

## **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 (General Development Procedure) Order 1995.

## **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 Development and Regeneration Directorate Services in the Civic Centre.

Philip J. Barrett

Director of Development and Regeneration Services.

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Reference No.: 08/00591/FUL Full Application

Proposal: **Erection of a new two-storey office block**

Location: Land to Rear Of Roker Hotel Roker Terrace Sunderland

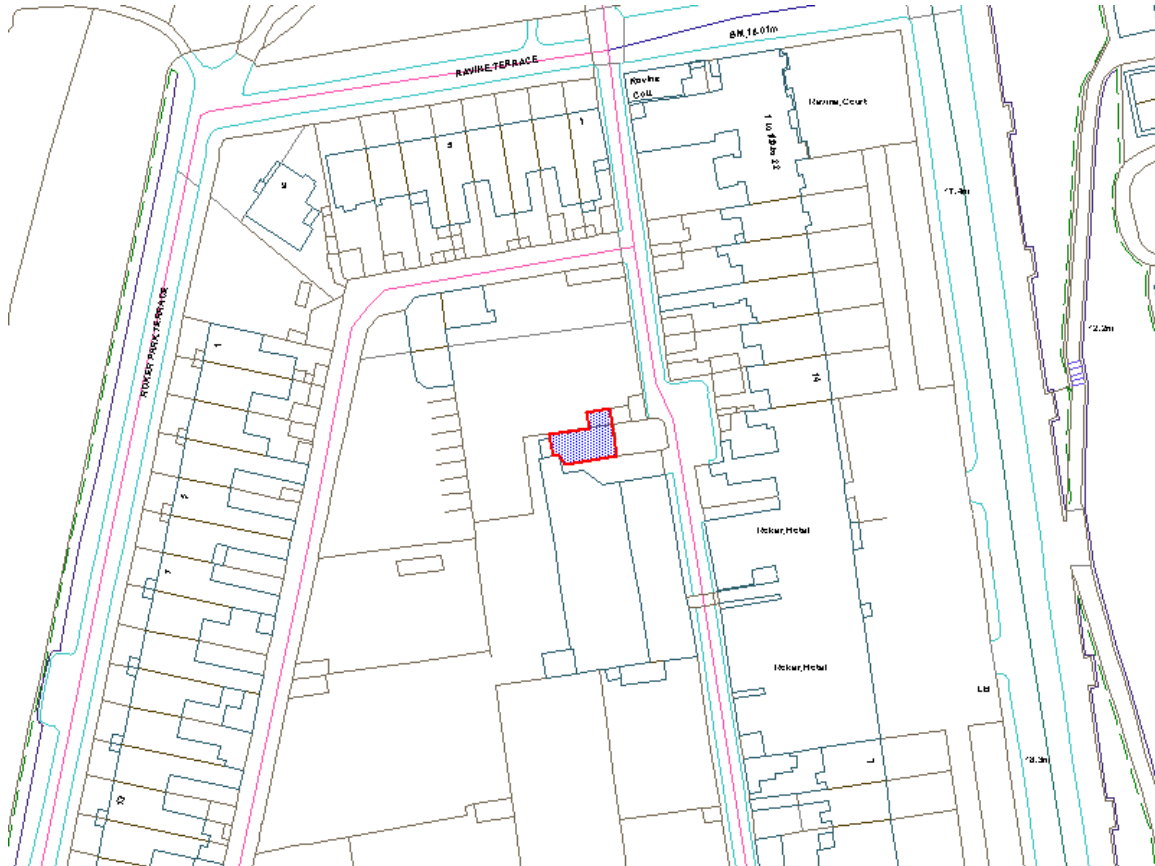
Ward: St Peters

Applicant: Durham Estates Ltd.

Date Valid: 13 March 2008

Target Date: 8 May 2008

### Location Plan



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### PROPOSAL:

Planning permission is sought to erect a two-storey office block on land to the rear (west) of the Roker Hotel. The proposed structure would comprise an L-shaped plan with two gabled roofs with maximum heights of 8.5m to the ridgeline for the proposed west facing offshoot and 7.1m for that of the north facing offshoot. A total of 238 square metres of floorspace is proposed to be created. The building would incorporate office space in ground and first floor levels, reception and kitchen areas on ground floor, w.c.'s on ground and first floors, while the roof space would be dedicated to storage. The proposed western offshoot would include a 2.6m by 850mm balcony in its west elevation and a Juliet balcony is proposed in the west of the north facing offshoot.

The site is a currently vacant plot situated to the rear of the Roker Hotel, situated within Roker Terrace which is situated on the A183 and faces onto the sea front. The site lies within the Roker Park Conservation Area and is surrounded by three residential terraces of predominantly traditional properties, namely Ravine Terrace to the north, Roker Park Terrace to the west and St. George's Terrace to the south. The proposed office block is to be sited adjacent to an existing building annexed to the Roker Hotel. The surrounding land comprises a ballroom, car parking, garages and other outbuildings, many of which appear rather unkempt and in a state of disrepair. A number of trees exist within the vicinity of the site, which are covered by a blanket TPO of the Conservation Area.

At the 29th April meeting of the Sub Committee, Members resolved to visit the site. That visit is due to take place after the preparation of this report. Any issues raised at the site visit will be addressed in either a supplement or a report tabled at the meeting.

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Northumbrian Water

Final Date for Receipt of Representations: **17.04.2008**

#### **REPRESENTATIONS:**

A total of nine letters of objection and a three-signature petition have been received to date, the concerns raised within these are summarised as follows:

- There is insufficient access to the site to cope with the proposal, which would be likely to generate additional traffic, resulting in congestion and compromising road safety.
- Users of the proposed office would be likely to access it from Ravine Terrace; accidents have occurred in the past on the junction of this and Roker Terrace.
- There is insufficient parking on and within the vicinity of the site, which would be likely to result in cars parking on surrounding roads, increasing congestion and reducing visibility.
- The proposed office is not an acceptable use within a 'strictly residential area'.
- Surrounding trees and walls could become damaged; the trees currently provide noise attenuation from the hotel's ballroom.

- Additional noise from the Roker Hotel would be created through additional customers, employees, pedestrians, traffic and commercial activity.
- The proposed development would affect privacy and reduce light into gardens/yards of properties on Ravine Terrace.
- Proposal would result in the 'overdevelopment' of the Roker Hotel.
- The heritage and character of the Conservation Area would be adversely affected by the proposal.
- Traffic would be likely to use the junction between Ravine Cottage and 1 Ravine Terrace to access the site.
- The proposal would result in an increase in litter.
- Additional trees would be likely to be felled as a result of the proposed development.
- Approval of the subject application would give 'tacit approval' for a potential future development as indicated on the submitted sketch plan and would not be considered strictly in isolation from the indicative sketch plan.

## **POLICIES:**

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

CN\_18\_Promotion of nature conservation (general)  
 CN\_22\_Developments affecting protected wildlife species and habitats  
 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  
 CN\_23\_Measures to conserve/ improve wildlife corridors  
 EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
 T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
 T\_22\_Parking standards in new developments

## **COMMENTS:**

The main issues to consider in assessing the proposal are:

- the principle of the proposed development;
- the impact of the proposal on the streetscene and Conservation Area in general;
- the impact of the proposal on the amenities of nearby residents; and
- highway considerations.

