

**At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 4<sup>th</sup> MARCH 2024 at 5.30 p.m.**

**Present:-**

Councillor Thornton in the Chair.

Councillors Dixon, Foster, Haswell, Herron, Morrissey, Scott and Warne.

**Declarations of Interest**

Planning Application 23/02224/LP3 – Adjacent 6 Church Street Southwick Sunderland

Councillor Foster made an open declaration that this project had been discussed at the North Area Committee but he still retained an open mind on the application.

Planning Application 23/00393/FU4 – 61 - 63 Fawcett Street City Centre Sunderland SR1 1SE

Councillor Scott made an open declaration that if this accommodation was ultimately to serve Sunderland University students, as a Board Member of Sunderland University he would leave the room during consideration of this item.

Planning Application 23/02499/FUL – Hetton Car Sales Station Road Hetton-le-Hole Houghton-le-Spring DH5 9JB

Councillor Scott made an open declaration that he had received correspondence from Hetton Town Council and residents on the matter but still retained an open mind on the application.

**Apologies for Absence**

There were no apologies for absence submitted.

**Minutes of the last meeting of the Planning and Highways Committee held on 5<sup>th</sup> February 2024**

1. RESOLVED that the minutes of the last meeting of the Planning and Highways Committee held on 5<sup>th</sup> February 2024 be confirmed and signed as a

correct record subject to the following amendment relating to Planning Application 23/01899/LP3 – The Sheiling, Fatfield Road. Councillor Dixon wished for it to be noted that there had been a vote taken on that particular item and he had voted against it. With 8 Members voting for and 1 Member voting against.

**Planning Application 22/00970/FUL – Erection of 96no. affordable residential dwellings (Class C3) with associated access, landscaping and infrastructure. (amended description and information received 13.10.23) Land at Harrogate Street and Amberley Street, Sunderland**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions or comments from Members.

In response to Councillor Haswell's query over what had changed since the approval given at the previous meeting for this application, The Planning Officer advised that at the time of the previous applications consideration, the applicant had not been able to provide the viability assessment, this had now been submitted and this was reliant on Homes England funding. It was still deemed that the benefits of the development of this piece of land outweighed the negative.

The Chairperson introduced Mr Chris Martin as the agent of the applicant to address the Committee. Mr Martin advised that they had worked closely with Officers and that the scheme still ticked all boxes and provided affordable housing with the only necessary amendment being the change to the Section 106 to allow access to Homes England Funding and therefore requested Members agree with the Officers Recommendation.

The Chairperson having enquired if Members had any points of clarification or comments they wished to make, Councillor Morrissey commented that ultimately they wanted this land to be developed upon and the proposal was still bringing affordable housing to an area which badly needed it therefore he supported the application.

Councillor Herron agreed that this brought much needed investment to the area but raised concerns that they kept seeing a pattern of developers coming back without Section 106 funding and if there was an area in need of Section 106 it was this area especially as there were two schools there. The Planning

Officer confirmed that there would still be section 106 contributions for Education, HRA and Allotments and this proposal was only removing the contributions towards affordable housing.

Councillor Foster wished to comment that this application was much needed and supported the proposal.

There being no further questions or comments, it was:-

2. RESOLVED that the application be delegated to the Executive Director of City Development who was minded to Approve the application subject to agreement of an Affordable Housing Statement which would be added to the Plans Condition; the draft conditions outlined within the main report and subject to the satisfactory completion of the Section 106 Agreement.

### **Change in Order of Business**

At this juncture, the Chairperson proposed a change in order of business, with the sixth application on the agenda to be considered next as there were several people in attendance to speak on that item.

**Planning Application 23/02499/FUL – Proposed change of use of former car sales / showroom to a retail convenience store / supermarket, plus alterations to existing shop front and introduction of two chiller condensing units. (Part Retrospective) (amended plan detailing relocation of condenser units and new boundary treatment, received 02.02.24) Hetton Car Sales Station Road Hetton-le-Hole Houghton-le-Spring DH5 9JB**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions or comments from Members.

Councillor Scott referred to Highways and queried if Car Park facilities and access to the rear of the property had been taken into consideration. The Planning Officer advised that the Car Park immediately to the north of the site was privately owned and therefore not taken into consideration as part of this application and the Highways Team had reviewed the application on its merits and felt it included sufficient parking.

In response to the Chairpersons queries, the Highways Officer advised that the bollards there at present which objections had been raised over, were in fact temporary arrangements to protect private land and these were expected to be removed. In terms of number of parking bays on the site it was proposed there would be 5 parking bays available to the public.

The Chairperson introduced Mr Sivaraj Sivakumar who was in attendance to speak in objection to the application, he was advised that he would have a maximum of five minutes to address the meeting.

