

PLANNING AND HIGHWAYS COMMITTEE

AGENDA

**Meeting to be held in COMMITTEE ROOM 2, CIVIC CENTRE on
Wednesday, 10th October, 2018 at 5.30 p.m.**

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Minutes of the last meeting of the Committee held on 19th June, 2018 (copy attached)	1
4.	Report of the meetings of the Development Control (North Sunderland) Sub Committee held on 5th June, 3rd July and 7th August, 2018 (copies attached)	6
5.	Report of the meetings of the Development Control (South Sunderland) Sub Committee held on 4th June, 2nd July, 6th August and 3rd September, 2018 (copies attached)	13

6. **Report of the meeting of the Development Control (Hetton, Houghton and Washington) Sub Committee held on 5th June, 3rd July, 7th August and 4th September, 2018** 28

(copy attached)

7. **The City of Sunderland Tree Preservation (No.172) Order 2018 at Land Between 20 Woodside Grove and 1 Cranborne, East Herrington, Sunderland.** 40

Report of the Chief Executive

(copy attached)

Elaine Waugh,
Head of Law and Governance,
Civic Centre
SUNDERLAND

1st October, 2018

Item 3

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in COMMITTEE ROOM 2 on WEDNESDAY, 19th JUNE, 2018 at 5.30 p.m.

Present:-

Councillor Scullion in the Chair

Councillors Bell, M. Dixon, English, Francis, I. Galbraith, Haswell, Hodson, Jackson, Mordey, Mullen, Porthouse, Scaplehorn, P. Smith and P. Walker

Declarations of Interest

Bishopwearmouth Conservation Area Character Appraisal and Management Plan

Councillor Hodson declared that the conservation area was within his ward and he had met with officers during the drafting of the document.

Councillor Jackson declared that she was a member of the Economic Prosperity Scrutiny Committee, which had considered the report, and she had raised comments at that meeting.

Councillor M. Dixon also declared that he was a member of the Economic Prosperity Scrutiny Committee, which had considered the report.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Essl, Johnston, Lauchlan, Turner and D. Wilson.

Minutes of the last meeting of the Committee held on 18th April, 2018 and of the extraordinary meeting held on 24th May, 2018

1. RESOLVED that the minutes of the last meeting held on 18th April, 2018 and of the extraordinary meeting held on 24th May, 2018 be confirmed and signed as correct records.

**Report of the meeting of the Development Control (South Sunderland)
Sub Committee held on 26th April, 2018**

The report of the meeting of the Development Control (South Sunderland) Sub-Committee held on 26th April, 2018 (copy circulated) was submitted.

(For copy report – see original minutes)

Councillor P. Smith advised that she had submitted her apologies for this meeting and asked that they be included.

2. RESOLVED that the report be received and noted.

**Report of the meeting of the Development Control (North Sunderland)
Sub Committee held on 24th April, 2018**

The report of the meeting of the Development Control (North Sunderland) Sub-Committee held on 24th April, 2018 (copy circulated) was submitted.

(For copy report – see original minutes)

Councillor Francis stated that he had spoken about design standards at this meeting however his comments had not been included in the minutes.

Councillor Scaplehorn stated that he had been in attendance at this meeting.

3. RESOLVED that the report be received and noted.

**Report of the meeting of the Development Control (Hetton, Houghton
and Washington) Sub Committee held on 24th April, 2018**

The report of the meeting of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 24th April, 2018 (copy circulated) was submitted.

(For copy report – see original minutes)

4. RESOLVED that the report be received and noted.

**Bishopwearmouth Conservation Area Character Appraisal and
Management Plan**

The Head of Planning and Regeneration submitted a report (copy circulated) which updated Members on the revised Bishopwearmouth Conservation Area Character Appraisal and Management Plan which would replace the 2007 Bishopwearmouth Conservation Area Character Appraisal and Management

Strategy which was currently adopted planning guidance and would be considered for re-adoption by Cabinet at the meeting on 20th June 2018.

(For copy report – see original minutes)

Mark Taylor, Principal Heritage Protection Officer and Judith Miller, Bishopwearmouth Townscape Heritage Project Officer presented the report and advised Members of the consultation that had been undertaken and the changes the new plan would introduce including the changes to the boundary of the conservation area.

Councillor Hodson congratulated officers for all of their hard work and thanked them for the consultation that had been undertaken. He was pleased to see that there would be improvements to signage and repairs carried out to buildings in the area; there was a lot of work needed to be done to the stonework on some of the buildings to ensure that it was preserved. He expressed his praise for the relationship that had been developed with local businesses. The interpretation panels would be important features so he hoped that they would be in prominent places. He welcomed the boundary changes which saw the inclusion of Keel Square into the conservation area and asked why the Crowtree Leisure Centre site was not included considering that there would be redevelopment of the site over the coming years and including it within the conservation area would allow more control over the redevelopment of the site. He referred to the information on the Crowtree site which was still based around the Next store proposals which were not set in stone; he questioned whether the Council should be banking on this development taking place and also whether the proposal fit in with the aspirations for the area. He also questioned what powers there were to protect the heritage of the conservation area and ensure that developments were sympathetic given that there had been developments such as the Travelodge within the conservation area. It was pleasing to see that there were proposals to bring the Town Park into more public use although he was concerned that the green was tucked away forgotten and that the proposals did not appear to improve on this.

