractor and would have a braking system which would be linked to the hydraulic brakes of the tractor. The pods would also be designed to allow them to be lifted by a Hiab or mini-crane to be moved by a low loader.

It is noted that each unit may also be positioned in alternative locations, however the aforementioned areas are where the units would usually be sited and any alternative siting would be on a temporary basis of not more than 28no. days, so would not require planning permission.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

The Garden History Society  
County Archaeologist  
Environmental Health  
City Services - Network Management  
St Peters - Ward Councillors Consultation

Final Date for Receipt of Representations: **10.04.2013**

## **REPRESENTATIONS:**

Three representations have been received from neighbouring occupants (one from the occupier of Roker Pier Cottages and the others from nearby businesses), the comments raised within which are summarised as follows:

1. There would be no provision for disabled/inclusive access to the proposed pods, contrary to the requirements of the Disabled Persons Act 2004 and the New Build Act.
2. Leaving the proposed pods out during night times may lead to them being vandalised and anti-social behaviour.
3. The proposal, together with the wider masterplan for the sea front, would lead to an excessive number of retail units within the area, which may sit empty.
4. The proposed Retail Cannonball would require a permanent power source.
5. The application has been made, and will be determined by, the Council, so the views of the public will not be properly taken into account and an impartial view cannot be reached.
6. The Council has misled local occupants during public consultation prior to the submission of the application in respect of the design of the proposed pods.
7. The proposed pods, by means of their design and limited supervision, would pose a danger to the public, particularly children.

The County Archaeologist confirmed that no comments are offered in this instance.

The Council's Network Management and Built Heritage sections have confirmed that no objections are offered.

The Garden History Society has also been consulted, as required given that one of the proposed pods would be sited within Roker Park, which is designated as a historic park, and no response has been received to date, however no response has been forthcoming.

## **POLICIES:**

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

B\_2\_Scale, massing layout and setting of new developments  
B\_3\_Protection of public/ private open space (urban green space)  
B\_4\_Development within conservation areas

B\_6\_Measures to preserve and enhance conservation areas  
B\_10\_Development affecting the setting of listed buildings  
EC\_8\_Support for tourist and visitor attractions.  
EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
L\_7\_Protection of recreational and amenity land  
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.  
NA\_28\_Identify Roker Recreation Park as an historic park; protect its character & setting  
NA\_30\_Protection and enhancement of important views  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising

## **COMMENTS:**

The main issues to be considered in determining this application are:

- the principle of the proposed development;
- the impact of the development upon visual amenity and character of the Conservation Area and Historic Park and setting of the listed pier and lighthouse;
- the impact of the proposal on the amenity of nearby residents; and
- accessibility and the impact of the development on highway and pedestrian safety.

The above issues, as well as the comments provided by local occupants, are still being considered and it is anticipated that they will be addressed on a supplementary report to the Sub-Committee, which will include consideration of any further representations received and a recommendation on the application.

## **RECOMMENDATION: Deputy Chief Executive to Report**

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**Reference No.:** 13/00712/FUL Full Application

