

**At a meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 1ST DECEMBER,
2009 at 4.30 p.m.**

Present:-

Councillor E. Gibson in the Chair

Councillors Ball, M. Dixon, Ellis, Fletcher, M. Forbes, T. Martin, Miller, Scaplehorn, Wood and A. Wright.

Declarations of Interest

09/04006/FUL and 09/04007/LBC – Demolition of a single storey link building between a listed building and the main hall and 2 temporary classrooms. Construction of a new 2 storey block of 6 classrooms.

Councillor M. Forbes declared a personal and prejudicial interest as a Governor of the school and withdrew from the meeting prior to the consideration of this item.

Councillor T. Martin declared a personal and prejudicial interest as his son is an employee of the school and withdrew from the meeting prior to the consideration of this item.

Items for Information – 09/04099/FUL – Change of use from caretakers house into offices and erection of access ramp

The Chair declared a personal interest as her husband is chair of the board of governors of the relevant school and stated that she would withdraw from the meeting in the event that any questions were raised regarding this item.

Apologies for Absence

Apologies for absence were received from Councillors Copeland, Morrissey, O'Connor, Tye and P. Watson.

At this juncture, Councillor A. Wright requested clarification as to when it is appropriate for Members of the Committee to depart from an Officer's recommendation when considering a planning application.

Jonathan Rowson, Senior Solicitor responded and referred Councillor A. Wright to the guidance set out in the Constitution at Appendix C of the Protocol for Members

on Development Control Matters. In summary, the guidance provides that Members may depart from the Officer's recommendation if the Committee are satisfied that sound and robust planning reasons exist for a proposed contrary decision.

Applications made under the Town and Country Planning Acts and Regulations made thereunder

The Deputy Chief Executive submitted a report (copy circulated) relating to the South Sunderland area, copies of which had been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and the Regulations made thereunder.

(For copy report – see original minutes).

09/03880/SUB – Change of use from warehouse to retail showroom and alterations to west elevation (retrospective)

Councillor T. Martin commented that he sympathised with the company however there was a need to rejuvenate the city centre and this land was allocated as industrial land on an out of centre site. He felt that the Officer's recommendation needed to be followed.

Councillor Wood agreed with Councillor T. Martin's sentiments and commented that he felt that the building visually fits in with the surrounding area. There could be jobs at risk if the application was not granted and queried how many people were currently employed at the showroom. Parking was an issue due to the limited number of spaces within the application site however there was on street parking along Woodbine Terrace. He wanted to know why it had taken so long for enforcement action to be taken. On balance he was of the view that there were no robust planning grounds to justify an approval of the application in light of both national and local planning policy.

The representative of the Deputy Chief Executive advised that he understood there were 9 employees. A sequential test needed to be applied for retail development under PPS6 with out of centre locations only acceptable where there were no suitable and available sites within the city centre or on the edge of centre for the relevant development. This retrospective application had been invited as a preliminary step before potential enforcement action.

Councillor M. Forbes commented on the lack of parking provision in the city centre. The applicant was alleging other similar retail operations were being carried out in the Industrial Estate; there was a need for consistency, would these operations be investigated by officers.

The representative of the Deputy Chief Executive advised that they were not aware of any other operations like this in Hendon Industrial Estate however there were some alleged breaches of planning control at Leechmere Industrial Estate and these were currently being investigated.

Councillor M. Dixon asked whether enforcement action would be taken against other retail businesses in these Industrial Estates which could be operating without planning permission. He was of the opinion that there was a reasonable amount of on street parking nearby for this particular development.

The representative of the Deputy Chief Executive advised that the department was aware of manufacturing premises which offered ancillary retail sales however it was necessary to determine the proportion of retail sale to wholesale or trade sales. The on street parking nearby was not controlled by the applicant and it was expected that these spaces would be used by other businesses in the area.

The Members agreed to support the Officers recommendation and as such it was:

1. RESOLVED that the application be refused for the reasons set out in the report.

09/04006/FUL and 09/04007/LBC – Demolition of a single storey link building between a listed building and the main hall and 2 temporary classrooms. Construction of a new 2 storey block of 6 classrooms.

The Chairman suggested that the Full Planning Application and the Listed Building Consent should be considered together.

Councillor Miller welcomed the applications. St Anthony's was an excellent school and he would be happy to support an application which would maintain the listed building and improve the school. There needed to be a condition attached to any planning permission requiring that the lawns were reinstated.

Councillor M. Dixon also welcomed and supported the applications as he felt that the applications would help to enhance the already high standards that had been achieved by the school.

2. RESOLVED that:
 - a. The Full Planning Application be approved for the reasons set out in the report and subject to the 14 conditions set out therein.
 - b. The Listed Building Consent be granted for the reasons set out in the report and subject to the six conditions set out therein.

Items for Information

3. RESOLVED that the following site visit be undertaken:
 - a. 09/03839/FUL – Gentoo Homes Ltd, Mill Hill Road, Doxford Park, Sunderland at the request of the Chairman.

Town and Country Planning Act 1990 – Appeals

The Director of Development and Regeneration submitted a report (copy circulated) concerning the above for the period 1st October, 2009 to 31st October, 2009.

(For copy report – see original minutes).

4. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,
Chairman.