Mr Sivakumar stated that the property had already had a number of the works done without planning permission and as he lived nearest the site he was concerned over the car park arrangements. Mr Sivakumar advised that the car park had not been sufficient for its previous use for car sales and therefore worried it certainly wouldn't be sufficient for convenience store which would bring more traffic and more accidents.

Mr Sivakumar commented that as they had proceeded without permissions on the works it did not bode well on how the business would be run going forward.

The Chairperson then introduced Mr Murphy who was in attendance to speak in objection to the application. He was advised that he would have a maximum of five minutes to address the meeting.

Mr Murphy stated that the drawings supplied were incorrect with boundary walls having been taken down and changed already. Mr Murphy wished to raise concerns over Children playing in the neighbouring areas and that the Council would be liable for their safety and any accidents that may occur if they should allow this development to go ahead.

Mr Murphy also made the claim that he had been told by a Councillor that this application was a "done deal" already and that he would like this application to be deferred until further investigations could be made on it.

The Chairperson wished to challenge the claim that this was a done deal, commenting that she found it offensive to suggest that Members of this Committee would prejudge applications.

The Chairperson then introduced Councillor Dave Geddis of Hetton Town Council who was in attendance to speak in objection to the application. He was advised that he would have a maximum of five minutes to address the meeting.

Councillor Geddis stated that he was in attendance tonight to speak on behalf of the residents who had objected to this proposal and to those that live in Hetton, who know that the use of the Car Park as a Car Showroom had been sporadic, whereas the new intended use would create much more use and need for the car park.

Councillor Geddis advised that the private car park of the neighbouring social club would be abused by this development and the other neighbouring building was used by the Showman's guild. With only 5 bays proposed Councillor Geddis queried where delivery drivers would park or be able to turn around and suggested that this would cause chaos to the social club and the showman's guild.

Councillor Geddis also stated that a neighbouring resident was selling her property due to this and asked why there had not been any consultation meetings held with residents. Councillor Geddis summed up that 5 bays was not adequate and felt that someone needed to look at this again as it was not acceptable.

The Chairperson then introduced Mr Suresh Kanapathi who was in attendance to speak on behalf of the applicant. He was advised that he would have a maximum of five minutes to address the meeting.

Mr Kanapathi stated that this proposal satisfied all planning policy and would be a positive development from the previous Car Showroom and whilst he appreciated there were concerns from residents he was sure once it was in operation they would be happy with it and the neighbouring Social Club would benefit from the custom generated.

There being no further representation, The Chairperson opened up the item for debate by Members.

Councillor Scott commented that he was deeply concerned about the lack of engagement and that this application had been submitted fully retrospectively which saddened him. He also shared concerns about the Car Park and felt that the Committee should visit the site to see the situation and also the distance between neighbouring buildings.

Councillor Scott therefore proposed for the reason above, which was duly seconded by Councillor Dixon that the item be deferred pending a Members site visit.

There being no further questions or comments, the Chairperson put the alternative recommendation to defer the item pending a site visit to the vote and it was unanimously agreed.

3. RESOLVED that the item be deferred pending a Members site visit

**Planning Application 23/00393/FU4 – Change of use to mixed use retail and student accommodation, to include demolition of existing rear extensions and erection of replacement five storey rear extension, 2no.dormer windows to front roof and new shop front. 61 - 63 Fawcett Street City Centre SunderlandSR1 1SE**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report, advising the Committee of the key issues to consider in determining the application.

In response to Councillor Dixon's query as to the front elevation plans and if the dormer windows could not be replicated to a similar design/architecture as those present, the Planning Officer advised that the conservation officer had been consulted and they were content with the design so in planning terms there was no reason to go back and request for this.

Councillor Dixon commented that this development would be looked upon for years to come and in his opinion the design should reflect the existing designs so he was slightly disappointed with that. Councillor Dixon then referred to the comments made by the Police regarding their reservations about the scope of future changes away from student accommodation and enquired if there was a history of the Police making such representations.

The Planning Officer advised that he was not aware of any historic comments and this was more of a generic statement. The Planning Officer also clarified that the applicant would need to apply for further permission if they wished to make these changes so they were confident of its end use.

Councillor Haswell referred to the representations from Network Rail and concerns over the works proximity to Sunderland Railway Station and enquired if this would have any affect on their future development of the North Entrance to the station. The Planning Officer informed that they had not received any adverse comments in the consultations carried out on the scheme and it was anticipated that there would be no adverse impacts upon future developments.

The Chairperson referred to Councillor Dixons comments over the heritage of the shop frontage and felt that those were valid points, however she did like to see buildings such as these be brought back into use and should be welcomed.

