

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 30 OCTOBER 2023 at 5.30 p.m.

Present:-

Councillor Thornton in the Chair.

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

Declarations of Interest

Item 4- Application 4 – 23/01773/VAR Land to the North of Mount Lane Springwell NE9 7UQ

Councillor Warne made an open declaration in this application as the Member to have called the proposal in but still retained an open mind on the application.

Item 4 – Application 5 – 23/01899/LP3 The Sheiling Fatfield Road Washington NE38 7DT

Councillors Dixon and Scott made open declarations that they had received email correspondence from Councillor D. E. Snowdon on this application but that they still retained an open mind on the proposal.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Peacock.

Minutes of the last meeting of the Planning and Highways Committee held on 18th September 2023

1. RESOLVED that the minutes of the last meeting of the Planning and Highways Committee held on 18th September 2023 be confirmed and signed as a correct record.

Planning Application 14/01371/OUT – Outline application for erection of 82 dwellings (all matters reserved) (additional ecology, tree, drainage and landscaping info received). Coal Bank Farm, Hetton-le-Hole, Houghton-le-Spring, DH5 0DX

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.

The Chair thanked the Officer for their report and opened up the meeting for Members to ask any questions of Officers.

Councillor Dixon referred to the previous meetings minutes and the questions raised and requested that those answers be provided once again for completeness.

The Planning Officer confirmed as previously stated, that all representations received (both in support and against) had been included in the report. In terms of encroachment, the report did set out there was some level of encroachment into the Countryside but this was minor with the overwhelming amount of the site being brownfield land so whilst there was a minor nature of incursion it was Officers view that this was not unacceptable.

Councillor Dixon referred to the Highways advice that the development was unlikely to take place at the same time as the neighbouring Gentoo development and commented that he did not share this opinion due to the lack of progress that particular site was having at present.

The Planning Officer advised that they couldn't say it was impossible for the two sites to be under construction at the same time but there was still a process to undergo on this application such as reserved matters etc. The applicant would also have to provide the submission of a Construction Management Plan which would have to address their operation should it be alongside a neighbouring development taking place.

Councillor Dixon commented that he was concerned for the residents living in the area should such a situation arise as this would be intolerable for them. The Planning Officer acknowledged that they couldn't say it definitely wouldn't happen but they could not refuse a planning application on such grounds and such a situation would have to be managed/monitored by the Council Officers so that it was run in a proper way to be mindful of the local conditions in place at the time.

The Chair introduced Ms Lynsey Gibson who wished to speak in opposition to the application. Ms Gibson commented that there were concerns over the traffic generated, that it was so close to the Cragdale Site and that there was to be no infrastructure for this site.

Ms Gibson advised that there was a lot of flooding occurring in the area and also took issue with the suggestion that if this application were to go ahead

that it would be properly managed and commented that the Gentoo application currently under development wasn't being properly managed and was a nightmare for residents living in the area.

Ms Gibson referred to the lack of financial contributions due to lack of viability and that this was concerning with two sites going ahead in the area where there was no guarantee that they would receive anything in the way of increased infrastructure/education/doctors surgeries.

Ms Gibson also wished to raise concern that this encroachment into countryside would open the door for future applications and that there were still bats and barn owls located in this area.

The Chair introduced Mr David Marjoram as the agent for the applicant who wished to speak in support of the proposal. Mr Marjoram commented that the benefits of the proposal had been discussed at the last meeting and were well covered in the Committee report therefore he would like to concentrate on the issues of concern.

Mr Marjoram commented that Members will have seen for themselves at their recent visit, the unkempt nature of the site and that in terms of the access, the proposed site was to bolt onto the Phase 1 access, which was a key consideration that the site did not require a new access, an acceptable access could be provided and the trip calculations had been considered by the local authority and had been deemed to be acceptable.

Mr Marjoram referred to the viability and the Councils Core Strategy, para 6.2.6 which states:

"The council does recognise that in some instances, it may not be possible to deliver the affordable housing requirement in full. In this instance the applicant will be expected to submit a detailed Viability Assessment to clearly demonstrate how the affordable housing requirement set out within Policy H2 would make the scheme unviable"

Mr Marjoram advised that they had submitted a detailed viability assessment which had been considered by officers and deemed acceptable so the application should not be refused on such grounds. Mr Marjoram also suggested that such assessments could always be reassessed at reserved matters stage if necessary.

