

DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE

AGENDA

**Meeting to be held in Committee Room 2 on Tuesday 5th
February, 2019 at 3.45 p.m.**

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Applications made under the Town and Country Planning Acts and Regulations made thereunder Report of the Executive Director of Economy and Place (copy herewith).	1

E. WAUGH,
Head of Law and Governance.

Civic Centre,
SUNDERLAND.

28th January, 2019

Development Control North Sub-Committee

5th February 2019

REPORT ON APPLICATIONS

REPORT BY THE EXECUTIVE DIRECTOR OF ECONOMY AND PLACE

PURPOSE OF REPORT

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

LIST OF APPLICATIONS

Applications for the following sites are included in this report.

1. 18/01353/ADV
Fausto Coffee Marine Walk Sunderland SR6 0PL
2. 18/01498/FUL
Fausto Coffee Marine Walk Sunderland SR6 0PL

COMMITTEE ROLE

The Sub Committee has full delegated powers to determine applications on this list. Members of the Council who have queries or observations on any application should, in advance of the above date, contact the Sub Committee Chairman or the Development Control Manager (0191 561 8755) or email dc@sunderland.gov.uk .

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Unitary Development Plan - current status

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

STANDARD CONDITIONS

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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 Economy and Place Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Peter McIntyre

Executive Director Economy and Place

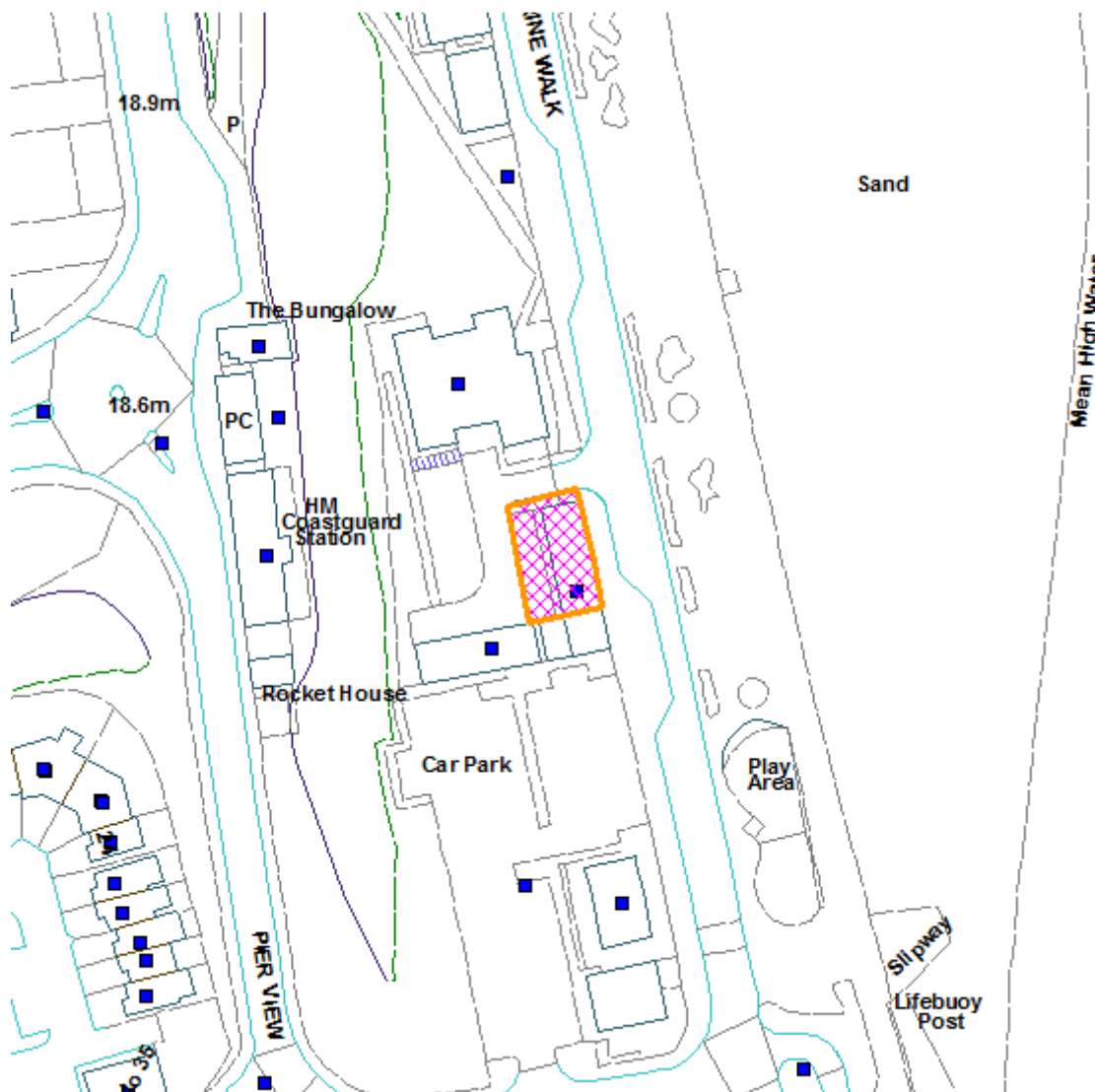
Reference No.: 18/01353/ADV Advert Application