Ms Miller replied that the boundary had been set following consultation with the civic society, who had raised concerns which had now been addressed, and in accordance with best practice which stated that only buildings which contributed positively to the area should be included within the boundary and that Crowtree Leisure Centre did not have a positive contribution to the physical appearance of the area. The effects of proposed developments on the conservation area were considered even if they were outside of the conservation area. There was a live planning permission for the Next store and it was known that discussions were taking place around this. There were discussions taking place around the future of the remaining leisure centre building. Advice on town parks had been received from the heritage lottery fund. The conservation area would ensure that there was control over any demolition work within the area and would give the council more control when considering planning applications. Mr Taylor added that the new document would strengthen the existing conservation area.

Councillor Hodson then queried the flexibility of the use of the area and Ms Miller advised that the atmosphere of the area was being looked at as was the future of the Crowtree Leisure Centre building. There was a need to ensure that the surfacing would create a flow through the area. There would be further public consultation undertaken in addition to the two rounds of consultation that had already taken place. Mr Taylor stated that the architects had recognised that the town park was underutilised and measures were being developed to make this area more attractive to visitors. The current pathways would be removed and new paths installed. Ms Miller stated that one of the proposals involved the strengthening of the ring feature around the park as this was a historic feature of the park; it had been suggested that the park be used as a quiet area. The whole green space in this area had been designated as a village green.

Councillor M. Dixon stated that there were a large number of, often elderly, people who would travel across the green space at night when walking from the Empire to the car park at Debenhams; he wanted assurances that there would still be a safe walking route for people to use at night. Ms Miller advised that this had been taken into consideration and the site was not proposed to be used as an entertaining space; any potential misuse was intended to be designed out of the site and this included the improvement of lighting and the widening of the steps to ensure that the site was less isolated.

Councillor Jackson expressed concerns that residents of the North area of Sunderland were cut off from the Minster Quarter by a lack of bus provision into the quarter from the north of the river.

Councillor English commented that it was fantastic to see these plans which would help to bring this site back into use. He queried whether there were any plans to include a sensory garden within the park. Ms Miller advised that this was being looked at in association with the Minster; there would be contrasting colours of planting and improvements to the disabled access to the site.

Councillor Haswell welcomed the plans which would bring this underutilised area back into use. He felt that the plans to improve the steps were vital as these were not pleasant at night. He queried why the conservation area did not include Derwent and Olive Streets and also asked whether there had been any work done in conjunction with the Travelodge as their boundary planting was in a deteriorating condition. Ms Miller stated that a review of the wider area had been undertaken and that it had not been considered appropriate to include Derwent and Olive Streets within the conservation area as they did not have sufficient historic value to be included within the conservation area. The maintenance of the planting around the Travelodge was likely to be covered by a condition on the original planning permission for the hotel.

Councillor Haswell then asked whether Derwent and Olive Streets were originally low quality when built or whether they had been allowed to

deteriorate; Ms Miller stated that it was a bit of both; they were not of high architectural quality. Funding was available for the northern part of the conservation area only. Mr Taylor added that there were no conservation controls in place on Derwent and Olive Streets and that there was a need to be selective with what was included in the conservation area.

Councillor Porthouse also welcomed the plans; he felt that it was good to see that the boundary was being extended and commented that it would have been good to see Derwent and Olive Streets included. He fully endorsed the plans.

Councillor Mordey stated that he believed that Derwent and Olive Streets were included within the Holmeside Masterplan.

The Chairman commented that it was good to see such ambitious plans and it was also good to hear such positive comments from Members.

5. RESOLVED that the report be given consideration and Members comments be noted.

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

(Signed) A. SCULLION
 (Chairman)

Item 4

At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY 5th JUNE, 2018 at 3.45 p.m.

Present:-

Councillor Jackson in the Chair

Councillors Bell, Foster, Hodson, Porthouse, Scullion and D. Wilson.

The Chairman opened the meeting and welcomed those Councillors who were attending their first meeting as members of the Committee.

Declarations of Interest

Item 3(1) Ref No: 18/00385/FUL – 21 Liddell Court Sunderland SR6 0RH

Councillor Jackson declared an interest in the above matter as the applicant was known to her being a resident in her ward. Councillor Jackson left the meeting room during the consideration of the item taking no part in any discussion or decision thereon.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Chequer, Francis and Scaplehorn.

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

The Executive Director of Economy and Place submitted a report and late sheet (copies 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 reports – see original minutes)

The Chairman having declared her interest and left the room, the Vice Chairman, Councillor Bell assumed the Chair for the following item of business.

18/00385/FUL – Application for erection of a timber fence to the front and brick wall to the rear boundary (retrospective) – 21 Liddell Court, Sunderland SR6 0RH.

The representative of the Executive Director of Economy and Place outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

Members' attention was also drawn to the late sheet (copy tabled) which contained a letter of objection from the adjoining neighbour at 22 Liddell Court.

