

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 19 JUNE 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

There were no apologies for absence submitted.

Minutes of the last ordinary meeting of the Planning and Highways Committee held on 3rd April, and the Extraordinary meeting held on 17th April, 2023

1. RESOLVED that the minutes of the last ordinary meeting of the Planning and Highways Committee held on 3rd April 2023 and the Extraordinary meeting held on 17th April, 2023 be confirmed and signed as correct records.

Planning Application 21/02627/FUL – Demolition of public house and construction of 14 dwelling houses and a three-storey building to provide five apartments (including associated car parking, landscaping and new pedestrian access onto Silksworth Lane) (as amended). The Cavalier, Silksworth Lane, Sunderland, SR3 1AQ

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 representative informed that there was a typo within the report and confirmed that within the Consultees section that Silksworth Ward Councillors had been consulted rather than the Washington North Councillors stated.

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

Councillor Peacock referred to pages 31-32 of the report and enquired if there were any plans at all for electric charging points for the properties. The Highways Officer advised that these would be required as part of the proposal.

In response to Councillor Dixon's enquiry over section 106 monies for Play Areas, The Planning Officer advised that the Play area was not proposed for within this development and the Section 106 contribution was likely to be spent on existing facilities within the Silksworth Ward or within the West Sunderland Wards. The process for deciding locations would have Councillor involvement.

Councillor Dixon referred to a zebra crossing to be introduced and commented that as this was a 40mph stretch of road it was busy and enquired if Highways Officers had any concerns over this. The Highways Officer advised that it would be unlikely to be a zebra crossing but an appropriate pedestrian crossing of some sort would be provided should planning approval be granted.

Councillor Dixon referred to the access from the Development onto the road and the vegetation on that access and if the amount of trees and bushes that would need to be removed had been taken into account. The Highways Officer confirmed that there was a requirement to widen the access and there would be vegetation clearance to apply with visibility.

The Chairman referred to representations received from neighbours to the east of the proposal regarding loss of privacy/daylight and enquired if Officers had any thoughts on this. The Planning Officer advised that with regards to matters relating to amenity, they have adopted supplementary planning documents on residential design guides and separation standards. These standards had been applied to the Development and the existing properties and it was Officers view that the separation standards proposed did accord with the Policy.

The Chairman enquired over the representation made that the plans were not accurate and if Officers had managed to resolve this. The Planning Officer advised that amended plans had been submitted with the current application and any previous application was not being considered at this meeting. The resident had been made aware that the amended plans were available.

The Chairman also enquired as to the statement that no Ward Councillors had any objection and yet Councillor Tye was present to speak on the application. The Planning Officer advised that there was no record of Members making representations on file.

There being no further questions for clarification, the Chairman introduced Ms Jan Prater who wished to speak in objection to the application. Ms Prater commented that this proposal would have an impact upon privacy and road safety along with ambient noise as there was no mitigation for Cavalier Way so there would be an increased noise pollution in homes and gardens.

Ms Prater commented that in relation to privacy, as direct neighbours the construction/structure of the buildings would impact separation spaces. The plans indicated the floor levels of 1 Cavalier Way as being level with her ground floor but wished to highlight that they would in fact be level with 1st floor. The distance from No 6 to the boundary was stated as 4.7 metres but claimed the actual distance was only 1.7 metres and that there were still discrepancies on the new plans.

Ms Prater also wished to raise issue over the apartment blocks proposed which would have six balconies overlooking 1 Cavalier Way and leading to less privacy and generally more noise for herself and her neighbours.

Mr Prater also wished to dispute the Developers description of Silksworth Lane as being Urban, whereas she would describe this as rural/semi-rural.

The Chairman introduced Mr Ian Montieth-Preston who wished to speak in objection to the application. Mr Montieth- Preston advised that he was a Pub Protection Officer for CAMRA and his organisation had already made their submissions, however he wished to emphasise Policies which stated it was important to protect facilities unless there was an overriding benefit from alternative forms of development and there had been no (independent) viability test carried out on the Cavalier Pub.

Mr Montieth-Preston advised that no pub should be demolished unless proven to be unviable and the benefits must override the justification for the loss in the community. The houses and apartments proposed were only metres away from a housing development already adding 250+ homes to the immediate area.

