

At an extraordinary meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY 31ST MAY, 2016 at 3.45 p.m.

Present:-

Councillor Jackson in the Chair

Councillors Beck, Bell, Foster, Francis, Mordey, Porthouse, Scaplehorn and D. Wilson.

Declarations of Interest

16/00426/FUL – Former The Coffee Mill Café, 146 Newcastle Road, Sunderland, SR5 1NA.

Councillor Beck made an open declaration in the item as she was an acquaintance of one of the objectors to this proposal but she still retained an open mind on the application.

Apologies for Absence

There were no apologies for absence submitted to the meeting.

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

The Executive Director of Commercial Development submitted a report (copy circulated) relating to the North Sunderland area, copies of which had also been forwarded to each Member of the Council upon applications made thereunder.

(For copy report – see original minutes).

16/00338/OUT – Demolition of existing building and erection of 2no. units for either storage or distribution with trade counter (Use Class B8) or bulky goods retail (Use Class A1) and associated provision of car parking, cycle shelter and bin store and alterations to access – Land Adjacent to North Hylton House, North Hylton Road, Southwick, Sunderland

1. RESOLVED that Members grant planning permission for the reasons set out in the report, subject to the 12 conditions set out therein.

16/00426/FUL – Change of use from now vacant existing café/coffee shop style use to Hot Food Takeaway (Use Class A5) to include single storey extension to rear and installation of 2 no. extraction flues to rear – Former The Coffee Mill Café, 146 Newcastle Road, Sunderland, SR5 1NA

Daniele Pearson, Development Control Manager presented the report and was on hand to answer Members queries.

The Chairman introduced Mr Carson, who wished to speak in opposition to the proposal. Mr Carson advised that as a resident of Elizabeth Street this proposal would further exacerbate problems in the area as Environmental Health were already taking action against the establishment there at present based on his complaints.

Mr Carson felt that this would lead to opportunistic parking problems as the conditions imposed would not be impact the establishment on afternoons. The area was overwhelmed with parking problems on match days and there was also a church on the corner.

Mr Carson queried where the staff of the new establishment would park and informed of the wagons etc that blocked roads and the back lane during deliveries. Mr Carson also felt the conditions were only assurances and not guarantees of the issues being tackled and this proposal would have a detrimental effect on their lives and he found it difficult to draw out the differences in the previous applications that had been rejected in the past.

Mrs Pearson advised that the enforcement action taken against the establishments currently there was a separate issue and not part of the planning decision making process as the existing problems such as odours and parking problems were not the responsibility of this application to put right and shouldn't be penalised for not doing so.

Mrs Pearson also advised the Committee of the intent to implement a Parking Management Scheme in the area, however it must be stressed that this was not part of this application.

Paul Muir, Engineer advised that he recognised there were on-going parking issues with Monkwearmouth Hospital in which a parking management scheme was currently in development for. There were two reasons in which this application could be reviewed on and that would be lack of parking and lack of servicing, however in this case Highways were satisfied with the arrangements submitted by the applicant.

Mr Carson commented that deliveries carried out to the front of the existing establishments parked on the inside lane of a main arterial route which caused a public danger.

Mrs Pearson advised that this was an existing problem with the current establishments and was not an issue for the planning process to regulate through this application.

The Chairman then introduced Mrs Cameron who wished to speak in opposition to the proposal. Mrs Cameron commented that the odours from the establishments were appalling and that she could not open her bedroom windows because of this. She would also be able to smell the proposed flues of this application also.

The Parking was a problem in the street and there had been serious accidents in the area, the parking bays were constantly full and as residents they should be to open their windows if they wished to.

Mrs Cameron commented that she failed to see how more extraction flues would help as the day to day reality of the situation was different, Mrs Cameron also informed the Committee that the wall to her property had been damaged twice by delivery vans trying to negotiate the area and that these houses and shops had not been built at a time when there had been so much traffic as present.

Mrs Cameron commented that 50% of the shops taken up were fast food takeaway outlets and yet the Council was trying to promote healthy living.