Mr Marjoram referred to a recent application within another authority where they went against the officer decision contrary to advice in which the Inspector overruled the decision in the developers favour and wished to whole heartedly endorse the professional judgement of the Councils Officers and requested that the recommendation be agreed as per the report.

The Chair thanked the speakers for their submissions and invited questions of clarification from Members. Firstly referring to Page 31 of the report and that in terms of bats, there remained some concerns in respect of methodology of

the surveys undertaken, and queried if there was anything within the Conditions to address this, should the application be approved.

The Planning Officer advised that there were a series of Conditions relating to ecology, Conditions 13,14,15 and 16 in particular and through discussions with the Councils Ecologist it was considered that any further survey work could be addressed through those Conditions.

Councillor Dixon referred to the issues raised in the area and that whatever decision was made on this particular application, he requested that as a Committee and Planning Officers, that they encourage Gentoo to make progress on their site where it was clear this was causing residents distress.

Councillor Scott agreed with Councillor Dixons suggestion and referred to Condition 14 and if any action could be taken against the developer for not taking action themselves.

The Planning Officer informed the Committee that Conditions 5 and 14 which referred to a Construction Management Plan which would include an extensive list of conditions and Officers also had planning compliance powers to monitor the site and ensure any plan was adhered to.

Councillor Haswell commented that the site visit had opened his eyes to this proposal and referred to Condition 23 and that he was pleased to see this included, however his nervousness was around the fact that economic circumstances were so changeable and as seen in other developments the prices could go up by the time the development had been completed (after reserved matters stage) therefore Councillor Haswell enquired if there were scope to include a condition to re-evaluate the viability once the development was being built out.

The Planning Officer advised that this could be an option and he did not believe it to be unreasonable for a condition to re-evaluate once the development was being built out to be included, as this would be over a significant amount of time.

Mr Marjoram advised that he did not think they would have any issue with such a condition.

The City Solicitor suggested to the Committee that if Members were happy to approve the application but delegate to the Executive Director of City Development, in consultation with the Chair to prepare and finalise the wording of the draft conditions.

Councillor Haswell moved the above recommendation, which was duly seconded by the Chair and put to the vote and with all Members being in agreement it was:-

2. RESOLVED that the application be APPROVED subject to the conditions to be prepared and finalised by the Executive Director of City Development in consultation with the Chair.

Change in Order of Business

At this juncture, the Chair advised that there would be a change in order of business, with the fifth application in the report to be considered at this point to allow those Members of the public in attendance to leave afterwards, if they so wished.

Planning Application 23/01899/LP3 – Internal arrangements to provide supported accommodation for up to 5no individuals. The Sheiling, Fatfield Road, Washington, NE38 7DT

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

(for copy report – see original minutes)

The Chair gave the Committee time to read the Supplemental Report.

The representative of the Executive Director of City Development presented the report and supplementary report, advising the Committee of key issues to consider in determining the application. The Planning Officer advised that the Police had raised no objections and that there was no firm evidence that the scheme would lead to potential antisocial behaviour or that crime and ASB were an inevitable consequence of multi occupancy dwellings.

Highways Officers also submitted no objections to the proposals and the site would be managed by staff 24/7.

The Chair thanked the Officer for their report and opened up the meeting for Members to ask any questions of Officers.

Councillor Dixon commented that he had personally visited the site and queried if there were to be five people living there alongside management staff, how many bedrooms would be available. The Planning Officer directed the Committee to the PowerPoint presentation showing the floorplan and informed that there would be a maximum of five people living there, staff would not live there. It was envisaged there would be a maximum of three staff present at any given time but normally two staff would be present in practice.

In response to Councillor Dixon concerns raised over the parking in the area, the Planning Officer advised that five parking spaces were allocated for the site which was considered to be acceptable and highways officers had raised no objections on this.

Councillor Dixon referred to objections raised over the proximity to schools and enquired if Officers had any concerns over this. The Planning Officer commented that there was no evidence to suggest there would be any impact whatsoever upon the schools and the Police had raised no objections in this regard.

Councillor Dixon referred to a previous application considered by the Committee recently which had been refused and commented that he could see a lot of similarities between the two, which had been refused due to being detrimental to the local amenity and the impact it had upon the community.