Mr Montieth-Preston commented that in relation to Design and Access, references were made on old data on Public House decline, stating that there had been a turnaround for Pub facilities since 2018. Unfortunately, Covid hit but the last two years had seen a surge in new and reopening venues, which members of the Licensing Committees would be able to confirm.

Mr Montieth-Preston added that CAMRA recommended this model of Pub and that they did not feel there was justification for the loss of this facility.

The Chairman introduced Councillor Tye who wished to speak on the application. Councillor Tye questioned the suggestion that there had been no objections/representations from Ward Members as he had met with Officers on site on two occasions and that whilst he was supportive of development on the site, should the pub go, that he could not support this development in its

current form due to the nature of the flats/apartments. Should this have been rectified he would have been supportive of the proposal.

Councillor Tye advised that he had made numerous requests to meet with the applicants/architect to try and find a suitable compromise but unfortunately that meeting had not been forthcoming.

Councillor Tye commented that there were two main issues for him, the access road which should be at a gradient of 7% was going to be at 12% and whilst it was a private road this would not make it any safer and felt Planning was turning a blind eye to this. Councillor Tye suggested that if the flats/apartments were not included in the proposal, then the Developer could get the gradient at the perfect 7% target.

Councillor Tye added that the separation distances were still wrong on the application and that this could be proven if an adjournment was required.

The Applicant being in attendance, was welcomed to address the queries/concerns raised. The Applicant commented that they were unaware of the approaches made and that they had measured from the current properties to the boundary fence and these had been agreed along with the floor levels with Planning.

In relation to the gradient the Applicant informed that the development was steeper at the back as there were a number of Trees with Preservation Orders upon them which could not be taken out which meant they had to work with the existing levels.

The Applicant also wished to stress that in relation to Privacy/distances, Planning Regulations required 26 metre gaps and this proposal included 31.3 metre distances so was in fact 5 metres over what was required.

At this juncture Councillor Dixon commented that as he and some colleagues were new to the Committee that it would be beneficial for them to have a site visit to enable them to better determine the application.

The Chairman agreed that whilst a site visit had already taken place, there were new Members on the Committee and a lot of the issues raised at this meeting around visual and privacy aspects could be clarified further upon a new visit.

As Members were in agreement to Councillor Dixon's proposal, seconded by Councillor Warne, it was:-

2. RESOLVED that the application be deferred pending a Members Site Visit.

Planning Application 22/00781/FU4 – Demolition of existing buildings on site and construction of a retail development comprising retail store with external garden centre (Class E), 2 retail units (Class E), a Vets practice and Tanning Shop (Sui Generis) and a drive-thru coffee outlet (Class E/Sui Generis) with associated access, parking and landscaping (additional drainage info received 09/03/23). Former Farringdon Hall Police Station Primate Road SunderlandSR3 1TQ

The Executive Director of City Development submitted a report and supplemental report (copies circulated) in respect of the above matter and gave time for the supplemental report to be read.

(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 enquired if any amends to the B & M Store aspect of the proposal had been sought by Officers from the offset. The Planning Officer commented that there had been some concerns in relation to the site having to be built up and was above road level and some concerns over certain tree loss, however they had asked the Developer to provide visual and various vantage points so whilst there had not been any changes made, Officers were comforted by the visuals provided and it was their view that whilst there was some minor intrusion, this was significantly outweighed by the benefits of the scheme.

In response to Councillor Dixon's enquiry relating Hollis Vincent's sequential test, The Planning Officer advised that they had purely reviewed the development against Planning Policy and the advice received on the sequential test was that the scheme had clearly passed and that it would not undermine other facilities of the vitality of the centres.

Councillor Dixon referred to the current state of the building and how it had been vacant since 2017, enquiring if there had been any proposals in the meantime and how it had been allowed to deteriorate so badly. The Planning officer informed the Committee that he did not know a great deal of the process since the Police vacated the building but it had been in private ownership for a great period of that time and the condition of the building deteriorated only over the past year to 18 months.

Councillor Dixon wished to commend Officers for the very thorough and detailed report.

