

## **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.:** 08/03485/FUL Full Application

**Proposal:** Construction of four, two storey office units and amendment of further four office units, repositioning of 15 carparking spaces and relocation of substation (previously approved 06/05248/FUL).

**Location:** Land At Crown Road Sunderland

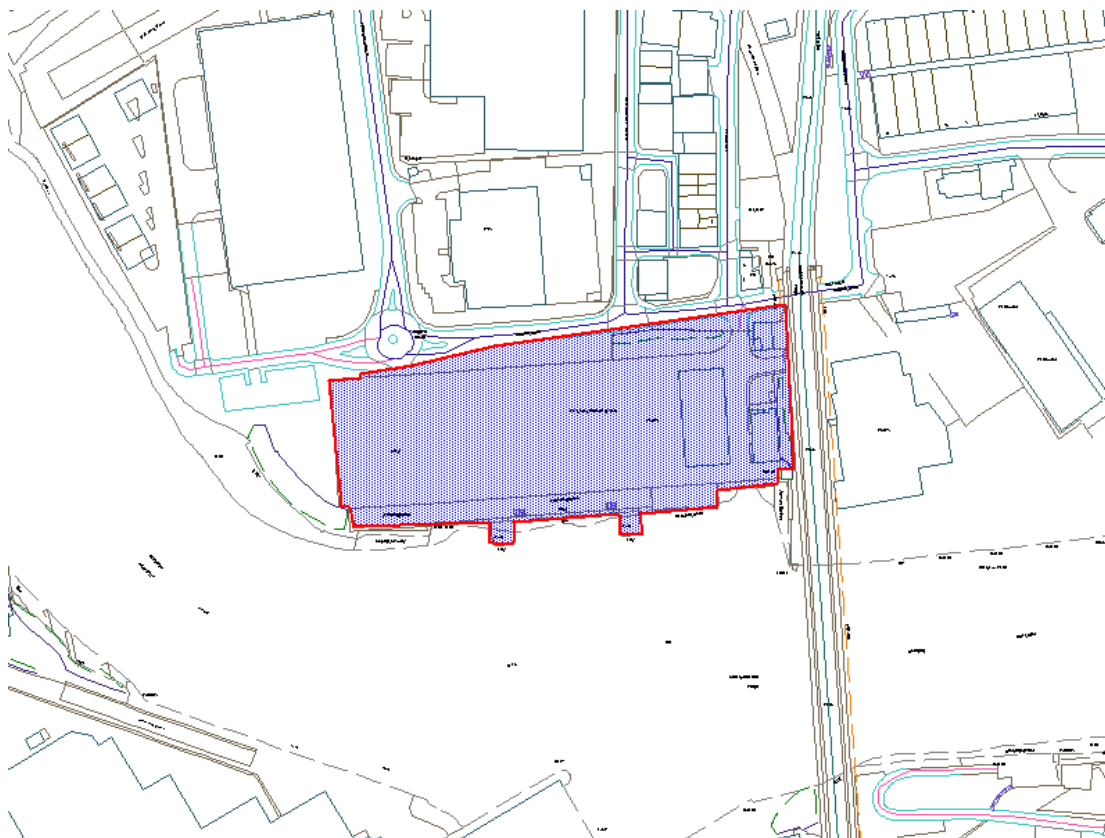
**Ward:** Southwick

**Applicant:** Adderstone Group Ltd

**Date Valid:** 17 November 2008

**Target Date:** 12 January 2009

### Location Plan



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### PROPOSAL:

Members are reminded that a previous outline application for a similar development on the site (05/04480/SUB) was approved on 30.11.05, following referral to the First Secretary of State, under the Town & Country Planning (Development Plans & Consultations) (Departures) Directions 1999. This previously approved scheme consisted of:-

- 33 offices (21 two storey and 12 three storey).
- 370 car parking spaces, cycle parking and landscaping.  
(Overall development 11,100 Sq Metres gross)

Following the approval of this outline consent, upon preparing detailed plans for the associated reserved matters application, it became apparent that the extent of land declared to be within the applicants ownership was actually incorrect, effectively reducing the site area from 1.9 Hectares to 1.825 Hectares. As the principle of development had already been established, the applicant submitted a revised scheme for consideration for full planning approval, following a re-appraisal of both the site and their potential market.

Subsequently planning consent was granted for a similar development on this site (05/04480/SUB refers) taking into account the revised site area.

This scheme was subsequently amended by way of planning permission 06/05248/FUL. This application was for planning permission to redevelop this 1.825 Hectare site with:-

- 42 single occupancy offices with ancillary cafe facility (A1/A5).
- 306 car parking spaces, 28 Cycle spaces and landscaping.

Substantial development on the site has taken place as the applicant has commenced work to implement this consent the layout of which in detail shows:-

- 4 No. 2- 3 storeys split level office buildings positioned to the north of the site, running parallel with Crown Road. These would be divided into 1 no. self contained 340 sq m unit and 8 no. self contained 170 sq m units.
- 2 No. 2 storey office buildings to the west; providing 7 individual units, varying in size from 130 sq m to 510 sq m.
- 2 No. 2 storey office buildings positioned to the south of the site, running parallel with the River Wear, with the buildings being divided to each provide 8 no. 130 sq m units, one of which would be an A1-A5 food and drink use, to provide facilities for other users of the site.