## Principle of Proposed Development.

The site in question is not allocated for any specific land use within the Council's adopted 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. Therefore, proposals for development in such areas must be compatible with the principal use of the neighbourhood.

Roker Terrace consists predominantly of guest houses and dwellings (the majority of which exist in the form of flats) in addition to the Roker Hotel. The three terraces, which surround the site to the north, west and south, are residential in character. As such, an office (Use Class B1) on the subject site would appear to contradict the requirements of policy EN10 and would normally be considered an inappropriate use in such a location, as stated by some objectors. However, as stated in the applicant's Design and Access Statement, it should be noted that the proposed office would be relatively small and would be used by Durham Estates / Tavistock Leisure, the owners of the Roker Hotel, in order to assist in the running of the hotel. As such, conditions could be imposed requiring the proposed office to remain annexed to the Roker Hotel and for the office to be operated for no other purpose within Class B1 of the Town and Country Planning (Use Classes) (Amendment) Order 2005, should Members be minded to approve the application. Upon compliance with such conditions, it is considered that the proposal would not introduce an inappropriate use into the locality and would therefore be compatible with the surrounding properties, notwithstanding consideration of the other main issues relevant to the proposal, in accordance with policy EN10 of the adopted UDP.

## Impact on Streetscene and Conservation Area.

The proposed office block is to be sited to the rear of the Roker Hotel and the detached two-storey outbuilding which it would adjoin, so it would be barely, if at all, visible from any public street. As such, it is not considered that the proposal would have any significant impact upon the streetscene and therefore is considered to be in accord with the requirements of policy B2 of the adopted UDP.

However, the subject office block would be located within the Roker Park Conservation Area and would adjoin a historic building, so the design of the proposal must be given careful consideration.

Objection has been received on grounds that the heritage and character of the Conservation Area would be adversely affected by the proposal. It is not considered that the design of the proposed building would compromise the appearance of the existing traditional building which it would adjoin and has been designed to have an identity of its own rather than just appearing as an extension to the existing building. The indicative materials proposed for the building are considered to be generally appropriate and, whilst no mention is made of the materials to be used for the windows, these should be constructed of timber and not PVC given the site's location within a Conservation Area. However, notwithstanding any details which have been given, should Members be minded to approve the application, a condition should be imposed requiring samples

and/or a schedule of all materials to be used in the construction of the building to be submitted to and approved in writing by the Local Planning Authority.

However, there are some reservations over the proposed fenestration of the south elevation which, because of the differing floor levels, is somewhat at odds with the existing historic building. In addition, the closeness of the proposed ground and first floor windows and the large areas of brickwork proposed tend to give this elevation a rather bland and disproportionate appearance.

Accordingly, the agent acting on behalf of the applicant was advised of these concerns and amended the proposed south elevation, which comprised the heightening of the first floor windows. This has resulted in the provision of a notable gap between the ground floor and first floor windows, which gives the elevation a more proportionate appearance.

The proposed removal of the limestone wall to cater for the proposed building is rather regrettable but essential to allow for the proposed development; these walls are a very distinctive and significant local feature. As such, should Members be minded to approve the application, it is recommended that a condition be imposed requiring all stones of the subject wall that are not re-used within this proposal are saved for re-use in a future development on or adjacent to the site.

#### Impact on Residential Amenity.

Several objectors to the application are of the view that the proposed development would affect the privacy and reduce light into gardens/yards of nearby residential properties, particularly those on Ravine Terrace. However, the curtilage of the nearest dwelling in this terrace is situated in around 32m from the proposed office building and the nearest dwelling is around 38m away. Section 2.7 of the Council's adopted Development Control Supplementary Planning Guidance (SPG) provides guidance on minimum spacing standards between dwellings and indicates a minimum gap of 21m between main facing windows and a minimum of 14m between main windows facing onto secondary windows or blank gables. Given that these distances would be comfortably exceeded, it is not considered that any loss of privacy would ensue as a result of the proposed development. Further, given that the unit would be adjacent to and to the north of the ballroom, which is significantly higher than the proposed building, no loss of light to nearby properties would result.

Concerns were also raised by local residents that additional noise would be created as a result of the development, through such means as the attraction of additional customers, employees, pedestrians, traffic and commercial activity to the Roker Hotel as well as the proposed office building in particular. However, given that the proposed building would be used as an office base for the Roker Hotel, it is not considered that it would directly result in the attraction of additional visitors to the Hotel. In addition, the application site is considered to be sufficiently distanced from residential properties so as not to cause any undue disturbance, particularly given the relatively quiet nature of office-based uses.

For the above reasons, it is not considered that the proposal would unduly compromise the amenities of neighbouring residents, in accordance with the requirements of policy B2 of the adopted UDP.

## Highway Considerations.

A number of concerns regarding highway issues were raised by local residents which made specific reference to potential access and parking issues.

Topic 13 of the Council's adopted Development Control SPG sets out minimum parking requirements and recommends a minimum of 1 parking space per 50 square metres of gross floor area for Class B1 uses in such locations as the application site. The proposed office would provide approximately 238 square metres of gross floor space, which would require at least four parking spaces, applying the criteria of the SPG. Although no specific provision for off-street parking has been proposed, it would appear that there is adequate space adjacent to the Hotel to cater for at least four parking spaces. Given that a section of the land to the rear of the Hotel is currently subject to a separate application (ref. 08/01384/FUL) which includes car parking proposals, it is not considered appropriate to request details of parking arrangements at this time. Instead, should Members be minded to approve the application that is the subject of this report, it is recommended that a condition be imposed requiring the suitable provision of at least four car parking spaces dedicated solely to the proposed office block prior to the commencement of its use.

The concerns raised by local residents over potential difficulties caused by the site access made specific reference to the existing access between Ravine Terrace and Ravine Cottage to the north. Whilst it is acknowledged that the existing access is not ideal relative to highway safety standards, it should be noted that the office would be used by staff only and would not be visited by customers. As such, it is not considered that the proposed office block would generate sufficient additional vehicular movement in order to reasonably warrant a refusal of planning permission on such grounds. In addition, negotiations appear to be ongoing through application no. 08/01384/FUL to improve the access arrangements of the site. Notwithstanding any future works, it is not considered that the proposal that is subject to this report would unreasonably compromise highway safety or the free passage of traffic and, as such, complies with policies T14 and T22 of the adopted Unitary Development Plan.

Upon compliance with the aforementioned condition relating to car parking provision, it is not considered that highway safety or the free passage of traffic would be unduly compromised, in accordance with the requirements of policies T14 and T22 of the adopted UDP.

## OTHER ISSUES

### Overdevelopment

Objections were received expressing concerns that the proposal would result in the 'overdevelopment' of the Roker Hotel and that an increase in litter would ensue. However, no details were submitted which indicate the extent to which the proposal would constitute an overdevelopment; it is considered that the proposed building is of minor scale relative to the Hotel and there is a substantial amount of open space to the rear of the site. Similarly, no details have been provided indicating how volumes of litter would increase as a direct result of the

proposed development. Offices, by nature of their use, typically generate very small amounts of litter and, as such, it is not considered reasonable to view the application unfavourably based on such grounds.

