

At a meeting of the PLANNING AND HIGHWAYS (WEST) COMMITTEE held in the Council Chamber, City Hall, Plater Way on TUESDAY 4th JANUARY, 2022 at 5.30 p.m.

Present:-

Councillor G. Miller in the Chair.

Councillors Blackett, Donaghy, Fagan, Lauchlan, Peacock, Price and Warne.

Declarations of Interest

There were no declarations of interest

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillor Thornton

Minutes of the last meeting of the Committee held on Tuesday 30th November 2021.

1. RESOLVED that the minutes of the last meeting of the Committee held on Tuesday 30th November, 2021 be confirmed and signed as a correct record.

Objection to The City of Sunderland (Hall Farm, Silksworth, Harraton and Oxclose Areas of Sunderland) (20MPH Speed Limit Zone)

The Executive Director of City Development submitted a report (copy circulated) to advise the Committee regarding an objection received, by the Council, in respect of the 20mph speed limit zone order for the proposed introduction of a 20mph zone that is intended in Harraton, and to request the committee to not uphold the objection that cannot be resolved within the constraints of the scheme, as set out within the report

(for copy reports – see original minutes)

Members were briefed on the public engagement in respect of the proposals carried out between 28th August 2021 and 24th September 2021. As part of the public engagement process, documents were issued to local ward councillors and all organisations on the Councils list of statutory consultees, such as the emergency services and bus operators. No objections were received.

Public engagement documents consisting of an explanation of the proposals, response form, and plan of the respective proposed scheme were issued to

all residents and businesses considered to be directly affected by the proposals.

Drawings of the proposals were shown in Appendix A of the report.

The proposals were supported by the majority of residents who returned votes. The details of the responses were;
334 consultation packs were delivered.
109 responses received a 32.6% return.
104 (95.4%) were in favour (Yes against No Votes)
3 (4.6%) were opposed. (No against Yes Votes)
2 returns were received which abstained or were indifferent

From the 17th November 2021 to the 10th December 2021 the Traffic regulation Order (TRO) for the 20mph zone was advertised both on site and in the local press. The advertisement period gives persons who may object to the scheme, the opportunity to raise their objection formally with the Council.

In response to the TRO for the 20mph zone advertisement the council received one objection to the proposal. The objector stated that they were only objecting to the 20mph zone in Harraton, and not the other 20mph zones within the order.

Members' attention was drawn to the summary of objection attached as Appendix B to the report.

The representative of the Executive Director of City Development having addressed questions from Members, consideration was given to the proposal and with the recommendations having been put to the Committee, it was:-

2. RESOLVED THAT:-

- i) The objection to the 20mph zone order, for the proposed CITY OF SUNDERLAND (HALL FARM, SILKSWORTH, HARRATON AND OXCLOSE AREAS OF SUNDERLAND) (20MPH SPEED LIMIT ZONE) not be upheld.
- ii) The objector to be notified accordingly of the decision;
- iii) The Executive Director of City Development to instruct the Assistant Director of Law and Governance to take all necessary steps to make and bring into effect the associated 20mph zone order and;
- iv) The Executive Director of City Development take all necessary action to implement the physical works associated with the 20mph speed limit zone order.

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

The Executive Director of City Development submitted a report and circulatory report (copies circulated), which related to the West area of the City, copies of which had also been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(for copy reports – see original minutes)

21/01969/FU4 – Construction of three storey building to provide 72 apartments, including parking and turning space and restoration of walled garden. Land at Station Road, Penshaw, Houghton-Le-Spring

The Planning Officer representing the Executive Director of City Development outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

The Planning Officer informed the Committee of recent correspondence from the Department for Levelling up, Housing and Communities in which it was advised that should Members be minded to approve the Officer recommendation, it would not be approved for a further two weeks whilst the Secretary of State considered if the application should be called in.