Councillor Peacock also agreed that the report was excellent and wished to query the entry/exit points for the scheme and in particular if the A690 exit

point would be located after the dedicated bus lane ended. The Highways Officer confirmed that the main access would be one way on North Moor Lane and the exit point on the A690 would be just past the no car lane. Officers had asked for a road safety assessment just for the extra assurance on this.

Councillor Scott concurred with colleagues on the excellent report and application, commenting that it was nice to see a development come forward with much needed services for the people in this area.

Councillor Ali commented that he felt the Council should not be blamed for the length of time this building had been derelict as Covid also needed to be taken into consideration. Councillor Dixon wished to clarify that his comments did not seek to blame the Council.

There being no further questions for clarification, the Chairman introduced Councillor Tye who wished to speak in support of the application. Councillor Tye commented that this site had become vacant in 2015 and sold to a private developer but their original proposal did not come to fruition. The building was full of fly tipped rubbish and the current developers had worked closely with Members throughout.

Councillor Tye informed that Covid did have a delay on the matters and there were delays on the Councils part, but these were done for the right reasons and they had to get this development absolutely right.

The developers had cleared the rubbish out every single time that it was reported and the metal shutters which had been installed to stop the issue, were also stolen, which highlighted the types of the challenges they were facing.

Councillor Tye commented that this scheme was music to the ears of Members and there had been no objections from residents. Councillor Tye added that he felt if there were a right way to conduct a development, this was it in terms of best practice for consultations and such like and therefore urged Members to approve the application so this site could be cleared and improved upon.

The Chairman commented that at the previous visit to the site, Ward Members had been very receptive of the application and it appeared to be something which would be of great benefit to the residents.

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

3. RESOLVED that Members GRANT CONSENT under Regulation 4 of the Town and Country Planning General Regulations 1992, subject to completion of s106 agreement and the draft conditions contained within the main report and the amended draft Condition 2 within the supplemental report.

Planning Application 23/00646/LP3 – Change of use of residential dwelling (Use Class C3) to children's home (Use Class C2). 1 Nookside, Sunderland SR4 8PH

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 subject to the conditions listed within the report.

Planning Application 23/00707/FUL – Erection of single storey side and rear extensions, including relocation of waiting area, creation of x-ray room, store room, surgery, disabled WC, decon room, kitchen and staff room.(Amended plans received 16.05.23)(Corrected site plan showing position of proposed ramp 26.05.23). Mr K Mccarthy & Associates6 Eden Villas Columbia Washington NE38 7EJ

The Executive Director of City Development submitted a report and supplemental report (copies circulated) in respect of the above matter and gave time for the supplemental report to be read.

(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 advised that Councillor Williams had intended to speak in objection but unfortunately could not be present therefore had submitted a written statement. The Chairman gave the Committee time to read the statement which was as follows:-

I would like to explain the geography of the site. This dental surgery is in a row of terraced houses, tightly linked together on a bus route in Columbia village. It is densely populated with housing on all sides. The road is 20MHP. The street moves into a busy area beyond this part which houses a community centre, an extra care facility, a pub, a specialist school,

some shops and a soon to be extra care scheme. It is also a bus route with a turning circle at the bottom.

An application was agreed, and that work is ongoing presently. This application is requesting additional work and I share neighbour's concerns re over expansion and safeguarding a position which works for both residents and the business.

I really appreciate that condition 4 is listed which would protect residents from internal modification without permission.

As an additionality I would like to see the surgery opening hours maintained as they currently are: Monday to Thursday 9 till 6 and Friday 9 till 4.30 with no weekends. This would enable residents to have a reasonable balance of residential and business activity in this area.

Whilst I totally understand that parking isn't within the LPA remit, it must be considered. I would like to bring this to the attention of the committee. With additional staff working in the surgery, that will yield more cars, with the additional dental staff working that will yield more patients. This will cause issues with parking during working hours and whilst I accept that it's difficult to make provision in a tight space I would ask that staff be asked not to park on the road and seek out safer places. I support the addition of H markings on the properties near the surgery so that residents can come and go from their properties without having to go into the surgery to ask a patient to move their car.

To conclude I would request that the proposed condition are agreed, along with an additional restriction on further opening hours and H markings added across drives.

