

**At a meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 2nd MARCH, 2010 at
4.30 p.m.**

Present:-

Councillor E. Gibson in the Chair

Councillors Charlton, Copeland, Ellis, T. Martin, Morrissey, Wood and A. Wright

Declarations of Interest

09/04607/REN – Renewal of planning application 07/05332/FUL to continue temporary use as supported residential accommodation

Councillor A. Wright made an open declaration that he and his wife had previously expressed general support for the objectives of the applicant, Centrepoint at a national level, but he had no involvement in their operations on a local level and he had expressed no view on this specific development proposal. He would be considering the application with an open mind.

09/04738/FUL – Temporary decant accommodation for existing GP surgeries from Pallion Health Centre during duration of construction work on new health centre building. Temporary accommodation to comprise of a two storey modular building with external lift and access ramp located on site of existing car park. Parking provision for 40 parking bays and cycle storage included in development.

Councillor E. Gibson declared a personal interest as a family member was employed by Sunderland Primary Care Trust at a different site in the City.

Apologies for Absence

Apologies for absence were received from Councillors Ball, M. Dixon, Fletcher, M. Forbes, Miller, O'Connor, and Tye

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

The Deputy Chief Executive submitted a report and supplementary report (copies 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).

09/04013/FUL – Change of use from residential care home to supported housing for homeless people (Retrospective).

The representative of the Deputy Chief Executive advised that the application had originally been submitted on behalf of Wear Body Positive. This company no longer existed and the new operator was now Gay and Lesbian Supported Housing who would be operating the supported housing project if it was approved. Mr Scoon had submitted a letter which had been distributed to Members which sought to respond to the issues raised in the report.

Councillor A. Wright queried whether the Council's Adult Services department had been contacted since their apparent initial objection to the application.

The representative of the Deputy Chief Executive advised that Adult Services were not opposed to the application however the service was not one which was within the core statutory functions of the Directorate.

Mrs Aylesley, a local resident, spoke against the application and stated that the project had been operating since May 2009; the premises did not have a licence to operate under housing legislation as a House in Multiple Occupancy (HMO) and was therefore operating illegally. As there was no licence in place there was no guarantee that the premises were suitable for use as a HMO and it was unknown whether the facilities met the necessary health and safety requirements. Should this application be granted then the floodgates would be opened for other projects to set up in the area which would be damaging to the Conservation Area where these premises are located. There had been a similar application for a premises on Tunstall View and this had been refused. Accordingly she hoped that this application would also be refused.

Mr Scoon on behalf of the operator responded that the premises do now have a HMO licence and an inspection had taken place. He also confirmed that the project was now managed by the Gay and Lesbian Supported Housing group..

Les Cheatham then spoke against the application on behalf of the local residents association. He stated that:

- The impact of the project on the local area had been downplayed in his view
- The Antisocial behaviour had a major impact on quality of life for residents.
- The behaviour had improved since the planning application was submitted but there were concerns that this was temporary only as a result of this application and further problems could arise if the application was approved
- There had been a diary of incidents and anti-social behaviour submitted to the planning department.
- In his view the residents of the facility are effectively carrying out the day to day management which is inappropriate. There was a need for properly trained, paid staff to be employed as managers of the facility

- There were concerns around who is operating the premises as Wear Body Positive had been struck off the Companies House register. There as they had not produced their accounts. There was a need for the operator of this project to manage the facility appropriately.

Councillor Copeland expressed concerns over the fact the previous operator had been wound up due to an apparent failure to submit accounts. There was a need for proper, paid staff to manage the facility. Should the application be granted on a temporary basis for 12 months, there was a need for continued monitoring during this period.

Councillor Ellis expressed concerns over the antisocial behaviour reports. Residential amenity was a valid planning consideration and this could be impacted by any antisocial behaviour caused by the development.

Councillor Wood commented that there needed to be valid planning grounds for whatever decision was made. While there had been previous antisocial behaviour there had not been any further incidents since the police became involved. There was a need to seek to address the residents' concerns and the proposed condition that the permission would only operate for 12 months would assist if there were future problems in the local area as a result of the development. He felt that there were no valid planning grounds to depart from the Officer recommendation to grant a temporary permission for 12 months.

Alan Caddick, Head of Housing, advised that there was a need for suitable supported housing in the city. The Housing department would look into the comments made regarding the licensing issues for the premises under the housing legislation.

The representative of the Deputy Chief Executive advised that the proposed temporary consent and the new Management Structure in place should help to alleviate the concerns of residents. The HMO licence for the property was a separate housing matter and outside of the statutory remit of Planning and it was often necessary for planning permission to be in place for the use before a licence may then be granted.

Mr Scoon advised that Wear Body Positive had been set up in 1983 to provide support for people with HIV as there was not a Local Authority provided service in the city. The organisation operated in this way until the late 1990s when the focus was changed more to prevention work. SR2 housing was formed at this time to undertake this work. Two years ago the Board of Wear Body Positive had decided to change the focus of the organisation from providing support to people with HIV to providing support for the gay community. Last year it had been decided by the Board that its services were no longer required and the company was dissolved. The Gay and Lesbian Supported Housing group had subsequently been formed by some of the previous directors of Wear Body Positive.