Mrs Pearson advised that the technical evidence and specifications provided by the applicant had been studied by Environmental Health and they were confident that this proposal would not result in the problems residents were currently experiencing.

The Chairman commented in relation to take away and obesity levels in the city, that Councillors did share Mrs Cameron's concerns.

Councillor Porthouse commented that the area had been built before the use of cars but if the public pay their road taxes then they are entitled to use these roads.

The Chairman introduced Dr Lang, the applicant to speak in support of the proposal. Dr Lang advised that the main road was two lanes wide with parking bays also which gave a large distance between the establishment to residents properties and there was nothing directly adjacent to the building.

Dr Lang felt that great weight needed to be given to the previous applications which had been turned down by the Council and lost on appeal. Environmental Health's professional experts had deemed the equipment to be used as satisfactory and as the rear yard was to be enclosed to protect the equipment showed as evidence of its expensiveness and that odours currently being experienced by residents would not happen in this case, therefore he should not be penalised for the current situation.

Parking in the area was a difficult issue but the fall back options for the establishment and its current planning permission use could mean that it generated more footfall than this proposal would.

Dr Lang also commented that there had been no formal objection from Highways officers and that Planning Officers had taken all issues into account with measures being taken on all existing problems.

Councillor Francis commented that as this was in his Ward he must speak for the concerns of his constituents and enquired as to who would be monitoring the records

and that the equipment would be maintained to the manufacturer's specifications. Councillor Francis also enquired as to the decibel levels and the noise output with there being a fair amount of noise from traffic.

Mrs Pearson advised that there was a planning condition included with the proposal for the equipment to be maintained to specific conditions.

Dr Land advised that the on-going servicing would be dependent on the usage and that the application was conditioned so if he did not meet these, then Environmental Health would step in as it would be a breach of condition. However, Environmental Health was satisfied with the proposal in terms of the decibel levels also and all equipment would be soundproofed. In relation to the traffic noise, the planners had assessed this and it was a fine balancing act as the current usage allowed for the shop could open for 24 hours and would generate more traffic.

With regards to the parking problems that was an issue for Highways and the Police to overcome and this application should not be penalised for issues caused by others and on appeal such a decision would be untenable.

In response to the Chairmans enquiry over the 9 o'clock opening hours, Dr Lang advised that it was not good for the city to have units shuttered during the day and this would give the urban environment a boost. It would also mean they would have the choice of offering some sort of breakfast fare.

Having been put to the vote, with seven Members voting in favour and Two Members voting against, it was:-

2. RESOLVED that Members grant planning permission for the reasons set out in the report, subject to the 12 conditions contained therein.

16/00437/FU4 – Change of use of ground floor to tea room, first floor from living accommodation to visitors centre and ancillary sui generis uses. Installation of ground floor windows to north elevation – Fulwell Mill Visitor Centre, Newcastle Road, Sunderland, SR5 1EX

3. RESOLVED that Members grant consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 for the reasons set out in the report, subject to the six conditions set out therein.

16/00567/LP3 – Change of use from public highway to facilitate erection of new entrance structure to pier tunnel – Land adjacent to Roker Pier, Marine Walk, Sunderland

4. RESOLVED that Members grant consent under Regulation 3 of the General Regulations Order 1992 for the reasons set out in the report, subject to the three conditions set out therein.

16/00568/LB3 – Change of use from public highway to facilitate erection of new entrance structure to pier tunnel – Land Adjacent to Roker Pier, Marine Walk, Sunderland

5. RESOLVED that Members grant consent under Regulation 3 of the General Regulations Order 1992 for the reasons set out in the report, subject to the four conditions set out therein.

16/00626/LAP – Installation of 1.4m high double steel gates to create new temporary events access within the boundary fence on Sidecliff Road (amended description) – Roker Park Entrance, Sidecliff Road, Sunderland, SR6 9NE

6. RESOLVED THAT Members grant consent under Regulation 3 of the General Regulations Order 1992 for the reasons set out in the report, subject to the three conditions set out therein.

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

(Signed) J JACKSON,
Chairman.