

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

**30th June 2009**

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**SUPPLEMENTARY REPORT ON APPLICATIONS**

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**REPORT BY DIRECTOR OF DEVELOPMENT AND REGENERATION SERVICES**

**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.

**South Area**

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| S1 | Asda, Leechmere Road, Sunderland.                           |
| S3 | Sainsbury's, Silksworth Lane, Sunderland.                   |
| S4 | Puma Sunderland Tennis Centre, Silksworth Lane, Sunderland. |

Development Control (South Sunderland)  
Sub Committee

## **SUPPLEMENT**

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Number	S1
Application No.:	08/04691/FUL
Proposal:	Installation of mezzanine floor to existing store.
Location:	Asda, Leechmere Road, Sunderland.

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As members will recall this application was presented to the Sub-Committee on the 21 April when it was decided to defer a decision pending further information being provided by Asda in respect of the potential for increased HGV movements and the resulting increase in noise on Leechmere Road, which were concerns raised by Councillors P.Gibson and P.Tye.

In response to the above, Asda have provide information relating to the anticipated use of HGV's in association with the store following the completion of the mezzanine floor and undertaken a noise assessment on Leechmere Road. As is documented in the main agenda report the additional information submitted by Asda has been considered and it is not considered that either aspect poses a concern to residential amenity or highway safety.

As stated in the main report the requirement for a S106 agreement in respect of funding a scheme of parking control measures on Leechmere Road, which may be necessitated through increased parking on that road associated with the development, was being discussed. The conclusion of the discussions was that the issue would be best addressed by way of a unilateral agreement and not a condition as previously proposed at the meeting of 21 April requiring. Under the agreement Asda would pay to the Council the sum of £20,000 prior to grant of consent. The money would then be held in a bank account for a period to be agreed by both parties, during which time it would either be spent on implementing the restrictions, if it was decided that the scheme was necessary, or following which time the money would be re-paid in full and with interest if the restrictions prove not to be necessary. Essentially if an increase is witnessed in Asda customers choosing to park on Leechmere Road as opposed to using the store car park,

then the money will be used to introduce parking restrictions on the store side of Leechmere Road. The precise areas of Leechmere Road where the restrictions would apply will be determined by the incidence of on street parking by Asda customers, should it occur.

The requirement for a unilateral undertaking has been raised with Asda and written confirmation has been received from Asda agreeing to the obligation. Detail's of the unilateral undertaking, which is to be prepared by Asda, and agreed by the Council is still awaited. Should the obligation be received in advance of the meeting then further details will be provided in a report to be circulated at the meeting. It should be noted that without such an obligation being entered into the proposal would be considered to be unacceptable and the application would be recommended for refusal on highway grounds.

The final issue to consider is a request made by Councillor Tye that Asda delivery vehicles should use the Southern Radial Route on an evening and during the night in order to prevent possible noise nuisance for local residents. Councillor Tye considers that this would be a shorter route for the vehicles when travelling from the Asda distribution centre at Washington.

This request has been put to Asda and the following response has been provided. Asda have given careful consideration to the delivery arrangements at the store. Following the last Committee, surveys have been undertaken around the site at night to monitor traffic movements. The results of the surveys undertaken show that HGV movements make up only a small percentage of overall traffic activity on Leechmere Road. In addition, owing to the nature of the floorspace proposed, these movements will not change as a result of the proposed extension, which relates to non-food goods. In this regard it is considered that Asda will better utilise their existing delivery vehicles by filling the trailer more efficiently.

To add to the above response provided by Asda it should be noted that there are no planning restrictions on the route currently used by existing Asda delivery vehicles and therefore it would not be possible to ascertain which vehicles were associated with the existing use and which were serving the mezzanine floor should separate vehicles be used. Also there are no restrictions on the use of Leechmere Road by HGV's serving Leechmere Industrial Estate and therefore it would be unreasonable to impose such a restriction on Asda given that the results of the traffic and noise surveys do not raise any highway or environmental concerns.

## CONCLUSION

As concluded in the main agenda report the development proposal which is the subject of this application is considered to be acceptable subject to the conditions detailed on the main report and signing of the above detailed unilateral undertaking. It is therefore recommended that Members be minded to approve the application subject to the conditions listed in the main report and the signing of the unilateral undertaking.

**RECOMMENDATION:**

(i) Grant Permission subject to the conditions listed in the main report and subject to completion of a Unilateral Undertaking by 24 July 2009, or such other date as agreed by the Director of Development and Regeneration.