The Chairman introduced Mr and Mrs J & P Scott who wished to speak in objection to the application. Mrs Scott advised that she had no objections to the development in principal and had discussions with the owner around staff training which was welcomed but their concerns were still around parking and in relation to points within the document. Mrs Scott advised that Planning Permission was originally granted in 1983 to change from a residential property in the dental practice and there was significantly less traffic on the roads at that time.

In regards to Parking people tended not to use Nelson Street and used the residential parking nearer the surgery. Neighbours along with Councillor Snowdon and Williams have all raised concerns over this and there was also school traffic to contend with twice a day during pick ups and drop offs.

Mrs Scott informed the Committee that there was only one entrance to the estate and a number of businesses along with a busy bus route

In response to a query from Councillor Peacock in regards to the H Markings proposed by Councillor Williams in her written statement, The Highways Officer advised that these tended to be implemented as a visual deterrent and they have installed these in the past but have proved little success but he was happy to make the service request for these to be installed outside the properties in question

The Chairman introduced Mr Kasif Mohammed Ahmad, the applicant who wished to address the Committee in support of the proposal. Mr Ahmad commented that he had no objection to the installation of the proposed H markings.

Mr Ahmed informed the Committee that they were the only NHS Dental Practice in Washington and that their previous planning application had been approved without condition. The current application was not for an increase in capacity as the NHS contract was fixed and they could not increase patient numbers so this was not on the cards. They had worked with residents and many representations were now considered “neutral” as they did not wish to upset residents whilst achieving what their business needs required.

Mr Ahmed commented that he believed Conditions 4 and 5 imposed were excessive and unworkable and that this application was to provide a kitchen, x-ray room and staff office so the only impact it would have would be on the quality of care on offer and help in the retention of staff.

Mr Ahmad further stated that he was happy to work with and engage with the Council but the conditions around not being able to make further changes without permission and the hours of operation were excessive, especially as they were one of the better businesses in the area as they were not selling alcohol or such like.

Councillor Warne wished to clarify that this was not the only NHS Dental Surgery in Washington and that there was a further surgery in Concord.

Councillor Scott queried if the Conditions mentioned were to be taken out, if this would change the Officer recommendation to one of refusal. The Planning Officer advised that the reasoning for those particular conditions was due to the location of the property within residential dwellings and the objections from residents in regards to parking.

If these conditions weren't included it would be possible for the applicant to develop a larger area and within another use. The Council could now consider any material changes and determine if these were acceptable so the conditions were not designed to be restrictive but gave the Council the opportunity to look at any future material changes that may be proposed.

In relation to the operating times, the Planning Officer advised that they were not saying this couldn't be done but again that this gave the Council the opportunity to consider them first. The Planning Officer also advised that the applicant could appeal these conditions to the Planning Inspectorate in the future or they could alternatively apply to vary the Conditions in the future.

Councillor Ali commented that if the applicant knew of changes that needed to be made such as the inclusion of an extra toilet as suggested, then would it not have been better for the applicant to include such things in the proposal now so that they didn't have to come back for the Council's consideration. Mr Ahmad advised that the changes may be necessary due to improvements of

care and it could be for the need of a bigger scanner for example that would require a layout change.

There being no questions or comments, The Chairman commented that it was clear that efforts to accommodate the residents had been made and this was commendable therefore she was supportive of the application and its Conditions.

In response to Councillor Scott's point of clarification, it was confirmed that the addition of the H Markings would be included as part of the recommendation, therefore, it was:-

5. RESOLVED that Members approve the application, subject to the draft conditions within the main report and supplemental report and also subject to the Highways Officer making the request for the H Markings to be installed outside the surrounding properties in question.

Items for information

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

In response to Councillor Dixon's request for an update on the progress of 22/00970/FU4, The Development Control Manager advised that a viability assessment was being carried out which took time but it was hoped the application would be before Committee around late Summer/Autumn time.

The Development Control Manager also informed the Committee of an application not yet on the Matrix for 265 Chester Road for a change of use to HMO and enquired if Members felt a site visit would be required. No requests were made for a site visit on this application and it was therefore:-

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)