The Chairman introduced Ms Laura Oliver, who wished to speak in objection to the proposal. Ms Oliver wished to draw the Committee's attention to the number of specific and affordable over 55s housing there already was within a 3 mile radius of the proposed development. There were 61 specific over 55s sites within 3 miles of the proposed development. 22 of these had availability when contacted, 5 had a short waiting list and 34 they were awaiting information on therefore potentially having availability.

The committee papers stated "The Council is aware that whilst there is an oversupply of sheltered housing in the City, much of this is of poor quality and there is an opportunity to provide high quality accessible accommodation for over 55s"

Ms Oliver commented that the Council themselves admit there is an oversupply of this type of accommodation and she questioned on what evidence this had been deemed as 'poor quality'. Having visited many of the other sites, the buildings were in general, purpose-built, modern and in good state of repair. Gillwood Court as an example was less than 100 metres away from the proposed development, was in good state of repair and had numerous vacant units on a regular basis.

Whilst the council suggest a condition could be attached to the build, limited occupation to over 55s, what happens when they could not fill this huge site. Would the units lay vacant and fall into disrepair as a result of this condition.

Ms Oliver referred to the Transport Statement issued by the developers which she believed was factually incorrect and no mention was given to the nearby school and the issues created by parents parking causing obstructions.

Refuse vehicles, emergency vehicles, delivery vehicles and regular traffic already struggle around this entry point. The developers own landscapers struggled and had to illegally reverse out of the street on to the main road into oncoming traffic. This needed to be urgently addressed before any proposal for this site was approved.

Ms Oliver commented that the committee report stated the application did not propose any measures for reducing traffic noise to residents of Greta Avenue / Station Road or indeed the future residents of the development. As all current sound barriers were proposed to be removed this needed to be addressed and added as a condition to the development if it were to be approved. Previous plans included sound mitigation in the form of acoustic fencing along the site perimeter with the A183 and questioned why this was not included in the current proposal.

Ms Oliver added that they were not opposed to development, but these plans were just not right for this site and went against the Councils own Core Strategy and it could not be justified when the application posed more negatives than benefits it would bring.

The Chairman introduced Ms Annika Martin, who wished to speak in objection to the proposal. Ms Martin commented that having read the numerous documents such as the Core Strategy, SHLAA, the clear policy statements for the site and the heritage privilege for Penshaw House, it was clear to her that these policies and stipulations were not being adhered to.

The Core Strategy stated that the limitation was 11 dwellings for this site yet the proposal included 84 dwellings per hectare. Ms Martin commented that there were numerous other stipulations and issues called out within the agenda report such as the Ecological Consultant advising there would be a net loss. The plans showed insufficient evidence of how this would be addressed and conditions were needed on this.

In relation to the preservation of Penshaw House, the proposal was contrary to the Core Strategy and the proposal of this type and its sheer proximity would have a severe impact upon the building.

Ms Martin also commented that she was staggered to see that Highways were using the transport statement provided by the developers and she could not see how this was an independent assessment and was surely a conflict of interest.

The Chairman advised that a Mr Damien Ogle had registered to speak in objection to the application, unfortunately Mr Ogle was unable to attend the meeting however he had requested that his written statement be read out. Ms Oliver read the statement on his behalf which stated:-

The land for Snowdrop house was purchased from the council 8 years ago with a verbal agreement that it was suitable for development provided that the plans aligned to a certain specification. Namely that Snowdrop house should;

- Be subservient to the grandiosity of the Manor house: to be designed and built in a style that would be befitting of the sites history (ie. A cottage or gatehouse as the land previously served as staff cottages to the Manor house)
- To be no higher than 1.5 stories maximum
- Bricks were to match those of an original wall opposite the Manor house
- Cast stonework, cills and lintels were chosen by the heritage officer to match the ashlar stonework of the Manor house
- All windows and doors were to be of timber construction and white in colour (coloured PVC or Aluminium was not permitted)
- Welsh slate was preferred but a good Spanish slate for the roofline was considered acceptable
- Mortar was to be flush, raked or weather-struck and ideally contain lime
- They were asked to not break the roofline with any form of dormer but we were permitted conservation style velux windows
- The land was sold to them with a covenant that prevents any additional dwellings being added to the plot. This was at the request of the council to maintain the character, spacing and proportions of the site