## Trees

Further concerns were raised by residents that trees would be likely to be felled and/or damaged as a result of the proposed development and a number of trees currently provide noise attenuation from the hotel's ballroom. However, there are only four trees which would be likely to be directly affected by the proposed development, which are considered to be of very low amenity value. As such, the Local Planning Authority cannot reasonably consider these trees to be worthy of retention. In addition, the trees in question are relatively small and stunted and would therefore offer little noise attenuation, particularly given that the ballroom is significantly higher than these trees.

## Future Development

Concerns were also raised that the approval of the subject application would give 'tacit approval' for a potential future development (as indicated on the submitted sketch plan, for instance) and would not be considered strictly in isolation from the indicative sketch plan. However, the proposal included on the sketch plan is subject to a separate application (ref. 08/01384/FUL) which is to be considered separately from the application subject of this report at the Sub-Committee meeting of 3 June 2008.

## Conclusion

Having assessed the proposal against the relevant UDP policies, it is considered that there are no material reasons not to recommend the application for an approval in this instance. As such, for the reasons given above, it is recommended that Members grant consent for the proposal subject to the conditions listed below.

## **RECOMMENDATION: APPROVE subject to the following conditions:**

### 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. The dwelling hereby approved shall only be occupied in association with or for the purposes ancillary to the operation of the Roker Hotel and shall not become an independent office unit, to prevent an inappropriate use from being introduced into the site and to prevent an over-intensification of the use of the site, in accordance with the requirements of policy EN10 of the adopted Unitary Development Plan.



3. No development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the adopted Unitary Development Plan.

4. 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 policies B2, B4 and B6 of the adopted Unitary Development Plan.

5. Notwithstanding the submitted plans, all limestone / brick walling and stone setts to be demolished / removed shall be stored and re-used on site. Prior to the commencement of construction works, full details of the construction of all new walls and roads using the stored materials shall be submitted to and approved in writing by the Local Planning Authority, in order to achieve a satisfactory form of development and to comply with policy B4 of the adopted Unitary Development Plan.

6. Prior to the commencement of works on site, a detailed ecological / habitat survey shall be undertaken in order to establish if there are any species protected by the Durham Biodiversity Action Plan or any other species or habitats present. The survey shall be agreed in writing with the Local Planning Authority, in interests of nature conservation and to accord with policy CN18 of the adopted Unitary Development Plan.

7. Notwithstanding the submitted plans, the operation of the offices hereby approved shall not commence until a plan detailing parking provision dedicated to the subject offices has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. The plan shall clearly indicate the parking layout for at least four cars dedicated to the offices hereby approved and the agreed scheme shall be clearly marked out on site prior to the offices hereby approved being brought into use and shall be maintained as such thereafter, in the interest of highway safety and to accord with policies T14 and T22 of the adopted Unitary Development Plan.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policies B2, CN18 and CN22 of the adopted Unitary Development Plan.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the

sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policies B2, CN18 and CN22 of the adopted Unitary Development Plan.

10. The office block hereby approved shall be used for offices and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), in order to achieve a satisfactory form of development and to accord with policy EN10 of the adopted Unitary Development Plan.

Reference No.: 08/01231/SUB Resubmission

**Proposal:** **Proposed 18 No. 2 bed apartments, 7 No. 3 bed terrace units, one detached 3 bed unit and 1No. 2 bed flat over a garage block including associated garages, parking and hard/soft landscaped areas.**

**Location:** Former Clinic, Coleridge Road, South Hylton Castle Sunderland SR5 3PP

**Ward:** Castle  
**Applicant:** Barratt Newcastle  
**Date Valid:** 17 April 2008  
**Target Date:** 12 June 2008

### Location Plan



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### PROPOSAL:

The application is a resubmission of a previously approved scheme (application no. 07/02758/FUL) for the erection of 18 No. 2 bed apartments, 7 No. 3 bed terrace units, 1 No. detached 3 bed unit and 1 No. 2 bed flat (above garage block). The proposal has been resubmitted due to a change in the construction

methods from traditional brick build to timber-frame construction, which has resulted in minor changes to some of the dimensions of the apartment block. In addition, due to ground conditions, a small retaining wall has had to be constructed to the bottom of the embankment to the northern boundary of the site and it has also become necessary to include an electricity substation within the development.

The 0.39Ha site is in a predominately residential area, located to the south of Washington Road, Hylton Castle and at the junction with Craigavon Road, approximately ½ mile north of the A1231 Wessington Way. Access to the site is taken from the rear (not from the aforementioned main road junction) via Coleridge Road. To the immediate south west is a 1960's bungalow, which was constructed as a caretakers residence to serve the health centre which, until recently was present on site. This has been demolished in order to prepare the site for redevelopment. Further to the south and to the west lies post-war former Local Authority housing typical of that found throughout the City. To the immediate west is situated the "Hylton Castle and Town End Farm Boys Club" while on the opposite side of Washington Road and Craigavon Road to the north and east respectively there are a number of large mature trees that form part of the area of the old West Town Moor.

The topography of the land gradually slopes uphill approximately 2m before reaching a steeply sloping 2 metre high bank on the northern perimeter of the site, where it meets Washington Road. The boundary treatment found on this bank comprises a reconstituted stone wall with a metal railing to the topside of the wall. The boundary treatment to the South consists of black painted hoop-top railings and low brick built dwarf walls, with timber close boarded fencing to the perimeter of the boundary to the adjacent bungalow to Coleridge Road. An existing pedestrian route and public right of way links the north-western corner of the site on Washington Road with Coleridge Road, to the rear of the site. Several trees are present around the perimeter of the site, particularly along the southern side. Council records show that none of these are currently protected by virtue of a Tree Preservation Order.

The proposal briefly comprises of the following:-

- 8 no. 3 bedroomed houses.
- 19 no. 2 bedroomed apartments.

The properties are to be arranged around the perimeter of the site, with a central paved courtyard to the south eastern corner acting as a focal point.

The site is not subject to any specific land use designation in the Unitary Development Plan (UDP).

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

## **CONSULTEES:**

Environment Agency  
Director Of Children's Services  
Director Of Community And Cultural Services  
Northumbrian Water  
English Heritage

Final Date for Receipt of Representations: **15.05.2008**

## **REPRESENTATIONS:**

Neighbours.

As per the previous application, one letter was received in respect of the application from the current owners of the former caretakers bungalow. Whilst generally in support of the principal of redeveloping the site, the concerns raised have been in respect of a new garage block arrangement to the north of their property which is one of the main differences between this and the previously approved scheme. As submitted, the garages are shown as being constructed hard up against the objectors property, whereas previously there had been a set back of approximately 2 metres.

These concerns are addressed in the comments section below.

Consultees.