The Chairman invited Mr. Will Christiansen, Planner and Economics Consultant at Lichfields to speak on behalf of the applicant, who thanked the Committee for the opportunity to address them and urged members to support the Officer recommendation that the application be approved

1. RESOLVED that planning application be granted approval for the reasons as set out in the report and subject to the condition detailed therein.

Councillor Jackson was re-admitted to the meeting and assumed the Chair.

18/00446/FUL Erection of first floor side extension and single storey extension to the rear – 2A Martindale Avenue Sunderland SR6 8NT

The representative of the Executive Director of Economy and Place outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

He concluded that the proposed development would lead to a loss of day light and would have an overbearing and oppressive impact upon the adjoining properties which would be contrary to the provisions of the adopted Residential Alterations and Extensions Supplementary Planning Documents and paragraph 17 of the National Planning Policy Framework. In addition the proposed development would not be subservient to the existing dwelling house and would be contrary to Unitary Development Plan policy B2.

In the absence of any material considerations to the contrary, he recommended the refusal of the application.

The Chairman invited the applicant and her representative, Mr Shaun Curran, to address the Committee. The applicant believed that the loss of daylight was not fair comment. She contended that the neighbouring property received full day light and that the Council had failed to carry out a Light Survey. She stated that if anything the neighbouring property shaded her own and advised that her neighbour had not objected to the application. She expressed confusion as to how a neighbouring property had received approval for a similar extension in the past and this application was recommended for refusal. She stated that she would appreciate any assistance or advice in respect of the submission of a scaled down application. Mr Curran contended that under new permitted development rights the application would have been allowed as there had been no objection from the neighbouring property.

The representative of the Executive Director of Economy and Place replied that the new permitted development rights referred to 6 metre single storey extensions where there were no neighbouring objections however Planning Officers had to look at the application as a whole, on its own merits and in the light of the planning guidance applicable at the time.

In response to enquiries from members regarding liaison with the applicant and what assistance could be provided, the representative of the Executive Director of Economy and Place advised that Planning Officers had written to the applicant on the expiry of the consultation period to advise of their concerns and did not bring the application before the Committee as soon as would have been usual. As an objection had been received to the application, Officers had to act in a strictly impartial manner. Members were informed that Officers did offer a pre-planning advice service to assist applicants prior to the submission of a formal planning application.

The Chairman having put the recommendation to the vote, with seven Members voting in favour, no Members voting against and no abstentions, it was:-

2. RESOLVED unanimously that the application be refused for the reasons as set out within the report.

Items for Information

3. RESOLVED that the following item be referred to the Planning and Highways Committee for consideration as it related to an area of public land not in the ownership of the Council which was adjacent to a nesting site for birds of European importance:-

- 18/00609/FU4 – Miller Homes – Development of 64 dwellings along with associated access, landscaping and other ancillary development – Land north of Seaburn Camp, Seaburn, Sunderland.

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

(Signed) J. JACKSON,
Chairman

**At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY 10th JULY, 2018 at
3.45 p.m.**

Present:-

Councillor Jackson in the Chair

Councillors Bell, Hodson, Porthouse, Scaplehorn, Scullion and D. Wilson.

Declarations of Interest

Item 3 (2) Ref No: 18/00380/FUL – 40 Park Avenue, Roker, Sunderland, SR6 9DJ

Councillor Jackson declared an interest in the above matter as the property was located within her street and felt that she had pre-determined the application. Councillor Jackson left the meeting room during the consideration of the item and took no part in any discussion or decision thereon.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Essl.

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

The Executive Director of Economy and Place 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 reports – see original minutes)

17/02446/FU4 – Demolition of Cheadle Centre and redevelopment of site for 19 no. residential units, comprising of 15 no. two bed bungalows and 4 no. two bedroom semi-detached flats, alterations to existing access and associated works. (Amended description) – The Cheadle Centre, Cheadle Road, Hylton Castle, Sunderland

The representative of the Executive Director of Economy and Place outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

In response to Councillor D. Wilson's enquiry over the impact this would have on parking issues, Paul Bigg, Development Management, advised that that Highways engineers had considered the proposals and it was their conclusion that sufficient parking was available on the site.

With regards to Councillor D. Wilson's query over the Council's 100% control over occupancy, the Chairman introduced the Agent for the scheme, who advised that this meant there would be nomination rights to the Council so that they would have first refusal of properties.

Councillor Porthouse noted that there were no garages on the site and commented that he felt this to be somewhat short-sighted. Councillor Porthouse also queried how they planned to enforce the guarantee of only allowing residents over 55 to occupy the units.

The Agent advised that via nomination rights this would be stipulated through the grant mechanism.

1. RESOLVED that consent be granted for the development under Regulation 4 of the Town and Country Planning (General Regulations) 1992 (as amended) for the reasons as set out in the report and subject to the 16 conditions (to be amended) therein.

18/00380/FUL – Extension to existing rear decking. (Amended plan received on 27.4.18) (RETROSPECTIVE) 40 Park Avenue, Roker, Sunderland, SR6 9DJ

The Chairman having declared her interest, left the room and the Vice Chairman, Councillor Bell assumed the Chair for the following item of business.

