

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 3 JULY 2023 at 5.30 p.m.

Present:-

Councillor Thornton in the Chair.

Councillors Ali, Dixon, Foster, Herron, Nicholson, Peacock, Scott and Warne.

Declarations of Interest

There were no declarations of interest

Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Morrissey.

Minutes of the last meeting of the Planning and Highways Committee held on 19th June 2023

1. RESOLVED that the minutes of the last meeting of the Planning and Highways Committee held on 19th June 2023 be confirmed and signed as a correct record.

Planning Application 22/02335/FU4 – Erection of a platform in middle of the pond to provide a safe haven for wildlife. Roker Park Pond, Roker Park, 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.

The Chairman thanked the Officer for their report and invited questions of clarification from Members.

There being no questions for clarification, the Chairman introduced Mr Alan Wilkinson who wished to speak in objection to the application. Mr Wilkinson advised that he represented the City of Sunderland Model Engineering

Society Ltd which was based in the park and used the pond for the sailing of model boats. He stated that this pond was intended for the sailing of model boats and had been since the park had opened in 1880.

This was not a natural pond and he felt that it was unsuitable for wildlife due to being of a concrete construction and supplied by water run-off from nearby streets which after filtering was sterile and devoid of life. There were plenty of other ponds and lakes in parks around the city which would be more suitable. There were regular discharges by Northumbrian Water into the pond of untreated water which had killed all of the wildlife that had lived in the pond.

Mr Wilkinson stated that he was not aware of any risk assessment being undertaken by the applicant and that there was a risk due to the pond freezing in winter, children could then be tempted to cross the ice to the island risking falling through the ice. There was also no mention of public liability insurance from the applicant.

When swans had landed at the pond previously it had been necessary to contact the RSPCA; the RSPCA had confirmed that the pond was not suitable to support swans.

The model boats used on the lake operated on high frequency radio control which required line of sight to work; the installation of the island would interfere with this and would therefore prevent the safe use of these boats on the pond.

The Chairman introduced Mr Kenneth Talbot who wished to speak in objection to the application. Mr Talbot stated that when the park had been donated to the people of Sunderland the pond had been designated for the sailing of model boats not as a wildlife pond. There had been a recent open day and this had shown that there was an interest in model boating; the open day would not have been able to have taken place if the island had been in the pond. The only wildlife at the pond was three ducks and there was no other wildlife due to the poor water quality. The proposed island would be made from aluminium and he was concerned that this would corrode due to the untreated water that was discharged into the pond.

The sponsor for the development, Mr Gary Baxter, was in attendance to answer questions from Members. He advised that the island would be made from marine grade aluminium which would not corrode in the water and that it would be a low profile design which would reduce the impact of the island on the model boats. It would also not be fixed into place so could be moved around the pond to find the most suitable location. There had been swans attend the pond in the past and they could come back again; previously their nests had been disturbed and the island was intended to give a safe space where the nests would not be disturbed.

Councillor Peacock acknowledged the concerns raised and stated that the proposal would support the swans which had previously nested at the pond. He asked whether it would be possible for a refuge for them to be placed onto

the land instead given that they had previously nested on the land. The representative of the Executive Director of City Development advised that it had not been considered as an alternative; it was his understanding that swans preferred to nest on islands within ponds and lakes and referred to the island in Mowbray Park pond which was well used by swans.

Councillor Scott commented that there needed to be a balance; there had been the model boat club using the pond for a long time but there had also been swans nest there before; both needed to co-exist with each other. He queried why Historic England had not been consulted. It was useful that the raft could be moved. The representative of the Executive Director of City Development advised that Historic England were not a statutory consultee; the Garden Trust were and they had been consulted and had provided a response.

Councillor Dixon referred to the historic nature of the pond and noted the conservation team's comments. He thought that both uses would be able to co-exist and asked whether any amendments to the proposal had been sought. The representative of the Executive Director of City Development advised that the applicant had not been asked to amend the application and there were no grounds to ask them to amend it. The application submitted had been considered on its merits.

The representative of the Executive Director of City Development further commented that although swans had previously nested here they were not currently and consideration could be given to having a review of the effectiveness of the platform and if it was not used then it could be removed.

Councillor Scott expressed his support for this proposal as did Councillor Herron and Councillor Dixon who asked what sort of timescale was being considered. The representative of the Executive Director of City Development advised that it would likely be in the region of 3 years and this condition would be developed in consultation with the Chairman.

Members having considered the matter the Chairman put the Officer's recommendation, set out in the report, to the Committee and with all Members being in agreement it was:-

2. RESOLVED that consent be granted under Regulation 4 of the Town and Country Planning (General Regulations) 1992, subject to the draft conditions set out in the report and a further condition relating to the review of the effectiveness of the platform, the wording of which to be agreed with the Chairman, for the reasons set out in the report.