Or

(ii) Refuse permission should the obligation not be completed by 24 July 2009, or such other date as agreed by the Director of Development and Regeneration.

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Number	S3
Application No.:	09/01273/FUL
Proposal:	Redevelopment and extension to existing store, service area and adjacent retail units with associated works to car park and landscaping.
Location:	Sainsbury's. Silksworth Lane, Sunderland.

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Following the preparation of the main agenda report further consideration is being given to the Habitat Survey submitted as part of the application. No comments are available to date however it is anticipated that any advice in this regard will be set out in a report to be circulated at the meeting and if so required appropriate conditions imposed to any grant of consent.

**RECOMMENDATION: Director of Development and Regeneration to report.**

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Number:	S4
Application No.:	09/01749/LAP
Proposal:	Extension to existing tennis centre to provide play area.
Location:	Puma Sunderland Tennis Centre, Silksworth Lane, Sunderland.

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Subsequent to the preparation of the main report to the Sub-Committee further consideration has been given to the impact of the design of the proposed extension on the external appearance of the centre and any highway/parking implications. No representations were received in the intervening period between the preparation of this report and the main report to the Sub-Committee.

### Design

In order to properly assess this issue due regard must be given to policy B2 of the adopted Unitary Development Plan (UDP). Policy B2 states, '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; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas'.

The proposed extension is to be sited between the existing tennis hall and changing areas of the swimming pool building which is currently under construction. Whilst a section of the proposed extension would be slightly higher than the swimming pool building, it would not be visible at ground level from the opposite side of this building. The extension would be lower than the adjacent tennis hall and, as such, would only be visible when viewed from the west of the site.

Notwithstanding this, the proposed extension is considered to be of positive, contemporary design and the external materials to be used would give the extension a modern appearance which is in-keeping with aspects of the adjacent swimming pool building. The extension would contrast with the finish of the adjacent tennis hall, although this has been finished with cladding which is considered to offer limited aesthetic merit. The roofline of the adjacent section of the tennis hall would be approximately followed by the roofline of the proposed extension, albeit at a slightly more shallow pitch. In order to ensure that the extension is finished to an acceptable standard, it is recommended that a condition be imposed requiring samples of the external materials to be used in the construction of the extension to be submitted to and approved by the Local Planning Authority.

For such reasons, the proposed extension is considered to be of an acceptable design within the context of the site and it is not considered that the proposal would compromise

the appearance of the centre, in accordance with the requirements of policy B2 of the adopted UDP.

### Highway/Parking Implications

Policies T14 and T22 of the UDP essentially require developments to have no undue detrimental impact on highway/pedestrian safety or the free passage of traffic whilst providing an acceptable level of car parking.

Topic 13 of the adopted Development Control Supplementary Planning Guidance (SPG) expands upon policy T22 of the adopted UDP and sets out the Council's parking standards, which recommends a minimum provision of 1 space per member of staff and 1 space per 3 seats or 1 space per 5sqm of public floor area, coach parking requirements to be agreed. It is stated on the application form that no additional staff are to be employed as a result of the proposed works and the extension would provide approximately 110sqm of public floorspace which, when applying the aforementioned parking standards, would require the provision of an additional 22 spaces.

However, it must be noted that the application which granted consent for the erection of the swimming pool building (08/02625/LAP) imposed conditions requiring:

- an overspill car parking area to be laid out and surfaced; and
- a traffic plan to be prepared and implemented in order to reduce the number of staff and visitors arriving by car.

In addition, the proposed extension would provide a soft play area and would replace an outdoor play area, so it is not considered that the proposal would result in any notable intensification of the use of the centre. As such, it is not considered necessary to impose any conditions relating to car parking in this instance.

Furthermore, the extension would be sited well away from any vehicular access or car parking area, so would not compromise any existing parking spaces or the manoeuvrability of vehicles within the site.

Therefore, it is not considered that the proposal would compromise highway/pedestrian safety or the free passage of traffic and an acceptable level of parking would be provided, in accordance with the requirements of policies T14 and T22 of the adopted UDP.

### Conclusion

For the reasons given above it is recommended that Members grant permission for the proposal subject to the conditions listed below.

**RECOMMENDATION: APPROVE subject to the following 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 91 of the Town and Country Planning 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. 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 walls, roofs, doors and windows 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.