Environment Agency -No Comments

Northumbrian Water - No Objections

County Archaeologist - has advised that as per the previous application a watching brief will be required if any additional areas other than those approved previously are to excavated and built upon, such as the site for the electricity sub station. Such works are deemed necessary due to the health centre site once lying within the grounds of the medieval Hylton Castle. To date, the site has revealed the floor and foundations of an old farm building that once stood on the site and prehistoric objects, including a stone axe have previously been found in close proximity. There is therefore a possibility that finds of this period could still exist on this site.

English Heritatge -has been consulted due to the close proximity of the site to Hylton Castle, a scheduled Ancient Monument and advises that the proposal should be determined in accordance with any recommendations that may be made by the Council's specialist in house conservation team.

## **POLICIES:**

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

B\_12\_Preservation of scheduled ancient monuments  
B\_13\_Sites and monuments of local importance affected by development  
EN\_10\_Proposals for unallocated sites to be compatible with the neighbourhood  
T\_14\_Accessibility of new developments, need to avoid congestion and safety problems arising  
T\_22\_Parking standards in new developments  
CN\_17\_Tree Preservation Orders and replacement of trees  
CN\_18\_Promotion of nature conservation (general)  
B\_2\_Scale, massing layout and setting of new developments

## **COMMENTS:**

The key issues to consider in relation to the application are:-

- The principle of the use on the site.
- The appearance and layout of the development.
- The impact upon neighbouring properties.
- Sustainability
- The impact upon trees on site
- Environmental Considerations
- The potential archaeological implications to the site.
- Highways Issues
- Children's Play

The principle of the use on the site.

The site is subject to UDP Policy EN10, which requires development to be consistent with the prevailing land use of the area.

The Interim Strategy for Housing Land (ISHL) provides a basis for the housing chapter in the forthcoming LDF, and is used as a material consideration in determining planning applications for housing development. Although the site is not considered for housing on the UDP proposals map the site is brownfield in a predominantly residential area and therefore the re use of the site for housing purposes is consistent with Policy EN10. Such a conclusion was made when the original application was considered (07/02758/FUL) and approved at the Development Control (North) Sub Committee meeting on 04.09.2007. There have been no material changes to the manner in which the Local Planning Authority (LPA) considers such matters since this date and as such, the LPA's opinion remains the same. As such, it is considered that the scheme, in its revised form still complies with the relevant UDP policies, as discussed above and therefore the principle is acceptable.

The appearance and layout of the development.

As outlined in the introduction to this report, this resubmission application has occurred due a change in construction methods altering the dimensions of the apartment block, the need for a small retaining wall and the inclusion of an electricity substation, each of which is not considered to materially alter the

overall form of development that was approved previously for the reasons given below:-

- The height of the apartment block is now approximately 500mm higher than before
- The retaining wall lies 'hidden' at the base of the retaining wall
- The electricity substation is situated next to a previously approved garage and is over 25 metres away from the nearest residential dwelling.

As was agreed with the previous approval, the proposed layout is considered successful given the constraints of the site. A frontage has been created onto Washington Road and Craigavon Road with buildings of greater height on the corner. The design and layout of the development needs to take account and be sympathetic towards the nearby Hylton Castle, which is a Grade I listed building and scheduled ancient monument. Internally the scheme will create a more pedestrian friendly courtyard which will incorporate parking for the units, as opposed to an unimaginative car dominated streetscape. The quality of materials and landscaping will have a major role in the success of this courtyard. All details of both hard and soft landscaping as agreed previously will have to be submitted and agreed in writing with the LPA, should members be minded to approve the application.

Overall it is considered that the design of the scheme complies with the requirements of Policy B2 of the adopted UDP and is therefore acceptable.

The impact upon neighbouring properties.

As per the previously approved scheme, the submitted layout achieves the minimum spacing standards as set out in the Council's SPG, mainly due to the majority of the buildings being located along the northern and eastern boundaries, away from the existing housing on Coleridge Road which is 30-40 metres away. The only initial difference to this resubmitted scheme was in relation to the former caretakers bungalow to the south west of the site. The resubmitted scheme originally showed an additional garage being constructed along the northern boundary of the bungalows plot, to which the owner objected. Following discussion with the applicant, the garage layout in this location has been revised and is now as per the previously approved scheme. As such, the siting of the garages is now considered to be acceptable.

It should be noted that previously the occupier of the bungalow also raised concerns in respect of the proposed boundary treatments between themselves and the proposed detached house, which could potentially prove excessive due to the changes in level at this point. The agreed arrangement has remained on this resubmitted application, with the boundary fence in this location being shown as being no greater than 1.8m in height from the bottom of the existing retaining wall. A condition can be imposed on any condition issued to reinforce this requirement, should members be minded to approve the application.

In terms of residential amenity, the proposal is therefore acceptable, meeting the requirements of UDP Policy B2 and Supplementary Planning Guidance (SPG)

## Sustainability

As per the previous submission, there is no information within the application that explains how the development proposal incorporates the principles of sustainability and energy conservation. The development should demonstrate a commitment to sustainability and energy conservation issues and as with all new dwellings, will now have to comply with the Code For Sustainable Homes.

### The impact upon trees on site.

In respect of the trees on site, the site contains a number of mature trees of varying ages that provide reasonable amenity in an area that is generally lacking in tree cover. Following the approval of the previously approved scheme a number of meetings have taken place between the Council's Arboricultural Officer and the applicant in order to ensure that the most appropriate trees are retained. Previously there were a number of trees that lay in close proximity to the rear of the existing bungalow, which were shown as being retained, which had raised concerns by the occupier. Looking at these further, it has been the Council's opinion that these trees lay in close proximity to drains that lead off site and as such the trees could have potentially damaged these if allowed to continue to grow. It has therefore been agreed that these trees are to be removed and more appropriate specimens planted elsewhere in the site.

Initial concerns were also raised with regard to the proximity of the proposed substation in relation to one of the retained trees in the south eastern corner of the site, as the substation encroached upon the root protection zone of the tree in question. However, following discussions with the Council's Arboricultural Officer, it has been agreed that the location of the substation is appropriate and will not be damaged by the construction provided a specialised method statement is submitted to and agreed in writing by the Local Planning Authority prior to any works commencing on this element.

The replacement planting submitted with the application is therefore considered acceptable. However further details will need to be submitted via conditions on any consent granted, of planting pits near the hard standing areas, together with a method statement, which should take into account the planting within the hard standing and indicate how the proposed soft planting areas are to be protected during the build process.

### Environmental Considerations.

Submitted with the application was a geo-environmental report for the site. Although there is no record of any previous industrial activity on the site, the document has been forwarded to the Council's Environmental Health section: nonetheless it is proposed that conditions are imposed requiring further contamination reports to be submitted, in the unlikely event that contaminants are found.

### The potential archaeological implications to the site.



As per the previous submission, the County Archaeologist has advised that subsurface remains of the former farm buildings and possibly earlier remains relating to the castle grounds may still survive. Although some such remains were identified previously, the new proposal does involve the excavation of a small additional piece of land that was not previously covered by this work. As such, it is considered acceptable to impose a condition to any further consent issued requiring such trenches to be dug before development works commence.

### Highways Issues

As agreed previously, the scheme accords with the requirements of UDP Policies T14 and T22 and is therefore acceptable in highway terms.