The immediate area around the above buildings is shown as providing 296 parking spaces (including 9 disabled parking spaces and 8 motorcycle spaces), 28 cycle parking spaces and a Quayside walkway, running along the entirety of the rivers edge, which abuts the site. There is also an indication of the provision of soft landscaping including the planting of trees throughout.

The entrance to the site is at the existing western end of the site, improving the highway at this point to include a fourth arm to the existing roundabout. The applicant is undertaking the development in 2-3 phases, and has started with the units at the west of the site, progressing eastwards, towards the Queen Alexandra Bridge.

This application is to further amend the scheme involving the construction of four, two storey office units and amendment of further four office units, repositioning of 15 car parking spaces and the relocation of the substation. Basically the approved layout will see the addition of a further 4 units in a two storey form added to the eastern most block adjacent to the Queen Alexandra Bridge. This will involve moving the eastern most units 3 metres to the west and adding four additional units back to back with the eastern most block.

**TYPE OF PUBLICITY:**

Press Notice Advertised  
Site Notice Posted  
Neighbour Notifications

**CONSULTEES:**

County Archaeologist  
Director Of Community And Cultural Services  
ARC  
English Heritage

Final Date for Receipt of Representations: **18.12.2008**

**REPRESENTATIONS:**

HIGHWAY ENGINEERS.

There has been a request for a hard standing adjacent to the repositioned substation to allow parking for maintenance vehicles, this could be controlled by condition should planning permission be granted.

PLANNING IMPLEMENTATION\_

The submitted landscaping is indicative only and a fully detailed scheme has been requested, this could be controlled by condition should planning permission be granted.

ENGLISH HERITAGE.

No objections have been raised to the proposal which was previously considered in terms of the siting adjacent to the Listed Queen Alexandra Bridge when the previous applications were considered.

COUNTY ARCHAEOLOGIST.

The County Archaeologist has no observations on the matter as it is considered any items of interest will have been removed when the site was developed in the 1950s.

ENVIRONMENTAL HEALTH.

No comments.

## **POLICIES:**

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

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

B\_17\_Schemes to promote, manage and assist in interpreting important heritage features

B\_20\_Undertake and encourage provision of works of art in major new developments

B\_1\_Priority areas for environmental improvements

B\_21\_Advertisement & Control

EC\_2\_Supply of land and premises for economic development purposes

EC\_4\_Retention and improvement of existing business and industrial land

EC\_9\_Locations for Hotels and Conference centres.

EC\_15\_Development or extension of bad neighbour uses

EN\_11\_Restrictions upon new development or intensified use of land liable to flooding

EN\_12\_Conflicts between new development and flood risk / water resources

NA\_1\_Retention and improvement of existing industrial area

NA\_38\_Provision of cycle routes with connections to strategic multi-user routes

S\_3\_Support to other existing centres, local groups and small shops, including new provision

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

T\_22\_Parking standards in new developments

## **COMMENTS:**

The key issues to consider are:-

- The principle of the use.
- Design
- Accessibility / Highway Issues.
- Siting.
- Affect on the setting of a Listed Building.

The principle of the use.

The principle of the use has been accepted by virtue of the previous planning permissions granted for the greater site.

In brief the site is allocated on the UDP as Industrial / Port land. UDP Policy NA1.3 allocated the site for general industry, storage and distribution (B2 and B8 uses).

The applicant has discussed the proposals with the Business Innovation Centre (BIC) and Sunderland Arc, who are both in favour of the development and see the provision of additional space close by to be of a potential benefit to those fledgling companies who may have started at the BIC and need to move to larger premises. The site is ideally located for such moves, being only a short distance away, which in turn will result in a freeing up of facilities at the BIC.

In addition to the above UDP policy implications, there were a wider number of issues associated with the application from a regional perspective. The principle

of redevelopment of this site is considered consistent with the objectives of RPG1 policies DP1 and DP2 and the RSS. These aim to focus development on previously developed land within major urban areas. The RSS supports alternative uses of land where it would not be needed in the future for port related activity, which as agreed previously, this site is not so required. As such, the proposal is considered to conform to RPG1 and the RSS.

UDP policy EC7 encourages offices in town centres. PPS 1 defines offices as a town centre use. Further to the 2004 Planning Act (Part 3 Section 38), RPG1 is now part of the adopted development plan. Policy TC1 of RPG1 states that offices, which generate a large number of trips, should be concentrated in town and city centres. The RSS Submission Draft (paragraph 3.27) states that sites with good access to the strategic road network are better locations to accommodate manufacturing and logistics. Although this site is not within the city centre, it is within the urban area and adjacent to an existing industrial estate area which does contain some office accommodation. As such, accessibility to the site by various methods has to be achievable. The proposed nature of the offices is in keeping with other nearby activities, such as those present at the BIC and could provide an attractive workspace for small businesses. To further enhance the site, the applicant proposes that an A1/A3/A5 café facility be introduced to one of the units (no 34) fronting onto the riverside, to add necessary facilities for workers in the other units on the development. As the overall area of the unit is only a small proportion of the overall floor space being created (less than 2%) this can be considered as being ancillary in nature and as such is acceptable. A condition has been imposed on the previous consent to prevent any further changes of any of the other units in the development and this can be re-imposed to protect these units should Members be minded to approve the application.