They were assured at the time that any properties added to the land next to the Manor house would have to follow similar principles and be subordinate to the Manor house. The previously approved plans were sympathetic to the site, of an appropriate density and had the appropriate stipulations made regarding the materials and the finish of the buildings. In passing these plans the team from English heritage and the Councils own Urban Design team referenced the appropriateness of the height, scale, design and massing in relations to the Manor house, stating that the houses and bungalows would sit comfortably in the grounds.

In reference to the recent plans from Vistry Partnerships Mr Ogle was horrified that the design scheme had even made it to the planning stage for consideration. The number of units, scale and massing of the building was incomprehensible and goes against all the former stipulations made of him and the build of Snowdrop House.

In addition, it contradicts the stipulations that the conservation team (English Heritage) and the councils own Urban Design team made in the prior successful application made by Keepmoat homes for a collection of bungalows and semi-detached properties. How could it be that such strict stipulations imposed on he, and Keepmoat homes suddenly seem to be conveniently disregarded.

As someone that wants to see the site developed, Mr Ogle put it to the Committee that the current scheme was grossly inappropriate in design and scale. Two stories would be more than sufficient and would still produce a density above the councils own recommended levels. Mr Ogle believed that the proposed building in its current guise would completely destroy the setting of the Manor house and devalue its status within the parish and wider area. A question we should all be asking is who in their right mind would purchase, develop and maintain such a property when its right up against such a hideous three-story block.

Mr Ogle asked the committee to use common sense and put the people and the community before Vistry partnership's proposal. Yes, there was a need for more housing but there was a right and wrong way to go about it, this was not the answer.

The Chairman introduced James Hall, who wished to speak on behalf of the applicant. Mr Hall advised that the proposal had been carefully considered with attempts to add visual interest to the streetscene on what was a largely vacant derelict site. The proposal was three stories but had been reduced in places to two stories in order to be sympathetic to the neighbouring properties and to try and respect Penshaw House's listing and status.

Access was to be provided from the south east via Greta Avenue and they had signed up to substantial upgrades to this entrance so they hoped this would alleviate residents concerns.

Mr Hall advised that the Housing statement set out that there was a need for accommodation for the over 55's and the developer had listened to Officers and residents during the 5 hour event that was arranged.

The site had been allocated under the emerging strategy for housing which great weight should be given to and this was a high quality scheme in a largely derelict site. The conservation officer and their own independent assessments had identified less than substantial harm to the setting of Penshaw House and there would be significant benefits from the scheme including residents enjoying the walled garden proposed and a diversified offer of housing within the city.

Mr Hall advised that the economic and social benefits for the area outweighed any negatives and requested the Committee approve the officer recommendation.

Councillor Peacock referred to the speakers comments in relation to previous applications at this site and enquired if Officers were confident that this proposal met all the current requirements.

The Planning Officer advised that with regard to previous applications, in planning terms these were defined as major developments and more complex applications have to retain a planning balance. This scheme did not accord with every policy. Pages 32-33 of the report included a table showing the

categories and the balance which needed to be made and it was considered the Economic/social benefits outweighed the negative impacts upon heritage.

Councillor Fagan commented that she understood the weighing up of the pro's and con's, however as there was an excess of accommodation within the City, her concern was what would happen if the developer struggled to get occupiers for the apartments.

Councillor Fagan also raised concerns over the number of trees proposed to be felled and enquired if there would be any planting of new trees to offset this.

The Planning Officer informed the Committee that there were certain types of applications where a developer was required to determine a need, such as retail stores, therefore a housing scheme such as this, there was no requirement for the developer to determine a need. Officers had sought the consideration of the Housing Team and it was stated (pages 18-19 of the report) that across the city there was a demand for this type of accommodation.