The representative of the Executive Director of Economy and Place outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

The Chairman invited the applicant, Mrs Karen Tansey, to address the Committee. Mrs Tansey commented that she and her family had been caused great distress from this process. They had not realised that planning permission had been needed and felt that the angles of the photographs taken were misleading.

Mrs Tansey felt the acts carried out by her neighbours and the officers gathering evidence without consent to enter her property had bordered on harassment.

The neighbours either side had extended their properties first which had led to her family amending their own property. It was beneficial to both parties to erect the fencing and Mrs Tansey did not agree with the statement within the report with regards to the neighbours being against the decking as originally they had stated they were in favour.

Toni Sambridge, Principal Development Management Planner advised that the Committee could only determine the application that was in front of them and not the extensions of previous applications and whilst they appreciate the concerns the

applicant had expressed, the officers recommendations remained that dealing with the material considerations involved in this instance the scheme was deemed to be inappropriate.

Councillor Hodson commented that he acknowledged precedent wasn't a planning issue but the photos clearly showed that the decking had always been present, therefore queried what alternative scenarios the applicant could implement.

Ms Sambridge advised that should the application be refused as per officer recommendation then the applicant could appeal to the Planning Inspectorate.

2. RESOLVED unanimously that the application be refused for the reasons as set out within the report.

Councillor Jackson was re-admitted to the meeting and assumed the Chair.

18/00781/LP3 – Provision of a lectern mounted commemorative plaque and viewing platform area to the North West elevation of the Northern Spire bridge, consisting the realignment of earthworks/landscaping previously approved under the previously approved planning application Ref 14/01199/LVA & 09/04661/LAP and facilitates the provision of an access footpath rising from the recently realigned Timber Beach Road up to the viewing platform overlooking the southern aspect of the Northern Spire bridge – Northern Spire Bridge, Wessington Way, Timber Beach Road, Hylton Park Road, European Way and Groves Coles Site, Sunderland, SR4 6UG

The representative of the Executive Director of Economy and Place outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

Ms Sambridge advised of a slight amendment to Condition 2 within the report to include an additional Plan.

Councillor Hodson requested some assurance on the quality of the design/materials.

Councillor Porthouse enquired as to the detail that would be included on the plaque.

Ms Sambridge advised that the Northern Spire Project Board would determine the content of the plaque and advised that she would add conditions relating to the detail and materials involved.

3. RESOLVED that Members grant planning permission in accordance with Regulation 3 of the Town and Country Planning General Regulation 1992 subject to the two conditions contained within the report and the additional conditions in relation to the design content and materials to be used.

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

(Signed) J. JACKSON,
Chairman

**At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY 7th AUGUST, 2018 at
3.45 p.m.**

Present:-

Councillor Jackson in the Chair

Councillors Bell, Essl, Francis, Hodson, Porthouse, Scaplehorn, Scullion and D. Wilson.

Declarations of Interest

There were no declarations of interest

Apologies for Absence

There were no apologies for absence.

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

The Executive Director of Economy and Place 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 reports – see original minutes)

**18/00899/SUB – Change of use to open storage area with new boundary
treatment and erection of 1no portacabin – Site of Former Southwick Social
Club, Sunderland, SR5 2LN**

The representative of the Executive Director of Economy and Place outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

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

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

(Signed) J. JACKSON,
Chairman

Item 5

**At a Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on MONDAY, 4th JUNE, 2018 at
4.00 p.m.**

Present:-

Councillor Essl in the Chair

Councillors Bell, D. Dixon, M. Dixon, English, Galbraith, Hodson, Mordey, Mullen, Porthouse, Scullion, P. Smith, Waller, Watson and A. Wilson

Declarations of Interest

17/01761/FUL – Sunderland Church High School, Mowbray Road, Sunderland, SR2 8HY

Councillor Mordey declared that he had received promotional information on the proposal as ward councillor. He had not expressed any opinion on the matter and would be considering the application with an open mind.

17/01844/FUL – 34 Thornhill Gardens, Sunderland

Councillor M. Dixon declared that he had met with residents and had objected to the application; he wished to address the meeting in objection to the matter and as he had a closed mind on the matter he would withdraw from the meeting prior to consideration of determining the matter and would take no part in the decision making.

17/02278/FU4 – Southmoor Academy, Ryhope Road, Sunderland, SR2 7TF

Councillor M. Dixon declared that he had spoken to the planning department about this matter due to concerns over parking; he had not expressed an opinion on the matter and would be considering the application with an open mind.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Scaplehorn

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

The Executive Director of Economy and Place submitted a report and circulatory report (copies circulated) relating to the South Sunderland area, copies of which had

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)

Change in the Order of Business

At this juncture the Chairman proposed a change in the order of business and accordingly the applications would now be submitted to the Committee in the following order:-

- 17/02278/FU4 – Southmoor Academy, Ryhope Road, Sunderland, SR2 7TF
- 17/01761/FUL – Sunderland Church High School, Mowbray Road, Sunderland, SR2 8HY
- 17/01844/FUL – 34 Thornhill Gardens, Sunderland, SR2 7LE
- 18/00424/FUL – 7 Hillcrest, Sunderland, SR3 3TN
- 18/00470/LP3 – Land adjacent 46 and 53 The Crescent, New Silksworth, Sunderland