### Children's Play

The previous scheme secured a financial contribution of £17,820 towards off site play provision. This was undertaken through the signing of a s106 agreement between the applicant and the Council. The Director of Cultural and Community Services confirmed that the facilities will be sited in either Hylton Redhouse Primary School or Hylton Castle Play Area. The signing of the agreement under Section 106 of the 1990 Town and Country Planning Act effectively met the requirement of H21 of the UDP. This agreement does not require amending due to the proposal being for the same no of dwellings..

### Conclusion

As agreed previously, the development of the site is considered to be an appropriate and acceptable in this location and has adequately considered the issues associated with this. Members are recommended to approve the application subject to the conditions as set out below.

### **RECOMMENDATION: Approve**

#### **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, to ensure that the development is carried out within a reasonable period of time.
- 2 Prior to the commencement of works, the following details shall be submitted to and agreed in writing by the local planning authority: Samples of all external materials and finishes, comprising roof cladding, wall facing materials, window glass, door and window frames (including a colour schedule), decorative features and rainwater goods etc. Sample panels of brickwork, demonstrating the colour, texture, face bond and pointing. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and in order to comply with policies B2 of the Unitary Development Plan.

- 3 No development work shall take place until the developer has appointed an archaeologist to undertake a programme of observations of construction work to record items of interest and finds in accordance with a specification provided by the County Archaeologist. The condition will not be discharged until the watching brief report has been submitted to and approved by the Local Planning Authority. The observation is required to ensure that any archaeological remains on the site can be recorded and, if necessary, emergency salvage undertaken. The applicant must contact the County Archaeologist at least three weeks before development work commences to allow this process to be put in place and to accord with Policies B12 and B13 of the UDP.
- 4 Should any contamination not previously considered be identified during construction works a method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of residential amenity and to comply with policy EN14 of the UDP.
- 5 Prior to development commencing on the site precise details ( and samples where necessary) of all hard landscaping materials to be used throughout the development , (including details and location/layout of all proposed hard surfacing, means of enclosure, lighting columns, bollards and any other street furniture) shall be submitted to and approved in writing by the Local Planning Authority, and used as agreed in such details In the interest of highway safety and to achieve a satisfactory form of development on site and to comply with the requirements of Policies T14 and B2 of the adopted UDP.
- 6 No development shall take place until there has been submitted full details of the timescale that the agreed trees are to be removed from the site. No tree felling works shall be carried out on the site between the 1st March and 31st August inclusive in any year unless otherwise approved in writing by the Local Planning Authority in the interests of nature conservation and to accord with policy CN18 of the UDP.
- 7 Before the trees which are the subject of this application are felled, details of the location, size, ground repartition, ground protection and species of the replacement planting shall be submitted to and agreed with the Local Planning Authority along with a timescale for the replanting, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 8 No operations shall commence on site in connection with development hereby approved (including soil moving, temporary access construction or any other operations that involve the use of motorised vehicles or construction machinery) until all areas for new tree planting have been plotted onto a site layout plan indicating such tree constraints. These areas shall then be protected from damage (especially soil compaction) by the erection of barriers and / or ground protection. The size and specification of these barriers is to be agreed in writing with the Local Planning Authority prior to its implementation, in the interests of visual amenity and in order to comply with policy B2 of the UDP.
- 9 The erection of fencing for the protection of any retained trees shall be undertaken in accordance with the approved plans and particulars to be

submitted before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.

- 10 No trees shall be felled without the prior consent of the Local Planning Authority and a site visit has taken place to confirm that the agreed trees are to be removed, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 11 No tree shown to be retained on the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 12 If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 13 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 14 Before the development commences a method statement shall be submitted in writing to the Local Planning Authority detailing the method of construction for any works to be undertaken within the crown spread of any trees on the site. Such method statement shall include full details of the following:

Implementation, supervision and monitoring of the approved Tree Protection Scheme.

Implementation, supervision and monitoring of the approved Tree work specification

Implementation, supervision and monitoring of all the approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.

Timing and phasing of Arboricultural works in relation to the approved development

All works shall be carried out in accordance with the agreed details in the interests of visual amenity and to comply with policy CN17 of the UDP

- 15 Before the development commences a method statement shall be submitted in writing to the Local Planning Authority detailing the method of construction of the electricity sub station and its associated access road. Such method statement shall include full details of the following:

Implementation, supervision and monitoring of all the approved construction works, which shall be carried in such a manner as to not cause damage to any trees...

All works shall be carried out in accordance with the agreed details in the interests of visual amenity and to comply with policy CN17 of the UDP

- 16 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of landscaping and treatment of hard surfaces which shall include detailed method statement for all tree planting indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 17 Before the development commences details a scheme of working shall be submitted to and approved in writing by the Local Planning Authority . Such a scheme shall include; siting and organisation of the construction compound and site cabins; routes to and from the site for construction traffic; the method of containing the construction dirt and debris within the site, (ensuring that no dirt and debris spreads on to the surrounding road network-details to include the installation and maintenance of a wheelwash facility on site); and measures to ameliorate noise, dust, vibration and other effects. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved UDP.
- 18 Unless otherwise agreed in writing with the Local Planning Authority , the construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the UDP
- 19 Notwithstanding the submitted plans, none of the dwellings shall be occupied until the estate road and parking court have been completed in accordance with the submitted plans, in order to achieve a satisfactory form of development and to comply with policy B2 of the UDP.

- 20 Notwithstanding the approved plans and the provisions of the current Town and Country Planning General Permitted Development Order, no additional gates, fences, walls or other means of enclosure shall be erected at plot no. 1 without the prior written consent of the Local Planning Authority, in order that the Local Planning Authority may retain control over the development and to comply with policy B2 of the UDP.

**Reference No.:** 08/01384/FUL Full Application

**Proposal:** **Erection of two storey aparthotel of 32 bedrooms with new access road and associated parking and landscaping.**