Proposal: **Addition of white painted lettering to front and rear of pitched roof (Retrospective)**

Location: Fausto Coffee Marine Walk Sunderland SR6 0PL

Ward: St Peters
Applicant: Mrs Louise Riddell
Date Valid: 20 September 2018
Target Date: 15 November 2018

Location Plan



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PROPOSAL:

The application seeks retrospective advertisement consent for the display of white painted lettering to the front and rear of the pitched roof of the building. This application has been submitted in conjunction with the retrospective change of use of the building as a cafe, which is also on this Agenda, please see reference 18/01498/FUL.

The advert comprises the words "Fausto" to the centre of the front roof and "Coffee" to the centre of the rear roof. Each of the letters are positioned 3.15m above ground level and measure 1.1m in length, with the words spread across approximately 6.5m of the 18m wide roof.

It is also noted that the submitted plans detail a modest painted Fausto Coffee sign to the side of the front entrance door, whilst the building is coloured in pastel colours, which are reflective of the legendary cyclist Fausto Coppi's racing colours. The front painted sign is considered to have deemed consent by virtue of Part 1, Class 5 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, while the painting of the front elevation is not considered to be development or an advert. Rather it represents the refurbishment of the former Sea Anglers building.

The application is accompanied by elevational drawings showing the signs on the building and a location plan.

Marine Walk and the lower promenade have a long history as part of the twin resort of Roker and Seaburn. Offering various commercial activities over the centuries the area has undergone significant change, with the most recent investments transforming the previously neglected area into a bustling, attractive seafront resort again. This transformation has seen new businesses open and promoted inward investment in existing buildings and structures. The sea anglers building is an example of this inward investment with the previous building having been underutilised, poorly maintained and adding to the blight that was once experienced by the area.

TYPE OF PUBLICITY:

Neighbour Notifications

CONSULTEES:

Network Management
St Peters - Ward Councillors Consultation

Final Date for Receipt of Representations: **08.11.2018**

REPRESENTATIONS:

Consultee responses:

Highways

The Council's Network Management section has offered no objection or comment.

Objection

Following the public consultation exercise for the accompanying retrospective change of use application an objection was effectively received against the adverts. The objection queried the clarity and detailing of the proposed submission. The objection noted that the adverts were not shown on the change of use application drawings, and that no evidence of the building's painted frontage was depicted, whilst other signs were indicated that were not actually present. In response to these queries it should be noted that it is for the advert submission to provide relevant information for the signage, thereby accounting as to why the change of use application was lacking such detail.

Moreover, as discussed above, the painting of the building is not considered to be development and, although in the Fausto Coppi colours, it is not considered to be an advert in its strictest sense and as such, does not need advertisement consent.

Moving onto the substance of the objection relative to the advert submission the letter highlights the extensive regeneration work that has been undertaken within the area and the fact that the Roker Park Conservation Area has been extended to include Marine Walk in 2007. The objection goes onto assert that adverts are not in keeping with the area and approving the adverts would detrimentally impact the area and set an undesirable precedent.

In response, the following Amenity section of this report considers the merit of these concerns relative to the consideration of the adverts. However, by way of summary, the works done to the building, including the elevational treatment, painting of the building in the Fausto Coppi colours and roof signage are considered to be respectful to the Conservation Area and are not considered to detract from the area or impact on the heritage assets.