17/02278/FU4 – Erection of 8no. 15metre floodlights and 3metre mesh boundary fencing to create a new 4G pitch Southmoor Academy, Ryhope Road, Sunderland, SR2 7TF

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

Councillor M. Dixon questioned the parking provision and the Highways Engineer advised that during school hours the facilities would be used by the school so there would be no additional parking demand. Outside of school hours the facilities would be open for use by clubs and other outside groups however they would be able to park in the school car park so there should not be any parking on the surrounding roads. The school had indicated that they were happy to ensure that the gate on Queen Alexandra Road was kept locked and that the car parking was open for use; the representative of the Executive Director of Economy and Place advised that the proposed condition 7 sought to control parking and also there was a restriction on the hours of operation to ensure that residential amenity was protected.

Councillor Mordey expressed concerns that there could be overspill parking on Ryhope Road; he commented that there were already concerns over sixth form students parking in the side streets around the school. He asked to be provided with the parking strategy for the proposal. The representative of the Executive Director of Economy and Place agreed to provide the parking strategy to Councillor Mordey and advised that there should be sufficient parking within the curtilage of the school.

1. RESOLVED that consent be granted under regulation 4 of the Town and Country Planning (General Regulations) 1992 (as amended) for the reasons set out in the report subject to the 7 conditions set out therein.

**17/01761/FUL – Demolition of existing canteen and food technology block, erection of extra care facility (Use Class C2) comprising 55no. apartments with associated landscaping (removal of trees) and car park
Sunderland Church High School, Mowbray Road, Sunderland, SR2 8HY**

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed. A late sheet report was circulated which advised the committee that Historic England had responded with no objection and which provided a copy of the letter submitted by Historic England.

In response to questioning from Councillor Mordey the representative of the Executive Director of Economy and Place advised that the rendered, set back elements of the building would help to make the building look like separate villas rather than one large block. The entrance on Gray Road at the corner of Ryhope Road would be closed up with a new entrance created on Gray Road further away from the junction with Ryhope Road.

Councillor Hodson commented that he appreciated the changes to the design, previously officers had been critical of the design and the amendments had improved it significantly. There had however been concerns over the scale and massing of the building which had been described as overbearing; he thought that there was still an issue with the scale of the building, especially as the footprint had not changed. Historic England had not objected to the proposal however their comments had not seemed to be supportive of the scheme. He referred to the statement in the report that the proposal had gone from having a marginally negative impact to having a marginally positive impact. The representative of the Executive Director of Economy and Place advised that it was unlikely that Historic England would ever change their position to be completely happy with the scheme. The scheme needed to follow the same format as other extra care schemes including level floors and a certain number of apartments being provided in order to ensure that it met the needs of the future residents and was viable; if the number of apartments was reduced the scheme would be unlikely to be viable. The Conservation Officer advised that there had been design features introduced to help complement the design of the properties in the surrounding area; there had been numerous minor changes as well as the more major changes. There was no getting away from the fact that it was a large building however the applicant had stated that this was the smallest the building could be while remaining viable. The size of the proposed building stopped it from having a significant positive impact on the area however this was the best design that there could be for the building.

Councillor English commented that he could see the benefits of the scheme but he felt that there was a need to take on board the comments from Historic England that the scheme had broadly not changed; he asked whether there had been any discussions between Historic England and the applicant. The representative of the Executive Director of Economy and Place advised that he knew that the applicant had consulted Historic England during the early stages of the application. There was a need to balance the benefits and harm against the size needed to ensure viability.

Councillor Mordey commented that although the site was within a conservation area however it was important to note that on the other side of Gray Road were apartment blocks of similar design to the proposals under consideration today.

The Chairman then welcomed Mr Stephen Courcier to the meeting who was in attendance to speak in support of the application on behalf of the applicant. Mr Courcier stated that since the previous meeting where the matter was deferred there had been work done with the officers to address the concerns and the application had been amended as such including better use of materials and better detailing in the design. This application would bring a brownfield site back into use and would provide extra care apartments which had been identified as there being a critical need for. Officers were now happy that the proposal would have a moderate positive impact and there had been no objection from Historic England. The scale of the development was unable to be reduced as it was necessary to ensure that the building could accommodate the needs of prospective residents. There was national planning guidance which stated that there was a need to weigh up the perceived harm against the public benefits of the proposal. The building would enable local people to live in appropriate housing within their local area and would also help to free up family homes within the area. The residents would spend money in local shops and there would be jobs created as a result of the scheme. As the development was on a brownfield site it would help to reduce the pressure to build on greenfield sites.

Councillor Hodson stated that he could see the benefits of the proposal and it was good to see the redevelopment of the unused site however he was still concerned by the proposal; he asked whether any changes had been made to the internal layout. Mr Courcier replied that the footprint had been looked at however there needed to be a certain number of apartments for the proposal to be viable which meant that there was a need for the development to be a certain size; there had been a lot of pre application discussions and there had been a number of different iterations of the scheme before the plans were brought forward; there were set backs in the elevations to help reduce the bulk of the building however it would be difficult to reduce the number of apartments within the scheme.