The previous applications were referred to the Government Office for the North East (GONE) as a departure from the adopted UDP. Following referral to the First Secretary of State, under the Town & Country Planning (Development Plans & Consultations) (Departures) Directions 1999 GONE concluded that the applications should remain with Sunderland City Council for decision as the proposal did not sufficiently conflict with national planning policy nor was there any sufficient reason to warrant calling in the application. This application has been discussed with GONE and it is considered that the scale of the proposal is such that the application should not be referred as the principle has been established via previous consents. The principle of the development of offices on the site is thus considered acceptable.

## Design

With a range of six types of unit proposed it is considered important the architecture unifies the development as a whole. The types of units have been conceived as being variations on a common theme using shared architectural elements bringing a sense of harmony to the form of the development, creating a strong recognizable character. The architectural aim has been to create a repetition of units in an intelligent manner, not merely collected together to make several large repetitive blocks. Within a block, the same types of units might be orientated differently, mirrored or have variations in their roof scape to create a development with a varied, yet coherent appearance.

The materials have been agreed in the discharge of conditions for the previous applications

The applicant has also indicated that the appearance of the signage for each unit is to be controlled by being contained behind the glass of the vertical glazed slot on each unit. This can be controlled via the imposition of condition, should members be minded to approve the application.

Taking all of the above into account, the overall design is considered to be broadly acceptable, subject to details being agreed via condition,

#### Landscaping

The submitted layout plan identifies areas of paving and landscaping and the details have been agreed under the discharge of conditions for the previous applications.

#### Accessibility / Highway Issues.

An Interim Travel Plan submitted as part of the previous application introduces various measures, which would seek to reduce reliance on car journeys, particularly single occupancy car journeys and to promote alternative, more sustainable forms of travel, such as cycling / walking / public transport. The notion of such a scheme would help achieve the aforementioned planning objectives and is considered as being an appropriate measure at this stage. It should also be noted that the submitted plans show cycle parking racks conveniently located around the site, in order to encourage users to travel to the site by more sustainable means. A detailed Green Travel Plan has been approved under the discharge of conditions for the previous application; this has been amended to take account of this amendment and is considered acceptable.

Taking all of the above into consideration, it is considered that the matters relating to highways have been addressed.

#### Siting.

The proposal is considered to have an acceptable layout, with regards to layout and achieving spacing standards within the site. Looking at a section through the site, the relationship of the offices with the nearest existing buildings on Crown Road is also considered to be acceptable and of a similar standard to the current situation on site at present.

#### Affect on the setting of a Listed Building.

The highest points of the proposed buildings are shown as being approximately 5 metres lower than the bottom of the main deck of the Queen Alexandra Bridge, a Grade 2 Listed Building. This is a similar relationship to that of the industrial sheds which until recently, were present on site. As well as being lower than the bridge deck, the nearest buildings proposed are shown as being approximately 18 metres away. Consequently, it is considered that the proposal would not adversely affect the bridges setting.

## Conclusion.

The proposal is considered as being acceptable for office uses and will enable expansion opportunities for those businesses that may have started up in the nearby Business Innovation Centre. The design is in keeping with the scheme under construction; the proposal does not raise any highway issues and is not considered to have an adverse impact on the setting of Queen Alexandra Bridge. Members are thus recommended to grant planning permission subject to the use of materials already approved and implemented in relation to the previous consent and an additional condition to prevent units being utilised for retail and food uses.

## **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 Notwithstanding any indication of materials which may have been given in the application; the external materials to be used, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing buildings within the scheme as approved under planning permission number 06/05248/FUL, unless the Local Planning Authority first agrees any variation in writing; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.
- 3 Unit numbers 1 - 20, 22-33 and 35 - 41 shall be used for B1 Office based uses only (as set out in 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), and for no other purpose in order to achieve a satisfactory form of development and to accord with policy EC4 of the UDP
- 4 Unit number 34 shall be used for A1 / A3/ A5 shopping / service / food based uses only (as set out in 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), and for no other purpose in order to achieve a satisfactory form of development and to accord with policy S3 of the UDP.
- 5 Before the A1, A3, A5 use hereby approved is brought into operation in unit numbers 34, details of any necessary ventilation and extraction system, including all external ducting and stacks shall be submitted to and approved in writing by the Local Planning Authority. All works shall be completed in accordance with the agreed details before the uses commence, in order to protect the amenities of the area and to comply with policy S12 of the UDP.
- 6 The A1/A3 / A5 use hereby approved at unit 34 shall only be operated for such a use between the hours of 07:30 and 21:00 Monday to Sundays



including Bank Holidays, in the interests of the amenities of the area and in order to comply with Policy S3 of the UDP.