
SUPPLEMENTARY REPORT ON APPLICATIONS

REPORT BY DEPUTY CHIEF EXECUTIVE

PURPOSE OF REPORT

This report is circulated a few days before the meeting and includes additional information on the following applications. This information may allow a revised recommendation to be made.

LIST OF SUPPLEMENTARY ITEMS

Applications for the following sites are included in this report.

North Sunderland

S3 Land at Marine Walk and Roker Park, Sunderland

**Development Control
(North Sunderland) Sub-Committee**

SUPPLEMENT

28 March 2013

Number:	S3
Application Number:	13/00219/LAP
Proposal:	Provision of three mobile 'Cannonball' pods to be used for retail, educational and social/cultural operations
Location:	Land at Marine Walk and Roker Park, Sunderland

Subsequent to the preparation of the main report to the Sub-Committee, Network Management has confirmed that no observations or recommendations are offered and Built Heritage has confirmed that it is satisfied with the proposal from a conservation perspective.

The Garden History Society has also been consulted, as required given that 1no. 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, nor have any representations been received from neighbouring occupants. However, the statutory period for the receipt of representations does not expire until 10 April 2013.

As set out within the main report the main issues to be considered in determining this application (as amended) 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
- the impact of the development on highway and pedestrian safety.

Principle of Proposed Development

The majority of the areas identified along Marine Walk are not allocated for any specific land use within the Council's Unitary Development Plan (UDP) and, as such, is subject to policy EN10. This policy dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain.

Part of the northernmost area of Marine Walk identified as well as the location within Roker

Park (which is also designated as a Historic Park) are allocated as existing open space to be retained and, as such, policies B3 and L7 are applicable, the former states that 'public and private open space will be protected from development which would have a serious adverse effect on its amenity, recreational or nature conservation value; proposals will be considered in the light of their contribution to urban regeneration and to the importance of such space to the established character of the area' whilst the latter advises that 'the undeveloped part of the site is classified as part of an area of existing open space over one hectare and, as such, policy L7 of the UDP applies, which aims to protect land allocated for open space or outdoor recreation. Planning permission for other uses on such land will only be granted if:

- (i) Alternative provision, of an equivalent scale, quality and accessibility is made...; or
- (ii) The development is for educational purposes; and
- (ii) There would be no significant effect on the amenity, recreational and wildlife habitat value of the site'.

In relation particularly to the seafront, 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 developed and enhanced to accommodate a range of facilities providing a focus for leisure activity and tourism serving the region whilst any development should, by the quality of its design, retain and if possible enhance the underlying character of the zone and existing open spaces and associated areas will be retained for passive recreation use. Furthermore, UDP Policy NA30 seeks to preserve sea views along the Roker, Seaburn and Whitburn Bents frontage.

Generally, policy EC8 specifies that the Council will support the expansion of activities catering for tourists and other visitors by:

- (i) identifying, consolidating and safeguarding attractions;
- (ii) refusing proposals which would have an adverse impact on tourist attractions (as identified in the area chapters);
- (iii) actively encouraging opportunities for new tourist initiatives, especially where they are near existing areas of visitor interest;
- (iv) providing cycle and car parking for visitors, and footpaths and interpretative facilities at tourist attractions.

To this regard, the proposed 'Cannonball' pods would support the function of the seafront by providing facilities/attractions to visitors. Given that each pod would be moveable, one of which would be for education, and would compliment the use of the public areas of Marine Walk and Roker Park, it is not considered that the proposal would prejudice use of land as open space or outdoor recreation.

For such reasons, the principle of the proposed development is considered to be acceptable.

Visual Amenity, Character of Conservation Area and Historic Park and Setting of Listed Structures

Policy B2 of the adopted UDP relates to new developments and extensions to existing buildings and states that their scale, massing, layout or setting should, 'respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy' whilst 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 whilst policies B18 and NA28 state that the character and setting of historic parks and gardens will be protected from adverse impact by development.

The Roker Park Conservation Area Character Appraisal and Management Strategy (CAMS) provides more area-specific guidance. Management Objective 6 seeks to secure the appropriate enhancement of the lower promenade as an area of activity and distinctive character whilst Proposal 6a seeks to secure high quality and innovative building designs and high quality, coordinated environmental improvements in all development proposals for Marine Walk.

Having regard to the above policies and guidance, in accordance with the recommendations of the Council's Built Heritage team, it is considered that the proposed pods are of an innovative design and would be constructed with high-quality materials and, as such, would enhance the local environment whilst providing attractions to visitors to Marine Walk and Roker Park as well as the wider Roker Park Conservation Area and the setting of the grade II listed Roker Pier and Lighthouse.

Residential Amenity

There nearest residences to the proposed Cannonball pods are those in Liddell Court and the closest block within this Court is situated approximately 15m from the southernmost area in which the Education and Performance Cannonballs would be situated.

Having regard to policy B2, due to the relatively minimal scale of the Cannonballs together with their position from residences, on the opposite side of Marine Walk, it is not considered that they would compromise the amenity afforded to nearby residents. Given the nature of the proposed operation of the pods it is not considered that they would be likely to give rise to any significant level of noise or disturbance to neighbouring residents. In addition, the pods would be owned by, and leased from, the Council, so measures to mitigate against potential sources of disturbance can be identified through lease agreements and appropriate action could be taken by the Council, as owner, where necessary.

Highway and Pedestrian Safety

UDP Policy T14 aims to ensure that new developments are easily accessible to both vehicles and pedestrians, should not cause traffic problems, should make appropriate provision for safe access by vehicles and pedestrians and indicate how parking requirements will be met.

As reported previously, Network Management has advised that there is no objection to the proposed works in terms of highway and pedestrian safety. Given their relatively small scale and proposed siting, it is not considered that the Cannonballs would be prejudicial to highway or pedestrian safety or the free passage of traffic.

Conclusion

For the reasons given above, the principle of the development proposed by this application is considered to be acceptable and it is not considered that it would pose any detriment to the visual amenity of the locality, the Conservation Area, the setting of the listed Pier or Lighthouse or highway/pedestrian safety. The proposal therefore accords with the relevant UDP policies (B2, B3, B4, B6, B10, B18, EN10, L7, NA6, NA26, NA28, NA30 and T14) as well as Management Objective 6 and Proposal 6a of the Roker Park Conservation Area CAMS.

However, the statutory period for the receipt of representations does not expire until 10 April 2013, after this Sub-Committee meeting. Accordingly, in order to allow the application to be determined within the 8-week target, it is recommended that Members be minded to grant consent in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to no objections being received. If any objections are received on or prior to 10 April 2013, the application will be referred to a subsequent Sub-Committee meeting.

RECOMMENDATION: Minded to approve, subject to no objections being received