**Location:** Land To The Rear Of Ravine Terrace And Roker Park Terrace Sunderland

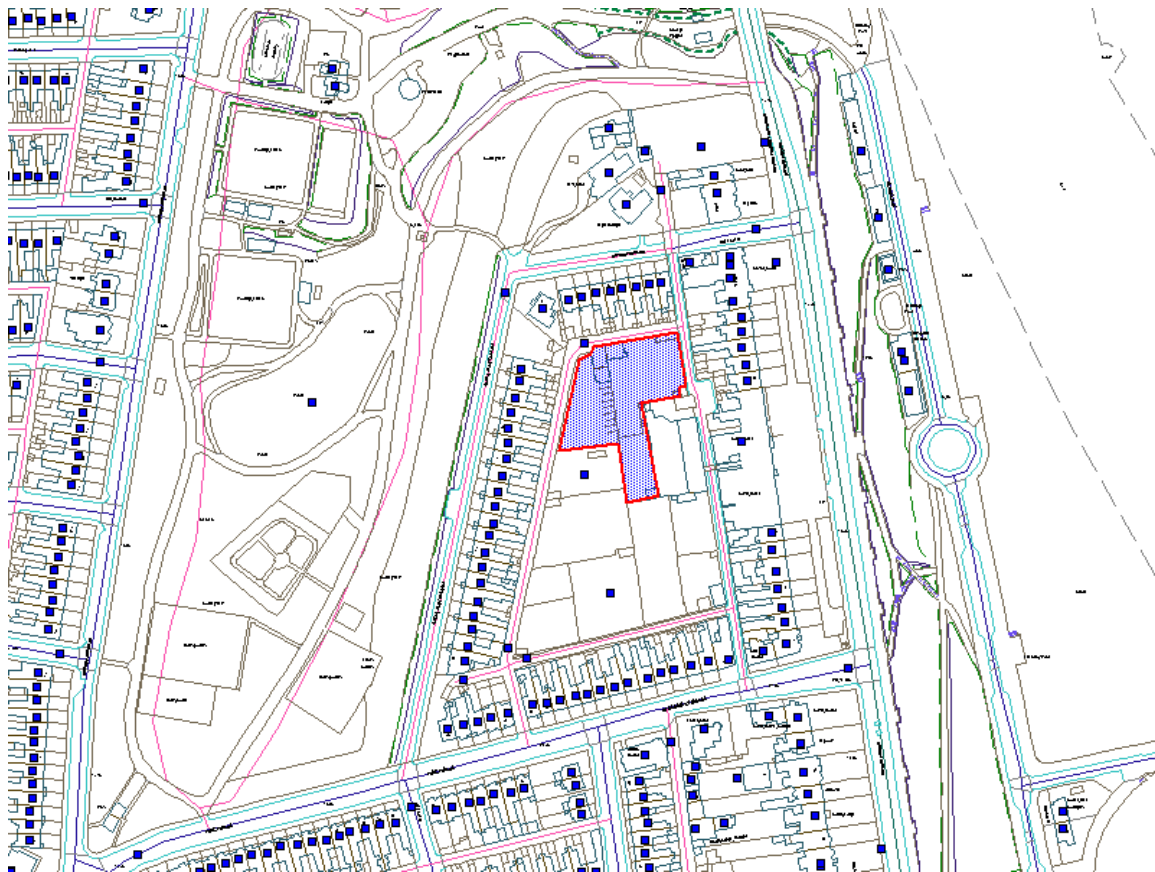
**Ward:** St Peters

**Applicant:** Tavistock Leisure LTD

**Date Valid:** 3 April 2008

**Target Date:** 29 May 2008

### Location Plan



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### PROPOSAL:

The site itself is located within the Roker Park Conservation Area. It forms the northernmost portion of an area of land which is bounded by the back lanes that serve St Georges Terrace, Roker Terrace, Ravine Terrace and Roker Park Terrace.

Originally, this backland area comprised of walled gardens for the surrounding terraced houses. Whilst some of the plot boundaries have been largely retained, few of the plots remain in the ownership of the adjacent housing. Indeed, the majority of the plots to the north of the site are under the ownership of the applicant. Upon inspection, large parts of the land as a whole appear unused and untidy. The north eastern corner of the application site was recently acquired by the applicant and has been subject to earth moving works and the demolition of an internal plot wall in preparation for this proposal. Members should note that the demolition of this wall would require Conservation Area Consent which has not been applied for. The applicant has been informed of this. Enforcement investigations have been held in abeyance however, pending determination of this application.

The works proposed aim to improve access arrangements into the plots of land that are owned by the applicant to the rear of the Roker hotel and to erect a 1616 sq metre, 32 bedroom aparthotel. This is a combination of small 2 bedroom apartments and hotel rooms. These are laid out in such a manner so that they can operate either as single bedrooms or as an adjoining bedroom and lounge. The target users are families who may require extra space or contractors who already use the existing hotel. The hotel has recently joined the "Best Western" hotel group and offers high standard accommodation at a national and international level. At present the hotel provides 57 bedrooms and regularly finds itself booked to capacity. It is envisaged that should the proposal go ahead, it would enable the hotel to fulfil the current amount of interest that they have, as regularly they have to turn potential customers away.

In brief, the particulars of the proposal are as follows:-

- The closure of the existing vehicular access into the land under the control of the applicant, (situated beneath the ballroom) and the creation of a new and improved 8 metre wide, raised table junction, located 25 metres to the north of the existing access. This access is angled so to encourage traffic flow from the north. At present the existing access is almost totally blind to the north due to the projection of an existing outbuilding. In addition, as this access is taken under the ballroom, height is restricted, which can lead to vans etc being parked to the front of the hotel on the coast road. It should be noted that the creation of this access will involve the demolition of a section of boundary wall, which is of conservation area interest.
- To the south of the existing access the lane will be narrowed and raised to form a further speed table and pedestrian access to the Roker Hotel.
- The creation of a new / improved boundary treatment to the perimeter of the site, together with the introduction of a substantial landscaping scheme throughout the site.
- Within the site a 4.2 metre wide road will cut across the site, between the apartel and the ballroom, leading to the car park areas beyond. Car parking provision is 46 spaces to the front and 89 spaces to the rear, giving a total of 135 spaces.
- The aparthotel building has been designed in a low lying 'Arts and Crafts' style and will run along the north and west boundaries of the site and is

predominantly single aspect, facing into a communal courtyard, with corridor and service rooms and stairs facing onto the rear lane. The majority of the building is 16 metres away from the dwellings on the other side of the lane with the exception of 2 laundry stores which are 14 metres away. In terms of height the proposal is designed with lowered eaves and off-shots to the rear, giving the appearance of 1.5 storeys overall. The eaves of each end of the building have been lowered to reduce the scale and emphasise the reduced height.

It should also be noted that the applicant has another application within the backland area which is also reported on this agenda.. This is for the extension to the existing house situated to the immediate north of the hotel ballroom, next to the existing site access. This proposal is create office space associated with the hotel (08/00591/FUL).

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

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

#### **CONSULTEES:**

Fire Prevention Officer  
Northumbrian Water  
Crime Prevention Officer  
Director Of Childrens Services  
Director Of Community And Cultural Services  
Northern Electric

Final Date for Receipt of Representations: **07.05.2008**

#### **REPRESENTATIONS:**

Neighbours

10 letters of objection have been received in relation to this planning application. The objector's main concerns are as follows:-

- 1) The development within a Conservation Area is `out of character`;
- 2) Any form of new development in a conservation area is inappropriate as it does not `conserve` the area.
- 3) The height and scale of the development will overshadow the rear of properties that surround the site and will result in a lack of privacy.
- 4) There is no perceived enhancement to the area outwith the site, i.e the lanes.
- 5) The development would lead to an unacceptable increase in traffic to the rear lanes, which are already congested and poorly maintained.
- 6) The access to the site is unacceptable.
- 7) There is insufficient parking to accommodate the development.
- 8) The construction works would create disturbance to the residents.



- 9) The development would result in an increase of noise from users of the apatel.
- 10) Loss of trees and habitat is unacceptable within a Conservation Area.
- 11) The development could be changed to apartments at a later stage.
- 12) The development would result in extra litter being dropped in the area.

These concerns are considered in more detail in the comments section below.

#### Consultees

No observations or objections have been received as a result of the consultation process.