With regards to trees, the Planning Officer advised that the applicant had submitted a tree survey, whilst it was acknowledged the trees would not be replaced 1 for 1, within the proposed plan there would be proposed landscaping works and the restoration of the walled garden.

Councillor Blackett referred to Page 18 of the report which stated there was an opportunity to provide high quality accessible accommodation for the over 55's and queried if Vistry, which as confirmed by representatives at the meeting, was a mix of Vistry and Bovis Homes, who had a recent history of problems, if the Planning Officer could be confident that it would be a high quality of work.

The Planning Officer advised that any planning permission, if granted, would be given to the land and not the developer but in terms of quality of the accommodation the Core Strategy requires the developer to meet space standards for dwelling houses and this application has a greater level of floor space than required. In relation to Build quality on the site, the applicant had submitted a construction management plan which the Environmental Health Officer was satisfied with.

Councillor Lauchlan queried if there were plans to look at another point of access/egress as this had concerned him upon visiting the site. The applicants representative advised that there was only one single access to this site, which was Greta Avenue onto Station Road and this was getting extensive improvements to make it a two way system.

The Chairman brought Ms Martin in to request further clarification as to previous applications specific to Snowdrop House and also the 18 bungalows which had to stick to incredible stipulations around soundproofing for example, which weren't being applied to this proposal.

The Planning Officer advised that the application goes back to the Planning Balance as explained earlier with regards to the design of the scheme.

Councillor Lauchlan commented that upon visiting the site it was obvious it was ready for development but his concern was that as there would be over 72 apartments proposed, there was only 50 car parking spaces. As many homes could be 2 car household's, this could result in demand for over 100 cars.

The Highways Officer informed the Committee that they had considered the parking guidelines for a development of this type and under the national requirements, the developer was only required to provide 39 spaces so the developer was actually providing more spaces than the national requirement.

Councillor Peacock commented that it seemed a unique proposal as normally the planning reports stated that all requirements had been met and that this time it was asking Members to make a judgement and weigh up the Environmental, economical benefits despite their being a lesser need and it was being asked to look at overall benefits rather than purely on planning merits.

The Planning Officer advised that the report did identify both positive and negative aspects of the proposal and clarified that this type of development did not require the developer to demonstrate need. The Housing Team had commented that there was a need within the wider city for this type of accommodation and it was ultimately the developer's business risk if there wasn't demand.

The Chairman referred to page 34 of the report, addressing the ageing population that stated the number of older persons aged 65+ years in Sunderland was projected to increase by 42% from 2015 to 2039 and commented that having been Cabinet Member portfolio holder for Health, Housing and Adult Services he could assure that there was absolutely a need for this type of accommodation.

The Chairman also commented that it was a planning balance and wasn't always cut and dried, with local residents concerns absolutely having to be listened to and weighed up against the needs of the City.

Members having fully considered the report, the Officers recommendation was put to the vote, with 4 Members in favour and 4 Members against, the Chairman casting vote was used, therefore it was:-

3. RESOLVED that :-

Members Delegate to the Executive Director of City Development to Grant Consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended) for the reasons set out in the report and subject to

- i) The completion of a planning obligation for the provision of 100% affordable housing.
- ii) The resolution of the outstanding matters relating to groundworks to the satisfaction of the Council's land contamination consultant (including any additional and / or amended conditions).
- iii) The 21 draft conditions contained within the report
- iv) The additional condition advised at the meeting that the Secretary of State would consider if the application was to be called in

21/02551/LP3 – Change of use from extra care housing to 1 no. dwelling house. 25 Grasmere Avenue, Easington Lane, Houghton-le-Spring

The Planning Officer representing the Executive Director of City Development outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

4. RESOLVED that consent be granted under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to no representations being received within the remainder of the consultation period that raise fresh material planning considerations, and the two conditions contained within the report.

Items for Information

Members gave consideration to the items for information contained within the matrix (agenda pages 45-50).

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

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

(Signed) G. MILLER,
(Chairman)