POLICIES:

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

B_21_Advertisement & Control

B_4_Development within conservation areas

B_6_Measures to preserve and enhance conservation areas

COMMENTS:

Planning considerations and assessment

Pursuant of the requirements set out by The Town and Country Planning (Control of Advertisement) (England) Regulations 2007, policy B21 of the City Council's adopted Unitary Development Plan states that applications for advertisement consent will be determined on the basis of their impact on amenity and public safety. This policy is considered to be consistent with paragraph 132 of the National Planning Policy Framework (NPPF) July 2018, which states that "...the quality and character of places can suffer when advertisements are poorly sited and designed". It also states that advertisements should only be subject to local authority control in the interests of amenity and public safety, taking account of cumulative impacts.

Furthermore policies B4 and B6 seek to ensure that all development within and adjacent to conservation areas will be required to preserve or enhance the character of the conservation area.

Additionally, as the application site is positioned within the Roker Park Conservation Area, the policies within the Roker Park Conservation Area Character Appraisal and Management Strategy (CAMS) are applicable.

With regard to the above the main considerations are considered to be the impact of the signage on amenity of the area and highway safety.

Amenity

It is noted that the painted advertisements to the roof planes are highly visible from the Grade II listed pier and upper promenade. However, by virtue of the fact that the signs are painted, non-illuminated and flush to the building help in some respects to ensure their relative modesty. It is also considered that in view of the Fausto Coppi connection (Fausto being named after Fausto Coppi who is considered to be the Champion of Champions in the cycling world) and proximity of the building at the end of the C2C route connects the premises to this culturally significant pastime. The adverts contribute to the cafe being an end destination and, along with the other cafes and services within the area, add to the vibrancy of Marine Walk as a tourist destination.

The Local Planning Authority's Conservation Team have also commented by drawing attention to the historic contribution painted signs have previously had within seaside environments. Historic images of this part of the seafront show that painted advertisements on the roofs/ gables of buildings and concession stands were common place. The Applicant has also provided evidence of other typical coastal buildings displaying roof signs. Moreover, within the context of the wider Marine Walk and the various signs, including illuminated signs and murals on other business premises, it is not considered that the Fausto Coffee advert unduly impacts on amenity of the area to such a degree so as to warrant a refusal. The Conservation Team consider the signs, due to their respectful design and colour, to complement the Conservation Area and they have no objections to the proposal.

Regarding the concern expressed in respect of setting an undesirable precedent it should be noted that each application is assessed on its own individual merit and it is also noted that the Conservation Team commented on the fact that if, in their opinion, the development and signs were not respectful they would have resisted the submission.

Highway safety

The City Council's Network Management has provided no objection to the proposed signage. On this basis there are considered to be no grounds to suggest that the signs would be of detriment to highway and public safety.

Equality Act 2010 - 149 Public Sector Equality Duty

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:

- age;
- disability;

- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The LPA is committed to (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to:

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

Conclusion

In light of the reasoning offered above, it is considered that the proposed siting and design of the signage is appropriate without appearing unduly prominent within the context of their setting. The impact of the proposal on visual amenity is considered to be acceptable in this instance.

In respect of highway/ public safety, the City Council's Network Management Section has offered no objections to the siting of the structures.

Consequently the proposals are considered to accord with local and national policy and Members are recommended to grant advertisement consent for the scheme subject to the following conditions outlined below.

RECOMMENDATION:

Members are recommended to Grant Consent subject to the following conditions:

Conditions:

1 The consent hereby granted shall be for a period of 5 years from the date hereof in the interests of visual amenity and to comply with policy B21 of the UDP.

2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

3 No advertisement shall be sited or displayed so as to:-

a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (Civil or Military)

b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair the visual amenity.