Members gave consideration to the matter and the Chairman then put the officer's recommendation to approve the application to the vote and with:-

12 Members voting for the approval

1 Member voting against; and

1 Abstention

It was:-

2. RESOLVED that the application be approved for the reasons set out in the report subject to the 28 conditions set out therein.

**17/01844/FUL – Change of use from residential dwelling (use class C3) to a residential care unit (use class C2) comprising 3 flats and 2 studio apartments with staff facilities and external works to include new railings and gate to front of property, staircase from ground level to basement and installation of a bay window and entrance to basement. (amended details received 17/1/18)
34 Thornhill Gardens, Sunderland, SR2 7LE**

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed. There had been concerns raised by Members at the last meeting and a site visit had been undertaken; the applicant had been made aware of these concerns but had declined to amend the proposal.

Councillor P. Smith questioned where the staff accommodation was and she was informed that the staff bedroom was in the basement at the front of the building; it was accessible from inside of the building without needing to go through the basement flat. Councillor P. Smith then expressed concerns that the building did not seem to be big enough for the proposed number of residents.

Councillor Hodson expressed discomfort at the statement in the report that although the studio apartments would provide limited space and facilities they would be sufficient for people who were leaving institutional accommodation; the representative of the Executive Director of Economy and Place advised that the applicant had advised that the accommodation was designed with particular clientele in mind and that the layout of the property had been designed to meet their needs.

The Chairman then welcomed the speakers who were in attendance to speak in objection to the application.

Mr Paul Baker advised that he was chair of the Thornholme Residents Association and that this property, which was central in the area, had been a regular issue at residents meetings for the past six months. He thanked the applicant for withdrawing the proposal to excavate the front and install stairs down to the basement level although there were still concerns over the proposal. He urged the committee to reject the application.

Councillor M. Dixon then addressed the committee as ward councillor and as an objector to the proposal. He was concerned by the lack of amenity space that would be provided at the property especially considering the previous decision in respect of 5 Brookside Terrace which had been for a care home for children up to 18 years old which had been refused based on a lack of amenity space and this refusal had been upheld at appeal. He felt that there were a lot of similarities between the applications and the planning officers should have followed the precedent set by refusing to grant consent for 5 Brookside Terrace. The Council's guidelines stated that conversions of large dwellings in their own grounds would be appropriate where there would be a good level of outside amenity space and good outlook from the property; he felt that this proposal failed on both of these counts given that there was only a small yard to the front which could not be used as amenity space and the rear yard would be used for parking; the residents would be vulnerable and would need to have amenity space rather than having to attend parks which were a significant walk away and involved crossing major roads to access them. Most of the other properties on the street which had been converted were on the other side of the road where there were gardens while the converted properties on this side of the road did not have vulnerable occupants so the residents would be able to access off site amenity space. The application for 5 Brookside Terrace had been for the property to accommodate 6 people and it had been described as an over intensive use of the property however for the application today there was only one less proposed

occupant and the intensity had been described as low. The representative of the Executive Director of Economy and Place advised that there were similarities between the two applications however at the same time there were key differences given that the application for 5 Brookside Terrace was for a children's home while the application today was for adults; as such officers felt that it was less important for there to be a large amount of high quality outdoor amenity space provided. There were benefits to the proposal as it would provide accommodation which was in demand.

Ms Adele Graham-King then addressed the meeting; she advised that she lived opposite the application property and spoke on behalf of local residents. There was no objection to the proposed use of the property however it was felt that the use was too intensive for the property and it would be an acceptable proposal if there was a smaller number of flats proposed. The size of the studio flats in the roof space was a concern as they were significantly smaller than the minimum size set out in the government's national living space standards which stated that there would be 37square metres of living space while the largest of the studios only provided 24 square metres. There were also concerns over the lack of private bathroom facilities for the studio apartments with one of the residents needing to use a bathroom which was located on a landing and would not provide them with sufficient privacy. It was also felt that the staff accommodation was inadequate given that it was located in the basement with no windows to allow natural light or ventilation and there was no secondary fire escape; it was also a concern that staff would be sleeping at the opposite end of the building to the most vulnerable residents who would be in the studio apartments in the loft space. If there were to be two staff members working overnight they would have to share a bedroom which was not appropriate. There was a need to provide high quality supportive accommodation to these vulnerable residents to help integrate them into society and this proposal only provided substandard accommodation with insufficient living and amenity space.

The representative of the Executive Director of Economy and Place confirmed that the Council had not signed up to the minimum size standards but this was being looked at as part of the refresh of the local plan which was currently being undertaken. As the standards had not been adopted then it was not possible to impose the standards on applications. The fire escape arrangements would be a consideration for Building Control which was a separate regime to the planning application; the development would need to satisfy the building regulations before it was able to be occupied.

Councillor M. Dixon then withdrew from the meeting and took no part in the deliberation of the matter.

Councillor Mordey commented that as the work on the Local Plan progressed there was more weight able to be put on the content of the plan. If Members wished to reject the application then they would need to put forward valid planning grounds for refusing to grant consent otherwise the decision was likely to be overturned at appeal and it would be likely that the Council would have a significant amount of costs awarded against them. Councillor Porthouse added that the officer's recommendation had been developed based on material facts and planning considerations and the application needed to be considered on these.