The Planning Officer advised that each application had to be assessed on its individual merits and there was no evidence to suggest this type of scheme was going to cause crime or antisocial behaviour.

Councillor Dixon commented that both applications had been semi detached bungalows in residential areas and he felt there were great similarities but would leave it there.

The Chair advised that the issues were not as similar due to the resident already living in the property of the other application and it had been a retrospective application where issues were already known. This was a different provider of a different service so the similarities may end there.

The Chair introduced Mr Darren Foster who wished to speak in opposition to the application. Mr Foster commented that whilst he understood the need to care for vulnerable people there were great concerns over the scheme and the loss of a family home.

Mr Foster commented that there had been two previous private schemes proposed historically, a Guest House and a Care Home, both of which had been rejected by the Council. Therefore Mr Foster questioned how the Council would be viewed should they approve their own scheme when it went against Policy.

Mr Foster added that there was a lack of detail around the scheme and if there would be ex-offenders housed in the property, especially as the Probation Service was listed as a partner organisation. They had sought clarity over this but no advice was forthcoming therefore how could the Committee approve an application with such ambiguity surrounding it.

Mr Foster commented that it was a residential area and the proposal would result in further disturbance and danger to the older people living in close proximity. The road was a narrow one that the proposal would cause further congestion on and it was also in close proximity to both Biddick and St Roberts school with a number of objections being made from parents.

Mr Foster informed the Committee that the floor plans showed no allowance for office space within the building and raised concerns that the CCTV would result in the recording of his property. There were concerns over drainage

and there were also a number of convenience stores nearby selling alcohol which would be problematic if the residents were suffering from substance misuse.

Mr Foster wished to raise the query of the restricted covenant on the building and if any checks had been done with this regard and that the residents overwhelming response was that this location was wholly inappropriate and requested that the application be rejected so that the property remained as a family home.

The Chair introduced Mr Paul Mander who wished to speak in opposition to the application. Mr Mander commented that having worked in such a sector and similar facility that the suitability of the site just wasn't correct. Mr Mander advised that he lived in the bungalow behind this building and it was the exact same spec as his home and referred to the proposal for level one to have two beds/two ensembles and there was no way that could be fit into the eaves and whilst it may conform to space standards, the occupants would not be able to stand up.

Mr Mander commented that having worked in this environment under a purpose built facility he understood the needs of the service users and this property just did not fit that bill with one to one services being very important this would not be possible and even the garden wasn't suitable with Mr Mander questioning how five individuals living independently on a site of this nature could be possible.

Mr Mander referred to parking and the allocation for five parking spaces, commenting that the cars would have to be the smallest of cars to get all 5 on that driveway and it would be remiss not to point out the busy junction which was used by school children to travel to school.

Mr Mander summarised that he did not think the building showed a true commitment to what they were trying to achieve, which was to help people and that the building was a 3 bedroomed bungalow with an extension.

The Chair thanked the speakers for their submissions and invited questions of clarification from Members.

Councillor Dixon enquired if Mr Mander was in support of the proposal in general if less people were to live there rather than the five proposed. Mr Mander confirmed that he was against the proposal as he felt the site was inappropriate for the proposed use and he was aware that the property in general and the challenges it presented.

Having been asked if the Officers wished to respond to the issues raised, The Planning Officer advised that the proposal would be a small care facility, managed 24/7 that had not received any objections from its statutory consultees such as the Police or Highways and there was no evidence that crime or anti-social behaviour would arise as a result of this application.

Councillor Dixon referred to previous applications of such nature and concern and suggested a site visit where Members could go inside and see for themselves the size of the property would be helpful.

The Chair agreed and commented that she was concerned over the issues raised around the eaves and size of the property.

Councillor Foster advised the Committee of a similar application that has been approved within his ward and felt that some comments made around the chaotic lifestyle this proposal would attract was unfair, however issues were raised around covenants which he would like officers to respond on and he felt that it would be wise to have a site visit on this particular application.

Councillor Morrissey referred to the same similar development within the Castletown ward and that many objections had been submitted at that time and all of the feared problems didn't materialise, but in this instance with the suitability of the building in question he felt there was a need for a site visit.