**Proposal:** **Change of use of 1,971 square metres of class A1 retail floor space to a gym (class D2 leisure)**

**Location:** Tesco Stores Ltd Sunderland Retail Park Sunderland

**Ward:** St Peters

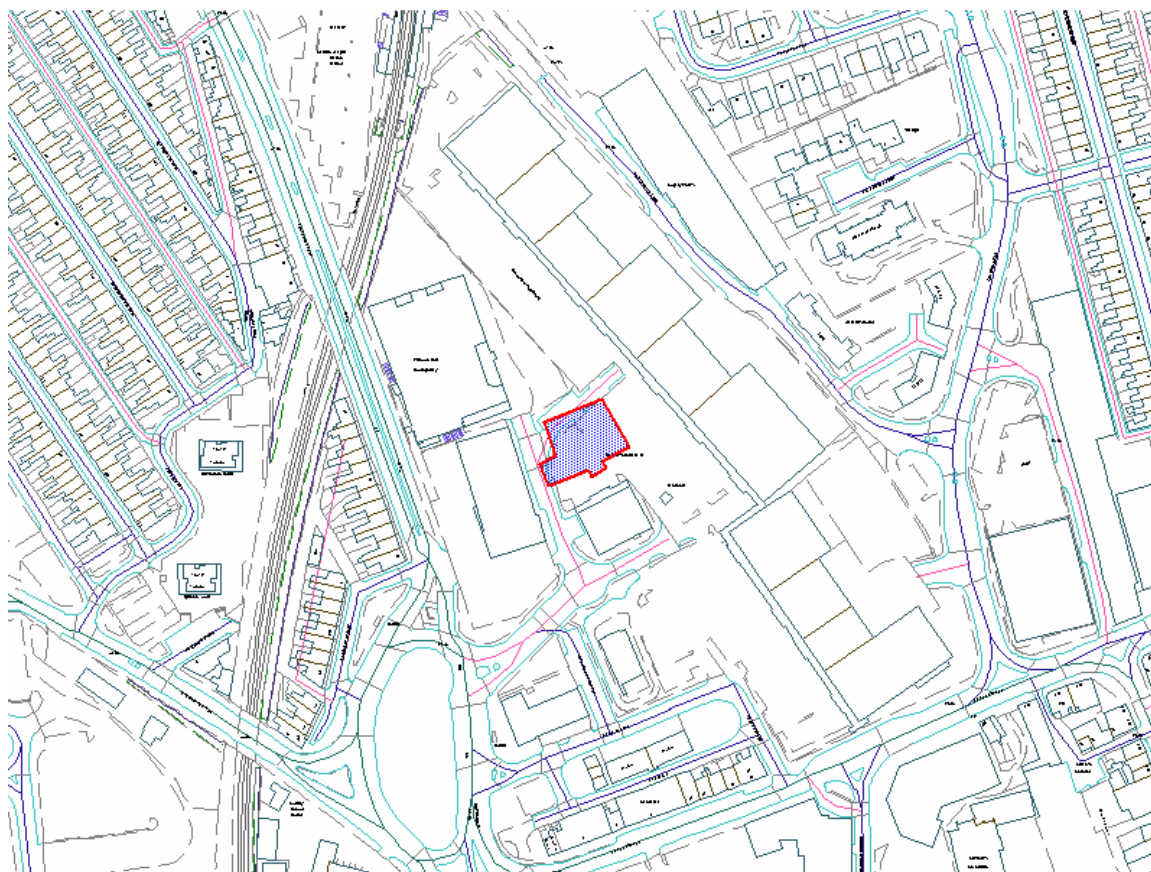
**Applicant:** Tesco Stores Ltd

**Date Valid:** 19 March 2013

**Target Date:** 18 June 2013

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### Location Plan



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### PROPOSAL:

The site to which the application relates houses Sunderland Retail Park within the north of Sunderland. The site is bound by Newcastle Road to the west, Roker Avenue to the south and Fulwell Road/Portobello Road to the east. The northern confines of the site are intersected by the Tyne and Wear Metro line.

The site is currently under going significant redevelopment following the approval of planning application (ref: 08/03336/OUT) in October 2010 and the subsequent reserved matters approval (ref: 11/00560/REM) determined in May 2011.

The application proposed the erection of a new superstore, alterations to the existing vehicular accesses, the creation of new vehicular accesses and associated landscaping, car parking and ancillary development. The scheme was subsequently revised during the planning process to reduce the superstore to 16,140m<sup>2</sup> gross external floorspace (8,378m<sup>2</sup>. net) and to retain and re-clad the existing Farmfoods/Blockbuster units and one existing unit and to erect a further 4no additional retail units.

Planning permission is sought to change the permitted use of 1,971m<sup>2</sup> of currently unimplemented A1 retail floor space currently associated with the Tesco superstore to facilitate a D2 Leisure use for a new gymnasium providing health and fitness facilities.

The gym would be situated within the first floor atrium of the approved building and would not involve any external alterations. All of the previously approved vehicular and pedestrian accesses and car parking associated with the wider redevelopment would remain unaffected by this proposal.

#### **TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

St Peters - Ward Councillors Consultation  
City Services - Network Management  
Environmental Health  
Fire Prevention Officer  
Force Planning And Police Architectural Liaison Officer  
City Services

Final Date for Receipt of Representations: **29.04.2013**

#### **REPRESENTATIONS:**

##### Neighbours

To date 1 letter of objection has been received during the course of the public consultation period. However as the consultation period does not expire until 29 April 2013, full consideration of all potential representations can not be made at this time. Should any further representations be received between now and the date of committee, the contents of such submissions will be discussed within a report for circulation.

The single objection has been received from a local resident within which concerns are expressed that the use would affect the Council's own facilities at the Aquatic and Seaburn Centres. It has been argued that the use would draw away existing members and customers from these centres resulting in reduced

income for these and other fitness and leisure facilities across the city. It is further argued that a worst case scenario may result in staff redundancies, a general reduction in facilities, classes, opening hours, cutting of maintenance budgets and an increase in fees and charges.

### Consultees

Economy and Place (Planning Policy) - Awaiting comments

Executive Director of City Services (Network Management) - Awaiting comments

Executive Director of City Services (Environmental Health) - Awaiting comments

Community Services (Sport and Leisure) - There are a number of gym operators within the vicinity and such a development will impact on the sustainability of these operators.

### **POLICIES:**

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

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 main issues to be considered in determining this application are:-

- Principle of the proposal.
- Amenity issues.
- Highway issues.
- Section 106/Legal issues
- Other issues raised in representations.

The statutory period for the receipt of representations has not yet expired and responses have yet to be received from all consultees. Therefore, it is anticipated that the issues listed above will be addressed on a supplementary report to the Sub-Committee, which will include consideration of any representations already received and those received in the interim and a recommendation on the application.

### **RECOMMENDATION: Deputy Chief Executive to Report**

## ITEMS FOR INFORMATION

**LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE**

APPLICATION NUMBER AND WARD		ADDRESS	APPLICANT/DESCRIPTION	DATE SITE VISIT REQUESTED	LAST ON AGENDA	COMMENTS
1.	12/03357/VAR  Castle	Land bounded by North Hylton Road, Castletown	Variation of conditions 2 (plans) and 9 (unit-use class restrictions) attached to planning application 11/00288/FUL (Proposed new local centre development comprising foodstore (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.) to revise condition 2 plans and elevations of the mixed use class buildings units B-L. Condition 9 (iv) to revise the limit on aggregate net sales area of units B to G and 9(vi) to remove office units N and P.	N/A	N/A	Pending further consideration

## ITEMS FOR INFORMATION

LIST OF OTHER APPLICATIONS CURRENTLY ON HAND BUT NOT REPORTED ON THIS AGENDA WHICH WILL BE REPORTED WITH A RECOMMENDATION AT A FUTURE MEETING OF THE SUB COMMITTEE

2.	13/00378/FUL  Southwick	Western Car Park/Adj The Beechwood Building, City Of Sunderland College, Hylton Skills Campus, North Hylton Road, Southwick, Sunderland	<b>Red Box Architecture</b>  Erection of two storey building to provide new facilities for the college's construction trade courses including engineering, welding, plumbing and electrical installation.	N/A	N/A	Pending Consideration
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