The Chairman then put the officer's recommendation to approve the application to the committee and with:-

9 Members voting for the approval;

3 Members voting against; and

1 Member abstaining

It was:-

3. RESOLVED that the application be approved for the reasons set out in the report subject to the 5 conditions set out therein.

18/00424/FUL – Erection of a single storey rear extension.

7 Hillcrest, Sunderland, SR3 3TN

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed. Since the publication of the report the representation had been withdrawn as the applicant and objector had come to an agreement that the wall facing the objector's property would be rendered in a light colour; this was detailed in the late sheet circulated at the meeting.

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

18/00470/LP3 – Erection of a 2.5metre steel mesh boundary fence

Land adjacent 46 and 53 The Crescent, New Silksworth, Sunderland

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

Councillor English expressed concerns over the size of the gap to allow access to the electricity pole; he felt that people would likely just fly tip through the gap in the fence negating the deterrent effect of the fence. Councillor P. Smith added that there had been difficulties in designing the fence due to the rights of way across the land. The representative of the Executive Director of Economy and Place advised that the fence had been designed to deter fly tipping as there had been a problem with people dumping waste from cars and that there had been a need to leave a certain amount of space around the electricity pole to allow for access.

Members gave consideration to the matter and it was:-

5. RESOLVED that approval be granted under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended) for the reasons set out in the report subject to the 3 conditions set out therein.

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

(Signed) M. ESSL,
Chairman.

**At a Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on MONDAY, 2nd JULY, 2018 at
4.00 p.m.**

Present:-

Councillor Essl in the Chair

Councillors Bell, M. Dixon, Hodson, Jackson, Mullen, Scaplehorn, Scullion, P. Smith, Waller, Watson and A. Wilson

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors D. Dixon, English, Galbraith and Porthouse.

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

The Executive Director of Economy and Place submitted a report (copy circulated) relating to the South Sunderland area, copies of which had been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(For copy report – see original minutes)

**18/00645/LBC – Erection of a 1.6metre high internal perimeter fence, access
gates and installation of 4no. life buoy stands
The Gatehouse, Ryhope Pumping Station, Waterworks Road, Ryhope,
Sunderland**

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

1. RESOLVED that listed building consent be granted for the reasons set out in the report subject to the 2 conditions set out therein.

18/00646/FUL – Erection of a 1.6 metre high internal perimeter fence, access gates and installation of 4no. life buoy stands
The Gatehouse, Ryhope Pumping Station, Waterworks Road, Ryhope, Sunderland

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

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

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

(Signed) M. ESSL,
Chairman.

**At a Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on MONDAY, 6th AUGUST, 2018 at
4.00 p.m.**

Present:-

Councillor Essl in the Chair

Councillors Bell, M. Dixon, English, Galbraith, Hodson, Jackson, Mordey, Mullen, Porthouse, Scaplehorn, Scullion, Watson and A. Wilson.

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors P. Smith and Waller.

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

The Executive Director of Economy and Place submitted a report (copy circulated) relating to the South Sunderland area, copies of which had been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(For copy report – see original minutes)

18/00014/FUL – Provision of new car park and access from Wellmere Road with vehicle control barriers and fencing and installation of external staircase, door to internal lift and windows to existing upper floor mezzanine to form offices.

Two Sisters Food Group, Unit U Wellmere Road, Leechmere Industrial Estate, Sunderland

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

1. RESOLVED that planning permission be granted for the reasons set out in the report subject to the 6 conditions set out therein.

**18/00777/LP3 – Removal of existing window and insertion of new roller shutter.
(Part retrospective)
Sunderland Crematorium, Chester Road, Sunderland**

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

2. RESOLVED that consent be granted under Regulation 3 of the Town and Country Planning General Regulations 1992 for the reasons set out in the report subject to the 3 conditions set out therein.

**18/00801/FUL – Erection of 14no residential dwellings with associated works
Land at Fordfield Road, Sunderland**

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

Councillor Hodson queried where the S106 funds relating to leisure and play parks would be spent and the representative of the Executive Director of Economy and Place advised that the funds would be spent at the Blackie Park.

Councillor A. Wilson queried whether the site was actually within St Anne's Ward as stated in the report as she thought that it was actually within Pallion Ward and the representative of the Executive Director of Economy and Place agreed to confirm which ward the site was located within; the need to clarify this did not impact on Members ability to make a decision on the matter at this meeting.

3. RESOLVED that the decision be delegated to the Executive Director of Economy and Place who was minded to approve the application for the reasons set out in the report subject to the signing of a Section 106 agreement and subject to the 11 conditions set out within the report.

Items for Information

4. RESOLVED that site visits be undertaken in respect of the following applications:-
 - a. 18/00825/FUL – Camrex House, 3 Tatham Street, Sunderland, SR1 2QD
 - b. 17/00581/VAR – Land Rear of 16 and 17 The Cedars, Ashbrooke, Sunderland

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

(Signed) M. ESSL,
Chairman.