Councillor Dixon commented that this was a very important area of the City and the Council along with Government funding were showing definite momentum here and he welcomed the proposal.

Councillor Herron agreed, commenting that this helped towards the city's pledge of being a Vibrant City and producing good accommodation in the City Centre was always welcome.

There being no further questions or comments, the Chairperson put the Officer recommendation to the Committee and it was:-

3. RESOLVED that Members approve the application subject to the draft conditions set out within the main report and the satisfactory completion of the Section 106 agreement

**Planning Application 23/02224/LP3 – Creation of a Football Foundation 'PlayZone' suitable for football and basketball. To include new fencing and floodlighting. Adjacent 6 Church Street Southwick Sunderland**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

Councillor Dixon commented that he had visited this site and the proposal seemed great as anything would be better than what was there at present but did wish to caution over the surrounding area which appeared to be littered with beer cans etc and was concerned it may be an area for antisocial behaviour that may require enforcement.

The Planning Officer advised that there had been no comments raised by the Police as part of the statutory consultation.

Councillor Foster advised that he believed the area would be maintained by the users.

Councillor Scott commented that he was delighted to see this development come forward to provide safe and sustainable play for children in the area.

Councillor Herron wished to echo those comments and fully agreed and supported this proposal.

There being no further questions or comments, the Chairperson put the Officer recommendation to the Committee and it was:-

4. RESOLVED that Members Grant Consent under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) subject to the draft conditions listed within the report.

**Planning Application 23/02368/MAW – Proposed siting and use of a site cabin. Northumbria Roads Limited Hudson Dock North Side Barrack Street Sunderland**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

There being no questions or comments the Chairperson put the officer's recommendation in the report to the Committee and it was:-

5. RESOLVED that Members APPROVE the application subject to the conditions listed within the report

**Planning Application 23/02369/MAV – Variation of condition 2 (plans) attached to planning application 11/03371/FUL (Storage of aggregate stockpiles with the addition of the treatment of waste to produce soil, soil substitutes and aggregates and retention of buildings on site.) to allow a revised Site Plan. Northumbria Roads Limited Hudson Dock North Side Barrack Street, Sunderland**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

There being no questions or comments the Chairperson put the officer's recommendation set out in the report to the Committee and it was:-

6. RESOLVED that Members APPROVE the application subject to the conditions listed within the report

**Planning Application 24/00067/TP3 – Application to pollard 1 no Ash tree (T34) to a height of 7 metres and removal of diseased deadwood subject to TPO 98. Saint Cuthberts Church Hall, Quarry House Lane, East Rainton Houghton-le-Spring DH5 9QH**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.



The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions or comments from Members.

There being no questions or comments, the Chairman put the officers recommendation to the Committee and with all Members being in agreement it was:-

8. RESOLVED that Members be minded to Grant Consent subject to the conditions provided in the main report and no adverse representations being received by 20<sup>th</sup> March 2024.

**Planning Application 24/00199/LP3 – Alterations to northern wall of walled garden; including reducing height of wall, infill existing openings and demolition of outbuilding. Opposite Penshaw House, Penshaw Stables, Penshaw, Houghton Le Spring**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions or comments from Members.

Councillor Dixon commented that this was an important piece of work as these gardens featured in the history books of Sunderland and wished to congratulate the conservation officers on the work done with a lot of thought and care having gone into this proposal.

There being no further questions or comments, the Chairman put the officer's recommendation set out in the supplementary report to the Committee and with all Members being in agreement it was:-

9. RESOLVED that Members be minded to Grant Consent in accordance with Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended) subject to the draft conditions listed within the main report and no adverse representations being received by 8 March 2024

**Planning Application 24/00200/LB3 – Alterations to northern wall of walled garden; including reducing height of wall, infill existing openings and demolition of outbuilding. Opposite Penshaw House Penshaw Stables Penshaw Houghton-le-Spring**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

There being no questions or comments from Members the Chairman put the officer's recommendation to the Committee and with all Members being in agreement it was:-

10. RESOLVED that Members be minded to Grant Listed Building Consent subject to the draft conditions listed within the main report and no adverse representations being received by 8 March 2024

**Items for information**

Members gave consideration to the items for information contained within the matrix.

11. RESOLVED that the items for information as set out in the matrix be received and noted

At this juncture the Chairperson advised that there would be an extraordinary meeting of the Committee to be held on Monday 25<sup>th</sup> March at 4.30pm and also wished to comment on the difficulties experienced in being able to hear speakers at this meeting and suggested that the layout of the room be looked at for future meetings.

The Chairperson then closed the meeting having thanked everyone for their attendance and contributions.

(Signed) M. THORNTON  
(Chairperson)