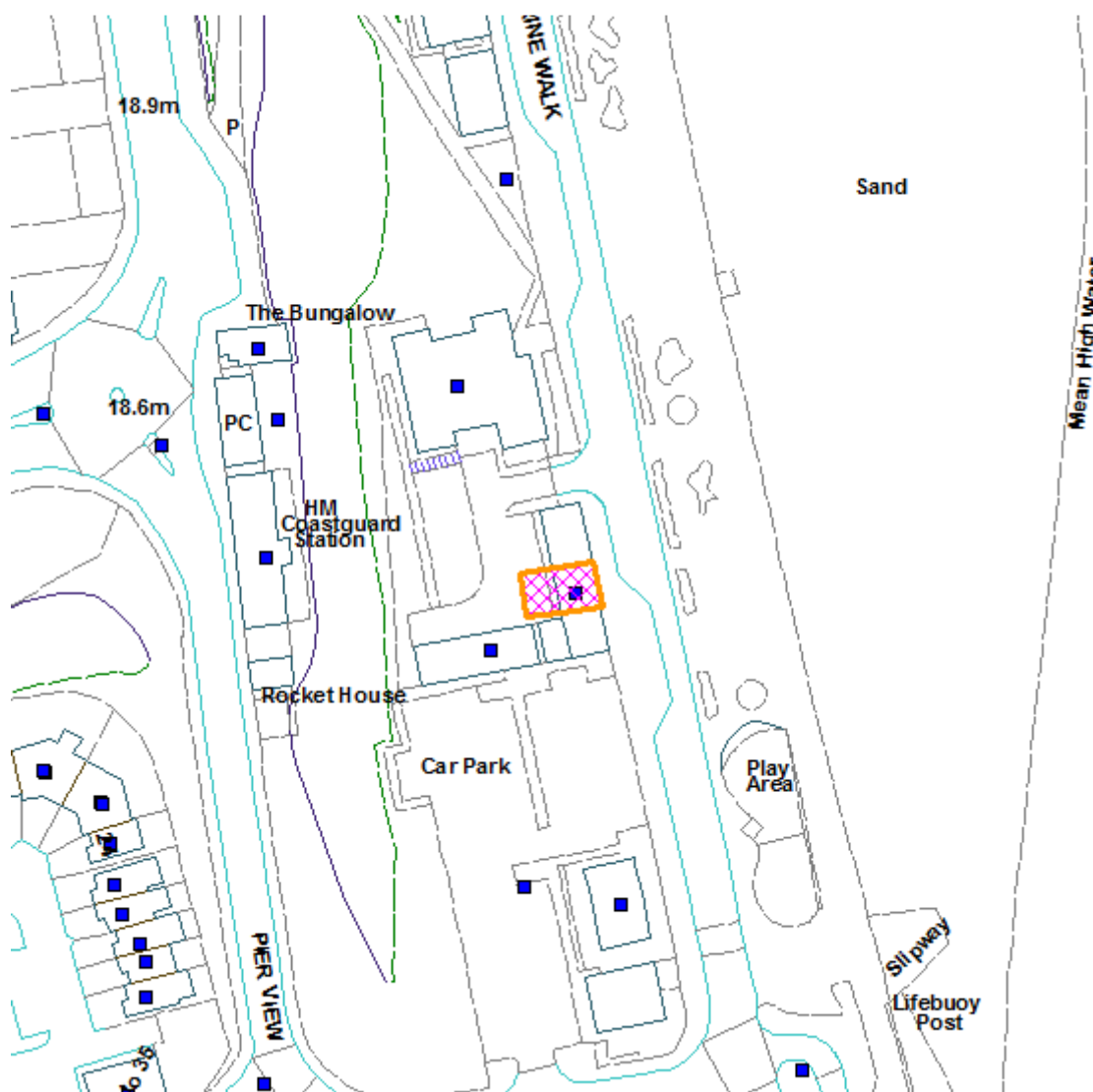
Reference No.: 18/01498/FUL Full Application

Proposal: **Change of use from former sea anglers unit to A3 (Cafe) with external alterations to front and rear elevations (Retrospective)**

Location: Fausto Coffee Marine Walk Sunderland SR6 0PL

Ward: St Peters
Applicant: Mr Chris Watson
Date Valid: 30 August 2018
Target Date: 25 October 2018

Location Plan



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PROPOSAL:

The proposal is to change the use of the former sea anglers into an A3 Cafe with external alterations to front and rear elevations. The application relates to retrospective development, as Fausto's have operated from the unit since May 2017.

Members may recall that an earlier proposal, made under reference 16/01348/FUL, appeared before Members of DC North at the 18 October 2016 Committee meeting. At that meeting Members resolved to approve the application and as such planning permission was subsequently given on the 19 October 2016. The approved description of this development is as follows:-

Demolition of existing former sea anglers unit and proposed construction of a two storey commercial unit with Retail (Use Class A1) or Food and Drink (Use Class A3) or Hot Food Take Away (Use Class A5) to ground floor and Office (Use Class B1) to first floor.