#### **POLICIES:**

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

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\_7\_Demolition of unlisted buildings in conservation areas

CN\_23\_Measures to conserve/ improve wildlife corridors

EC\_9\_Locations for Hotels and Conference centres.

L\_12\_Promotion of the recreational and tourist potential of the coast and riverside

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

T\_22\_Parking standards in new developments

#### **COMMENTS:**

At the 29th April meeting of the Sub-Committee, whilst considering the other application for the office development (08/00591/FUL) Members resolved to visit the site. This visit is scheduled to take place on 30th May 2008.

In determining this application, the key issues to consider are:-

- The principle of the use.
- The principle of new development within the Conservation Area.
- The design of the proposal
- Highways and Parking issues.
- Privacy / Amenity issues.
- Effects on health and welfare of existing residents.
- The removal of trees on the land.

The principle of the use.

Whilst lying within the Roker Park Conservation Area, the land that is subject to the application is not designated in the UDP as being anything different from the

surrounding streets, unlike Roker Park itself and as such has a 'white land' allocation. Furthermore, the land is not identified as a park, play area, 'green space' or 'open space' on the Council's Parks and Open Spaces Register. The area is well served with parks and open spaces, with both Roker Park and the large expanses of land at the sea front lying in very close proximity to site. The houses on Roker Park Terrace front onto Roker Park and the properties on Roker Terrace face the Sea Front. UDP policy EN10 requires that all proposals on land where the plan does not indicate any proposals for change will need to be compatible with the principle use of the neighbourhood. The site is surrounded by housing on three sides and has the existing Roker Hotel to the east and as such, the use of the land for either residential or a form of development of a comparable built form or character would be acceptable in principle and compliant with Policy EN10 of the UDP, subject to meeting design, layout, and conservation criteria.

In addition, the guidance within Policy EC8 of the UDP aims to support the City's ability to cater for tourists and other visitors through actively encouraging opportunities for new tourist initiatives, especially when they are located close to existing areas of visitor interest. The development is located adjacent to existing tourist accommodation facilities and will provide an emerging form of tourist accommodation (aparthotels) that differs from the traditional format of hotels, guesthouses and bed and breakfast establishments. The development complies with the aims of the policy through providing additional and innovative forms of tourist accommodation, contributing to the City's ability to cater for tourists, and being close to the existing tourism areas of Roker and Seaburn.

It is considered that the proposal complies with the requirements of policies EN10 and EC8 of the approved UDP.

The principle of the new development within the Conservation Area.

The scheme has been subject to lengthy pre-application discussions with Council officers and is considered to achieve an appropriate form of development that would enhance the Conservation Area. It should be stressed that guidance set out in PPG 15 (Planning and the Historic Environment) requires development in Conservation Areas to protect or enhance the area, meaning that new build proposals should not just be automatically discounted merely for being new. Paragraph 2.14 of PPS 15 states:-

'The design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail: some of the most interesting streets in our towns and villages include a variety of building styles, materials, and forms of construction, of many different periods, but together forming a harmonious group'.

To conclude, the submitted layout and design of the development combined with the proposed improvements to the site access and boundaries are considered to

be a highly desirable arrangement, which would enhance the area for residents who overlook the site, users of the hotel and members of the public who pass through the lanes. As such, the proposal is considered to accord with Policies B4 and B6 of the approved UDP.

The design of the proposal.

The general layout of the site, with the positioning of the aparthotel building around its perimeter is considered to be acceptable, providing a desirable form of development. The scheme is considered, on the whole to be in accordance with adopted Planning Guidance for the Conservation Area - the Roker Park Conservation Area Character Appraisal and Management Strategy (CAMS).

Management Proposal 7a in the Roker CAMS sets out design requirements for the development of the backland area to the rear of Roker Terrace, Ravine Terrace, Roker Park Terrace and St George's Terrace. The proposed scheme is generally consistent with these requirements, which stipulate that buildings should be predominantly laid out around the perimeter of the site looking inwards into communal courtyards with perimeter buildings no more than one and a half storeys high.

The Management Proposal also requires distinctive and cohesive building designs that reinforce the architectural quality and character of the conservation area. In this regard, the architect has opted for a traditional approach inspired by the area's arts and crafts influenced architecture. This is considered appropriate in the site's context, particularly as a previous residential scheme approved for the southern part of the area (06/00696/OUT) also adopted a traditional approach.

Whilst the proposed aparthotel does not replicate the design of buildings for the residential scheme, there are enough similarities in the layout, scale, built form and materials to give a varied yet cohesive design solution to the overall development of the backland area.

The quality of design and range of features for the aparthotel is particularly impressive, albeit something of a pastiche, but nonetheless articulated very well. The detailing of the architectural elements and choice of materials will be essential to achieving a high quality design that stands up against and complements surrounding historic buildings. It would be necessary for precise details to be provided of the style and type of windows and doors, and other features such as the chimney stacks and pots, eaves detailing, rainwater goods, bays, projecting gables etc.

The proposed boundary treatment for the western edge of the site was initially of some concern. The existing palisade fencing around along this boundary was shown as being retained. However, in accordance with Management Proposal 7a of the CAMS, this has been agreed to be replaced with a high brick / stone wall to retain / reinstate the traditional form of boundary treatment for the backland area and its sense of enclosure and privacy. Full details, including a section drawing, will be required for the new boundary wall, which will have to include mitigation measures for sections which lie adjacent to any retained trees.

The reinstatement of the brick/limestone walls along the western perimeter of the site will reinforce and reinstate the traditional boundary treatment of the site, establishing a similar degree of enclosure to the rear lane to that existing along the northern and eastern boundaries. Although it is noted that sections of limestone wall within the site have been demolished, the applicant has declared the intention to re-use this throughout the redevelopment which is encouraging. These limestone walls are a very distinctive and significant local feature. The Roker CAMS notes that development proposals should be designed to incorporate these features. It is important therefore that the stone that has been set aside is retained and the wall rebuilt (as shown on the submitted plans) following construction of the buildings.

A wall that is to be taken down to make way for the new office building (08/00591/FUL) could also provide a source for any shortfall of stone and / or perhaps for making good of parts of the existing stone boundary wall if necessary. Full details of where all salvaged stone will be re-constituted in the scheme will be required to be agreed with the Local Planning Authority (LPA), which can be secured via condition, should Members be minded to approve the application.

To summarise, the proposed scheme is generally acceptable and in accordance with the CAMS and policy B4 of the approved UDP, subject to the imposition of appropriately worded conditions.

#### Highways and Parking issues.

A number of residents have raised concerns about the access arrangements into the site and the perceived level of extra traffic that could be generated as a result of this development.

It is considered that the proposed layout is such that it improves upon a currently poor partially blind access point into the site and allows sufficient scope for access to be provided from within the site to the remainder of the backland area if necessary, to allow for the potential future development of its southern part.