Planning Application 22/02538/FUL – Installation of photovoltaic solar panel system on main factory roof, providing up to 3540 panels in total. Kasai UK Ltd. Factory, 1 Stephenson Road, Stephenson, Washington

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 Chairman thanked the Officer for their report and invited questions of clarification from Members.

Concillor Warne commented that this was a straightforward application and he could see no reason to object to the application.

Councillor Scott commented that it was good to see an application which supported the Council's Cleaner and Greener City aims.

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

3. RESOLVED that the application be approved for the reasons set out in the report, subject to the draft conditions set out therein.

Planning Application 22/02595/LP3 – Resubmission of application Ref. 20/02026/LP3 (Refurbishment and extension of disused school building to form 15no. residential accommodation units with support) to include 16no. external ASHP units 1no. mechanical cooling unit, re-positioned bin store/collection point, alterations to boundary treatment and re-configured car parking layout (part retrospective). The Old School Building, Albert Place, Columbia, Washington, NE38 7BP

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 the key issues to consider in determining the application.

The Chairman thanked the Officer for their report and put the Officer recommendation to the Committee and it was:-

4. RESOLVED that Members GRANT CONSENT for the proposal under Regulation 3 of the Town and Country Planning (General Regulations) 1992, subject to the conditions listed within the report.

Planning Application 23/00133/SUB – Change of use from agricultural to equestrian use with erection of new residential dwelling and stable block with associated parking and creation of new access. Land to the Rear of 21 South Hetton Road, Easington Lane, Houghton le Spring, DH5 0LG

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 Chairman thanked the Officer for their report and invited questions of clarification from Members.

The Chairman queried what was meant by the proposed house being market housing, the representative of the Executive Director of City Development advised that the application form had stated that the application form had referred to the house being sold on the open market.

Councillor Scott stated that if there was to be a change to a rural setting then there needed to be a robust case to do so and he did not feel that this application set out a robust case.

The Chairman stated that there were a number of pieces of information requested which the applicant had not provided.

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

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

23/00262/FUL – Erection of 3no. three bedroom terraced houses with front and rear gardens. Land to the Rear of Abbey Drive, Houghton le Spring.

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter and the Chairman allowed Members time to read the supplementary report.

(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 Chairman thanked the Officer for their report and invited questions of clarification from Members.

Councillor Dixon stated that he had visited the site and that there were a number of portacabins and skips on the site along with signage for Esh Construction; he queried whether this was related to this application and also queried whether the access to the proposed development would be taken from Lindisfarne Close. The representative of the Executive Director of City Development advised that the cabins and skips were related to other works that were ongoing in the area; the applicant had not done any work on the site. The access would be taken from Lindisfarne Close. Councillor Scott stated that he believed Esh were a contractor for Gentoo; there was Gentoo housing in the area.

There being no further questions or comments from Members, the Chairman introduced the three ward Councillors who wished to speak in objection to the application.

Councillor Heron stated that this was a small cul-de-sac which had previously provided access to some garages, now that the garages had been demolished residents were using the land to park on. The road was very narrow and she was concerned that emergency vehicles would not be able to access the proposed dwellings.

Councillor Burrell stated that there had been 13 residents who had submitted objections to the proposal and there were concerns over the loss of greenspace and that there had not been an assessment of the impact of the loss of the wildlife corridor. The road had been designed to provide access to the garages, not to houses.

Councillor Price stated that this was a small back street which had been designed when traffic levels were much lower than today. The site was grass land which provided local amenity. The road would provide limited access for emergency vehicles and waste collection vehicles and there would be parking problems as a result of the development. The new houses would cause a lack of privacy for the existing residents even though there was a buffer space as he did not consider it to be an adequate buffer.

Members then discussed the matter further. Councillor Scott stated that the report referred to there being a high quantity but low quality of greenspace in the area; Burnside however had a low quantity of greenspace.

Councillor Dixon expressed concerns about access and stated that regardless of the decision there needed to be efforts made to tidy up the land.

The Chairman referred to recent appeal decisions were loss of greenspace would cause significant harm.

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

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

Items for information

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

Members expressed concerns over the lack of information provided to Members relating to Section 106 funds. The representative of the Executive Director of City Development advised that Section 106 was a method of alleviating harm caused by a development and that where there was a Section 106 agreement this would be detailed in the report to the Committee. Section 106 agreements were a material consideration and the detail of all agreements was available online. Ward Councillors were sent information as part of consultation on where best to spend the funds; there was a new process being brought in which moved this online. She suggested that a session could be held to demonstrate the process to Members. Members stated that they felt there needed to be more input from Ward Councillors before funds were spent and asked that a session be held after the next meeting of the Committee.

Councillor Scott then requested more information regarding the determination dates and extensions of time for the applications on the matrix. The representative of the Executive Director of City Development agreed to amend the template to include further detail.

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

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

(Signed) M. THORNTON
(Chairman)