This approval is subject to a variety of conditions, which are headed as follows:-

1. Commence development within 3 years of the 19 October 2016 i.e. up to the 18 October 2019;
2. Accordance with the approved plans;
3. Submit materials;
4. Agree bin storage and car parking;
5. Construction methodology;
6. Means of demolition (sea anglers unit);
7. Hours of operation - Monday to Sundays, between 08:00 and 23:00;
- 8-12. Land contamination - suite of conditions;
13. Agree ventilation and Extraction system;
14. Accordance with Habitat Regulations Assessment.

By way of background Marine Walk and the lower promenade have a long history as part of the twin resort of Roker and Seaburn. Offering various commercial activities over the centuries the area has undergone significant change, with the most recent investments transforming the previously neglected area into a bustling, attractive seafront resort. This transformation has seen new businesses open and inward investment in existing buildings and structures.

The sea anglers building is an example of this inward investment, with the applications seeking to regularise improvements made to the premises and associated advertisements, with the previous building having been underutilised, poorly maintained and adding to the blight that was once experienced by the area.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Network Management
St Peters - Ward Councillors Consultation

REPRESENTATIONS:

In view of the application being located within the Roker Park Conservation Area the application has been advertised by way of Press and Site notice, as well as a neighbour notification process.

Following this consultation exercise an objection was received. The objection highlighted discrepancies in the submitted information relative to what was actually on-site. These centred on the advertising to the roof of the building. The objection also highlighted how Marine Walk has undergone successful regeneration over recent years and that the application site is within the Roker Park Conservation Area and adjacent to the listed pier. However, in essence the objection relates to the proposed advertisements and not the use of the building as a cafe, which the letter confirms they have no objection towards.

POLICIES:

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

L_12_Promotion of the recreational and tourist potential of the coast and riverside
NA_26_Development / enhancement of Coastal & Seafront Zone for leisure and tourism;
retention of open space.
EN_13_Requirements for development within the defined coastal zone
EC_9_Locations for Hotels and Conference centres.
S_12_Criteria for hot food take-aways, restaurants, other A3 uses and amusement centres
EN_5_Protecting sensitive areas from new noise/vibration generating developments
EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas
B_2_Scale, massing layout and setting of new developments
B_4_Development within conservation areas
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
CN_19_Development affecting designated / proposed SAC's, SPAs and RAMSAR Sites
CN_23_Measures to conserve/ improve wildlife corridors

COMMENTS:

In determining the application the main issues to consider are:

1. Principle of Use
2. Amenity
3. Heritage & Design
4. Highway & Access
5. Habitat Regulations Assessment

1. Principle of Use

The Unitary Development Plan (UDP) has a policy, L12, for the "Coast and Riverside". The policy states that the "...Council will promote the recreational and tourist potential of the coast...by encouraging development which provides for the needs of visitors".

The UDP has a policy, NA26, for the "Coastal and Seafront Zone". The policy states that "...New development will make a positive contribution to the tourism/ recreational development of the seafront".

The UDP has a policy, EN13, for "The Coast". The policy states that "...the City Council will seek to ensure any development proposal makes a positive contribution to the appearance of the zone".

The UDP has a policy, EC9, which recognises that tourism and leisure activities are valuable contributors to the local economy and tourist-related activities are particularly notable around the seafront area.

Officers consider that the conversion of the former sea anglers building into provide a cafe accords with the general aims of the above policies.

The UDP also has a more specific policy, at S12, which states that "...planning permission for restaurants will normally be granted in existing town and local centres and other appropriately located and accessible sites unless they have a detrimental effect on the environment, residential amenity and public or highway safety".

The supporting text clarifies that the policy includes "cafes".

Officers consider that the site, given its location within Marine Walk, falls within the scope of being an appropriately located and accessible site and would accord with the above policy.

In terms of material considerations, the Council has adopted a "Seafront Regeneration Strategy and a "Marine Walk Masterplan" (both 2010). They both have a vision of:

"Building on its unique natural environment and rich heritage, the seafront will be an attractive, safe, clean and accessible destination for all residents and visitors that the people of Sunderland can be proud of. It will be a welcoming place to enjoy all year round, which offers activities and events for everyone, supporting Sunderland's aspiration to be the UK's most livable city."