Councillor Ellis expressed concerns over the legal status of the application given that the original operator no longer existed.

The representative of the Deputy Chief Executive advised that planning permission was generally based on the use of land or property and not on the identity of a particular operator or occupier. In this case, it was not considered appropriate to grant a personal permission as the operator is not an individual but an organisation and in any event, it was felt that the condition limiting the consent for 12 months would be an adequate safeguard.

Councillor Ellis advised that she did not support the Officer's recommendation to approve the application for 12 months.

The Chairman put the recommendation to the Committee and with seven Members voting in favour of the recommendation and one Member voting against, it was:-

1. RESOLVED that the application be approved for the reasons set out in the report and subject to the six conditions set out therein save for condition 3 which should be removed.,.

09/04379/OUT – Outline planning application for the erection of 66no residential dwellings and creation of new access road from Neville Road

The representative of the Deputy Chief Executive advised that the applicant had requested the proposed condition requiring of the submission of reserved matters within 3 years of the date of the permission be extended to 5 years. This was in light of the current economic climate. The Department did not object to this request and the recent guidance had been issued to local planning authorities that an extension of the standard time limits on outline consents may be appropriate in light of the current market conditions. Members were requested to give consideration to this request while considering the application.

2. RESOLVED that the application be approved for the reasons set out in the report and subject to the 23 conditions set out therein with condition 1 amended to read 'five years' for the submission of reserved matters instead of 'three years'.

09/04607/REN – Renewal of planning application 07/05332/FUL to continue temporary use as supported residential accommodation

The representative of the Deputy Chief Executive advised that the North Sunderland Sub Committee had earlier approved the application by Centrepont for the erection of a purpose built facility at Dundas Street. This application was to allow the continuation of the service at the current premises on Mowbray Road for a further temporary period during the construction of the new facility.

Mr Martin Gill, Regional Operations Manager for Centrepont, advised that the organisation aimed to promote social inclusion and eradicate youth homelessness. This site would be used until the Dundas Street facility was built. The organisation worked with the Housing Options Team and he attended meetings which were also attended by the police. The organisation worked closely with the police and while

there were a high number of callouts to the premises only a small proportion of these were for actual crimes.

Centrepoint wanted to be good neighbours and wanted to have a good neighbourhood presence. He would be attending the residents meetings personally. The organisation was committed to providing the best service possible and all service users would be required to sign a behaviour policy which would be strictly enforced and the site would be robustly managed.

Councillor T. Martin commented that this site was not ideal however the 15 months temporary extension was acceptable in his opinion. Centrepoint had been working with the local residents association and the police and the volume of complaints had reduced. There was a real need for this facility and he would be happy to support the 15 month extension but would not be able to support a longer extension.

Councillor Ellis asked how the eviction policy and the policy of eradicating youth homelessness worked together.

Mr Gill advised that the service users needed to follow the rules and an eviction was a matter of last resort only. If a resident was evicted, the duty of care would continue and the organisation would help to find alternative accommodation for the young person. This service was designed to provide short term accommodation of up to 56 days.

Alan Caddick, Head of Housing, advised that his department supported the application as there was an ongoing need for this service in the City and they were working closely with Centrepoint. The proposed extension would provide stability for the service users.

3. RESOLVED that the application be approved for the temporary period of 15 months for the reasons set out in the report and subject to the 4 conditions set out therein.

09/04585/FUL – Erection of new sports pavilion, 10 no. artificial sports pitches plus associated fences and lighting. Re-use of existing car parking, new pedestrian links and landscaping.

Ms. Angela O'Donohue, Principal of City of Sunderland College, spoke in support of the application and advised that:

- There were 400 sports students at City of Sunderland College.
- An extensive property strategy had been developed.
- The college owned a lot of old buildings and these needed to be refurbished.
- The Bede site was to be retained as it was a highly regarded site however the buildings were in need of refurbishment and the sports facilities needed to be redeveloped.
- The college was working with Goals as the proposed operator of the development. These pitches would be available for community use at agreed times and would enhance the education provision on the site.

4. RESOLVED that the decision be delegated to the Deputy Chief Executive to either:-
 - a. Approve the application for the reasons set out in the report and subject to the conditions set out therein subject to the completion of a satisfactory Section 106 planning obligation by 24th March, 2010 or such other date as may be agreed by the Deputy Chief Executive in respect of the community use of the facility. Or:
 - b. Refuse to grant permission should a satisfactory Section 106 planning obligation not be completed by 24th March, 2010 or such other date as may be agreed by the Deputy Chief Executive, on the grounds of inadequate provision of community use contrary to policy L7 of the UDP.

09/04738/FUL – Temporary decant accommodation for existing GP surgeries from Pallion Health Centre during duration of construction work on new health centre building. Temporary accommodation to consist of a two storey modular building with external lift and entrance ramp located on site of existing car park. Parking provision for 40 parking bays and cycle storage included in development

5. RESOLVED that the application be approved for the reasons set out in the reports and subject to the two conditions outlined in the supplementary report.

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 January, 2010 to 31st January, 2010.

(For copy report – see original minutes).

6. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,
Chairman.