The new access point, located 25 metres closer towards the access point that leads into the lanes from Ravine Terrace is a marked improvement than the current access. The proposal incorporates a raised table, lying across an 8 metre wide opening in the boundary wall. Such an arrangement should make it easier for vehicles to enter and exit the site, whilst also allowing sufficient space for pedestrian to make their way to their own pedestrian route, which is segregated from vehicles. This access is orientated in such a way as to encourage vehicles to enter the site from the northern entrance to the lanes (via Ravine Terrace) rather than from one of the southern access points (St Georges Tce). Such an arrangement should minimise the vehicular movement of traffic along the full length of the lane. If necessary, a condition can be imposed, requiring the applicant to introduce directional signage to ensure users follow the preferred route into the site. In addition, the gated access that exists to the car parking area to the south west of the site will be locked shut and used for emergency access only, in order to prevent vehicles 'cutting through' the site. This requirement can be secured via the imposition of an appropriately worded condition.

Although in highway engineering terms ideally the section of the wall, adjacent to the new access point, should be set back 2 metres in order to widen the back lane at this point. This would result in a similar arrangement to that agreed for the scheme which was approved for the southern end of the site (06/00696/OUT). However, it should be noted that that approval pre-dates the CAMS after which requires that all walls be retained where they are of merit. As indicated above this section of wall is considered to be of merit being one of the main characteristics of the Roker Park Conservation Area. It should also be noted that even if it were widened at this point, the lane could not be widened along its full length as there is a pinch point where it emerges between Roker Terrace and Ravine Terrace. As such, the raised table junction and crossing point are considered to be an appropriate compromise within the confined network of lanes. It should also be remembered that due to the narrow nature of the lanes and the cobbled road surface that exists across many sections, it is not possible for vehicles to travel at any great speed and users would naturally feel inclined to manoeuvre around this area at a lower than average speed.

Concerns have been raised by residents concerning the additional traffic which the development would generate and the possible increase in on street parking occurring. A parking survey submitted by the applicants demonstrates that the hotel currently has an over-provision of car parking available and that this would still be the case should the scheme be approved. Clearly the hotel has a number of facilities available, namely; hotel rooms, the ballroom for functions and restaurants. It has to be accepted that there will be an overlap of users who would be using more than one of the facilities and as such, a full level of provision for each individual element of use within the hotel will not be required. Furthermore, the majority of visitors to the hotel to use the ballroom or restaurants would be likely to arrive in groups together in vehicles, some of which would be likely to be via taxi or public transport, if they are to be consuming alcohol.

In addition, it is likely that the parking area to the rear would become more likely to be used, should the scheme be approved, as the redevelopment of the backland area would give the area the impression of being a safe and welcoming environment, thereby encouraging users to park within the site rather than on the street or in the lanes. As such, the proposed parking arrangements are considered acceptable. Should the development give rise to increased parking in the rear lanes, it would always be possible for parking restrictions to be imposed by means of a traffic regulation order.

In terms of deliveries to the site, a Delivery Management Plan has been submitted by the applicant in support of the application. This specifies the days and times that deliveries are made to the premises. Whilst the proposal does not provide a servicing area within the area to be developed, the applicant maintains that there would be no change to the current delivery arrangements. It is acknowledged that at times these may block the rear lane for short periods, it is accepted as being the only reasonable way that the premises can be reasonably serviced. The applicant has agreed however that the times set out in the Delivery Management Plan can be conditioned in order to restrict the times that goods are delivered to the premises, should Members be minded to approve the application.

With regards to servicing the new development, a bin store area has been shown on the submitted plans next to the new access into the site. This arrangement is

considered as being acceptable and will enable refuse collections to be made direct from the lane, as is the case for all properties at present that back onto the lanes.

The final point in respect to the highways considerations for the proposal relate to the disturbance that may be caused by construction vehicles using the lanes. It is considered that the construction traffic associated with the development could cause an excess weight of traffic to pass along the lane and as such, under the terms of Section 59 of the Highways Act 1980, the developer may then be responsible for any excess expenses incurred by the City Council as Highway Authority for maintenance and /or repair of the back lane and its approaches. To summarise, whilst the development may initially damage the lanes, this could ultimately lead to them being repaired and brought upto a much better, more even standard than at present, at no expense to the Council.

To conclude the highways considerations, whilst not achieving 100% of what would normally be required from the Highways Authority, the proposal, on balance does provide some improvements in what is quite a constrained area and as such accords as much as is reasonably possible with Policies T14 and T22 of the approved UDP.

#### Privacy / Amenity issues.

Residents have queried the proposed heights of the buildings. This has been clarified by the applicant via the submission of cross sections through the proposed building and those properties which look onto the site which show the development as being 1.5 storeys in height, with the upper floor partially within the roofspace. The cross section also demonstrates that the proposed buildings would be significantly lower in height than the surrounding existing buildings and as such the proposed layout is not considered to have any adverse affect on their outlook or amenities.

With regards to the spacing of the buildings, all distances between buildings when measured within the site are shown as being to an acceptable standard, achieving a minimum of 14 metres separation. The building has been designed in such a way so that a service corridor runs along the elevations that face onto the lanes thus minimising any privacy issues. It should be remembered that the main aspect of the development is that it is to be 'inward facing' and not reliant upon outlook to the outside of the site.

#### Effects on health and welfare of existing residents.

With regards to the health and welfare of residents, whilst the construction works are ongoing, this is something that cannot be taken into consideration when assessing this application, other than meeting the statutory Environmental Health requirements, which pay regard to hours of operation and the amount of noise / dust generated by activities on site. Such requirements can be controlled by the imposition of conditions.

Similarly in terms of noise generated post completion if approved, the proposed building is considered to be a sufficient distance away from residents and orientated in such manner so that the sound of the comings and goings of

occupants will be kept to a minimum, the building and boundary enclosures will effectively shield the existing residents from this.

As for the development creating extra litter, which was a concern of one resident, it cannot reasonably be considered that this would occur solely as a result of the proposal.

The applicant is fully aware of their obligations in respect of constructing and operating the development in a responsible manner. The construction part of which can be controlled via the imposition of conditions should Members be minded to approve the application.

The removal of trees on the land to the rear.

The loss / replanting of trees resulting from the proposed development are still being considered by the Council's arboricultural officer in the context of the wider landscaping scheme for the site. A tree report has been submitted for consideration, providing mitigation measures for any trees that would need to be removed along with additional measures such as the provision of bat boxes throughout the area to encourage wildlife. The CAMS notes that existing mature trees should be retained or replaced with suitable species. The mature trees around the perimeter of the site are considered to be particularly valuable in visual terms. Further comments in this respect will be provided on the supplement report.

Conclusion.

The proposed development has both negative and positive effects on the Conservation Area. On the negative side some sections of original walling are to be demolished and some trees will have to be felled. On the positive side, the lanes around the backlands will be improved, other sections of boundary wall will be reinstated and the plot of land will be brought into beneficial use and a high quality landscaped development will be achieved which has the potential to act as a catalyst for the further enhancement of the remainder of the area of the former walled gardens. In weighing up the various issues, it is considered that on balance, the scheme is acceptable and would help to enhance the overall appearance of this part of the Roker Conservation Area. Some residents have raised concerns that if approved the development could subsequently be turned into purely residential accommodation. As per many of the other issues which have been raised, this can be controlled by the Local Planning Authority.

Subject to the Council's Arboricultural Officer being satisfied with the submitted report it is likely that the proposal will be recommended for approval on the supplement.

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