Councillor Foster added that as it was a proposed HMO they had to determine if the size of the premises was suitable. Councillor Warne agreed commenting that it would not do any harm to defer the application for Members to look at the property.

The Chair also agreed and enquired if the rooms had already been put in place yet for the new use. The Planning Officer advised that this had not been done as yet. The Chair then introduced the applicants representative who was in attendance to address the Committee.

The representative advised that visits had been carried out by the Housing Development Team along with teams from Changing Lives who had assessed the building on the support required and how this could be delivered. The rooms were actually quite large apart from the ones in the eaves but the proposal was to take some space from the other bedrooms to facilitate the ensembles.

Councillor Dixon suggested that any site visit take place around 3pm in order to get a true reflection of the parking issues etc around school leaving times.

With the Chair proposing the application be deferred pending a Members site visit to gain a better understanding of the site and building layout, and with Councillor Dixon seconding the proposal, Members voted by a show of hands and it was unanimously agreed:-

3. RESOLVED that the application be deferred for a Members site visit.

Planning Application 22/02384/FU4 – Erection of a 275kV substation and 66kV substation with associated infrastructure. Land North Of International Drive, Sunderland, SR5 3FH

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

(for copy report – see original minutes)

The Chair gave the Committee time to read the Supplemental 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.

In response to Councillor Haswell's request, the Planning Officer confirmed that the s106 matters were to be delegated to the Officer.

Councillor Scott commented that it was great to see this proposal be submitted and he looked forward to see this take shape.

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

4. RESOLVED that Members Grant Consent under Regulation 4 of the Town and Country General Regulations 1992 (as amended), subject to the draft conditions set out in the main report and the satisfactory completion of a section 106 agreement to secure the offsite mitigation for the proposed development.

Planning Application 23/01526/FU4 – Demolition of existing warehouse and construction of seven units for general industrial, storage and distribution or light industrial (Use Classes B2, B8 and E(g)(ii)), provision of electric vehicle charging station (sui generis), construction of drive through coffee shop (Use Class E(a)); including associated access (including modifications to the access onto Robinson Terrace and provision of internal roadway), parking and turning spaces, landscaping and 3 metre boundary wall towards the east / south east of the site. Former Littlewoods Home Shopping Group, Commercial Road, Sunderland

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

(for copy report – see original minutes)

The Chair gave the Committee time to read the Supplemental 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.

Councillor Haswell referred to representations received from the Police Architectural Liaison and their recommendations over security, lighting plan

and Cameras and enquired if these would be conditioned or if the developer had accepted such recommendations.

The Planning Officer advised that after discussions with the Police it had been agreed that some of these suggestions would be split by way of Condition and also advice for any potential occupier of the buildings.

Councillor Dixon commented that he welcomed this development as the area had been a blot on the landscape of a major road into the city and he endorsed the proposal.

Councillor Scott agreed adding that this would be bring a brownfield site back into use and he was more than happy to support the application.

Councillor Morrissey commented that as Ward Member he concurred with colleagues comments and that this was a fantastic long overdue development that would bring jobs to residents of the area and he was fully in support of the application.

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

5. RESOLVED that Members be minded to GRANT CONSENT under Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended), subject to the draft conditions provided in the main report, the draft additional highways conditions in the supplemental report and any further conditions required following the conclusion of discussions with the Council's Ecology officer.

Planning Application 23/01773/VAR – Variation of Condition 2 attached to planning approval 20/01754/FUL (amended via planning permission ref. 23/00865/VAR - residential development of 75 dwellings (Use Class C3) etc.), to amend approved scheme to add metal railings to turning heads of western boundary, add tarmac surface to footpaths, additional fencing and removal of section footpath to open space. Land To The North Of Mount Lane, Springwell NE9 7UQ

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.

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

Councillor Warne wished to give apologies for this application being on the agenda and advised that events had overtaken the process since the publication of this report. Residents had submitted concerns over the fencing and Councillor Warne suggested that if the developer had taken more time to address these, he wouldn't have been required to call this application in, but this had now been addressed.

There being no further questions or comments the Chairman put the officer's recommendation to the Committee and it was:-

6. RESOLVED that the application be APPROVED subject to the conditions listed within the report.

Items for information

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

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

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

(Signed) M. THORNTON
(Chair)