Officers consider that the conversion of former sea anglers building to a cafe is in accordance with the above vision.

In the absence of any other material considerations to the contrary, officers consider that the proposal would accord with the above policies. The principle of the development can therefore be supported; subject to consideration of any detailed matters which can be seen below.

2. Amenity

In order to support UDP policy S12 section 9 of the Supplementary Planning Guidance: Development Control Guidelines provides further guidance on the consideration of such uses as a cafe. The main thrust of the guidance is to ensure that residential amenity considerations are considered. In this regard it is noted that the application site is separated from the nearest residential properties by either the Adventure Sunderland building and open space to the north and car parking and open space to the south. It is also noted that the cafe is oriented towards the bustling Marine Walk and public thoroughfare, whilst to the rear and immediately adjacent is car parking, another cafe, canoe storage and open space. It is therefore considered that the location of the site is such that residential amenity impacts are not of such significance so as to warrant a refusal.

The application form, similar to condition 7 of planning permission 16/01348/FUL, confirms that the hours of opening are proposed to be 08:00 - 23:00 Monday through to Sunday. These hours are considered acceptable and accord with the Supplementary Planning Guidance, which gives a time where trading should cease no later than 23:30.

It is also noted that the cafe has been in operation since May 2017 and during this time Public Protection & Regulatory Services have had no complaints about noise or odour. Furthermore, unlike planning permission 16/01348/FUL, the proposed use does not involve an A5 Hot Food Takeaway, a use which is arguably more intensive in terms of the ventilation and extraction systems required. It is therefore considered that on balance condition 13 of planning permission 16/01348/FUL is not required for this retrospective application, should Members be minded to approve.

Moreover, as the former sea anglers building has simply been renovated, as opposed to the two storey new build proposed by the previous 16/01348/FUL permission, conditions 8 - 12, land contamination, are also not considered necessary.

In the absence of any material considerations to the contrary, officers consider the proposal accords with UDP policies S12, EN5 (Noise and Vibration) and EN14 (Ground Conditions).

3. Heritage & Design

The Listed Buildings and Conservation Areas Act 1990 states, at section 72, that

"Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

The adopted Roker Park Character Appraisal identifies the site as lying within "Coastal Zone: Seafront". The key characteristics are identified as including "range of commercial, leisure and residential uses" and a "variety of building forms and types and architectural styles"

The Council's Conservation Team has advised that works undertaken to the premises have improved the overall condition of the building, activating a once redundant property that detracted from the general appearance of the Conservation Area. The pastel colour scheme is reflective of cycling heritage (Fausto being named after Fausto Coppi who is considered the Champion of Champions in the cycling world), which given the end of the C2C route is positioned close-by demonstrates a connection to this culturally significant pastime.

The enlarged windows and doors do not detract from the appearance of the host property and allow customers to enjoy the beautiful coastal vista and listed pier complex. Their proportions balance the building and make it less imposing to the pedestrian and coupled with the pastel colour scheme give the building an updated identity it had been badly lacking for decades. Even when looking back at the promenade from the listed pier the building does not stand out significantly from the colours seen in other premises. All these colours add to the perception of the area as a coastal resort that is somewhere interesting and fun to visit and make up the Conservation Area's essential character.

To conclude the Conservation Team have no objections to the proposal and in the absence of any material considerations to the contrary, officers consider the proposal would accord with the above section of the Act and UDP policies B2 and B4.

4. Highway & Access

The application site, being located at the seafront, has good links to public transport and sustainable travel for pedestrians and cyclists.

It is noted when visiting the site that a removable access ramp exists to provide wheelchair access into the building. It is also noted that the conversion of the previous Sean Anglers retail premises has Building Regulation approval for its conversion to a cafe, please see reference 17/03062/PARTNC. Within the approved drawings it is noted that one of the two toilet facilities has an outward opening door. It is also noted that the cafe counter is 760mm high, which is relatively low and commodious, whilst the covers within the building comprise movable table and chairs and as such, the proposal appears to provide for a reasonably accessible environment.

Comments have been received from Transportation Development which noted that a public car park exists nearby, which can be used for staff and customer parking. The engineers also highlighted that a licence is required for removable furniture within the adopted highway/ footway. Should Members be minded to approve the application an informative detailing the requirement to obtain a licence can be placed on the decision notice.

Transportation requested the Applicant to clarify the servicing and delivery arrangements and by way of a response the Applicant has confirmed that the cafe receives 'just in time' deliveries at the front of the premises in accordance with the traffic regulations that apply to Marine Walk. It also noted that a turning facility and car parking are located immediately to the rear of the premises, whilst bin storage is within the curtilage of the premises and therefore off the public highway. It is therefore considered that suitable provision exists to enable the satisfactory servicing of and delivery to the cafe.

In the absence of any material considerations to the contrary, officers consider the proposal would accord with UDP policies T14 and T22.

5. Habitat Regulations Assessment

The submitted Habitats Regulations Assessment (HRA) concludes that the Council, as the competent authority, could safely conclude that there is no likely significant effect of the project (application proposal) on the qualifying features of European site, either alone or in combination with reasonably anticipated neighbouring developments.

The Council's Ecologist has also undertaken an assessment of likely significant effect on the European sites and has advised that there would not be a likely significant effect either from the proposed scheme alone or in combination with other projects. The assessment has identified residual impacts from some of the clubs and events associated with the cafe, namely on functionally linked land (North Pier) rather than the designation itself. Consequently, in the event that Members are minded to approve, mitigation measures can be secured via condition and on this basis the Council's Ecologist has advised that they have no objections to the proposal.

In the absence of any material considerations to the contrary, officers consider the proposal would accord with UDP policies CN19 and CN23.

Equality Act 2010 - 149 Public Sector Equality Duty

During the detailed consideration of this application/ proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act.

As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The LPA is committed to (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to:

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

Conclusion

The principle of the development accords with Unitary Development Plan Policies (UDP) NA26, L12 and S12.

The detailed considerations comprising amenity, design, ecology, heritage and highway safety accords with the relevant policies within the UDP (EN5, EN13, EN14, B2, B4, CN19 and CN23)

In the absence of any material considerations to the contrary, officers recommend that Members Approve the application subject to the condition below:

RECOMMENDATION:

Members are recommended to Approve subject to the following condition:-

Condition:

1 The development hereby granted permission shall be carried out in full accordance with the following approved plans:

- Existing Plans & Elevations, Drawing Number 004 received 30 August 2018;
- Proposed Plans & Elevations, Drawing Number 005 received 25 January 2019;
- Location Plan received 21 August 2018;
- Application Form, Section 19. Hours of Opening.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

2 Within three months of the date of this approval, details of the posters and leaflets to inform the clubs, events and visiting members of the public associated with the cafe of the importance of its location to the European sites, along with a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cafe shall be operated in accordance with the agreed details in order to provide appropriate ecological mitigation for the development and to comply with the requirements of policy CN19 of the Unitary Development Plan.

ITEMS FOR INFORMATION

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

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
18/01276/FUL	Cancara Property Ltd	Demolition of former Fire Station and erection of 1no. 4 storey block and 1no. 2 storey block to provide a total of 32no. flats together with associated car parking and landscaping.	25/09/2018	25/12/2018
Fulwell	Former Tyne And Wear Fire And Rescue Service Fire Station Station Road Fulwell Sunderland SR6 9AE			
18/00527/FUL	Gentoo Homes	Erection of 71 dwellings with associated access, infrastructure and landscaping (additional HRA information received).	16/04/2018	16/07/2018
Redhill	Land West Of Hylton Lane Downhill Sunderland			

Application Ref and Ward	Applicant and Address	Proposal	Date Valid	Determination Date
15/02266/OUT	Bolbec Hall Ltd	Construction of 4 storey building to provide 55 units of student accommodation to comprise 1 bedroom, 2 bedroom and studio apartments with associated access and parking.	14/06/2016	13/09/2016
St Peters	Land To The South Of Saint Benets Church The Causeway Sunderland			
15/02265/FUL	Bolbec Hall Ltd	Change of use from monastery to create 15no units of student accommodation to comprise 1 bedroom, 2 bedroom and studio apartments and 1 bedroom apartments with associated car parking and access.	14/06/2016	13/09/2016
St Peters	Saint Benets Roman Catholic Monastery The Causeway Sunderland S R6 0BH			