**At a Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on MONDAY, 3rd SEPTEMBER,
2018 at 4.00 p.m.**

Present:-

Councillor Essl in the Chair

Councillors D. Dixon, M. Dixon, English, Galbraith, Jackson, Mordey, Porthouse, Scullion, P. Smith, Waller and A. Wilson.

Declarations of Interest

18/00940/LP3 – St Pauls CE Primary School, Waterworks Road, Ryhope, Sunderland

Councillor Essl declared that he was a governor of this school and as such withdrew from the meeting during consideration of this application.

18/01068/FUL – Chapelgarth, South of Weymouth Road, Sunderland

Councillor Mordey declared that he was a Member of the Siglion board and as Siglion was the applicant he withdrew from the meeting during consideration of this application.

18/00485/FDC – Sunderland Church High School, Mowbray Road, Sunderland

Councillor Mordey declared that he knew the applicant as they had attended college together; he did not have a close personal relationship with the applicant and would be considering the matter with an open mind.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Hodson, Mullen, Scaplehorn and Watson.

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

The Executive Director of Economy and Place submitted a report and circulatory report (copies circulated) relating to the South Sunderland area, copies of which had 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)

Change in the Order of Business

At this juncture the Chairman proposed a change in the order of business and accordingly the applications would now be submitted to the Committee in the following order:-

- 18/00494/FUL – 18 Warwick Terrace West, Sunderland, SR3 1AZ
- 18/00940/FUL – St Pauls CE Primary School, Waterworks Road, Ryhope, Sunderland
- 18/00485/FDC – Sunderland Church High School, Mowbray Road, Sunderland
- 18/01068/FUL – Chapelgarth, South of Weymouth Road, Sunderland

18/00494/FUL – Change of use from storage (B8) to vehicle repair garage (B2) (retrospective) 18 Warwick Terrace West, Sunderland, SR3 1AZ

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

The Chairman welcomed Councillor Tye, who was in attendance to speak against the application on behalf of residents, to the meeting. Councillor Tye stated that this garage had been raised as an issue at numerous community meetings and following discussions with the Council's enforcement officers it had become apparent that the garage had been operating without planning permission which had then resulted in this application being submitted. There had been a substantial number of complaints relating to this property. Vehicles would arrive day and night and this created a nuisance for residents and there was also noise from the vehicles being worked on. He wanted to be able to support the business and suggested that the council's business support team should provide assistance in finding a new location for the garage.

Councillor P. Smith commented that the garage was located on a bad junction which had a pedestrian crossing and often had parked cars at it as well as being on a bus route. She did not think that this was a suitable location for a garage.

The Chairman then put the Officer's recommendation to the committee and with all Members being in agreement it was:-

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

18/00940/LP3 – Erection of a single storey extension to the east elevation to provide 4no. classrooms and associated toilets. St Pauls CE Primary School, Waterworks Road, Ryhope, Sunderland, SR2 0LW

The Chairman, having declared an interest in this application, withdrew from the meeting and the Vice-Chairman, Councillor Galbraith, took the chair for this item.

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

2. RESOLVED that consent be granted under regulation 3 of the Town and Country Planning (General Regulations) 1992 for the reasons set out in the report and subject to the 3 conditions set out therein.

**18/00485/FDC – Conversion and change of use of existing school building to provide 15no. apartments with associated parking, includes demolition of existing outbuildings and alterations to front boundary wall.
Sunderland Church High School, Mowbray Road, Sunderland, SR2 8HY**

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed.

Councillor Mordey commented that it was pleasing to see such a worthwhile scheme that would bring an unused historic building back into use. He was however concerned by the proposed Section 106 agreement as there had not been consultation with local Members. There was a play park at Barley Mow Park and he felt that it would be more appropriate for the funds to be spent on play provision here than be spent on empty property initiatives within Hendon. He questioned when the hypothetical value projections would be finalised and whether there was scope for the section 106 monies to be increased following this. He also asked that the yellow zig-zag markings which were associated with the former school be removed as this would allow more on street parking.

The Highways Engineer advised that there would be a section 278 agreement on any planning consent granted which would require the removal of the zig-zag markings. The representative of the Executive Director of Economy and Place advised that it was not possible to say for certain what consultation was done with ward Members around the Section 106 agreement; the potential for using the funds at Barley Mow Park would be looked at. The value projection was hypothetical as the build costs could change; there would be a reassessment carried out by the Council's Property Services department in 12 months; previously it had not been anticipated that there would be any financial contribution under section 106.

Councillor M. Dixon queried what management scheme would be put in place and the applicant, Mr Gill, advised that there would be a framework for residents provided through the management company that would be appointed and that the applicant would remain on site for six months after the development was completed. Mr Gill also confirmed that the apartments would be sold.

3. RESOLVED that the decision be delegated to the Executive Director of Economy and Place who was minded to approve the application for the reasons set out in the report subject to the 15 draft conditions set out therein and subject to the signing of a section 106 agreement.

**18/01068/FUL – Erection of acoustic bund and associated landscaping.
Chapelgarth, South of Weymouth Road, Sunderland**

The representative of the Executive Director of Economy and Place outlined the development proposal to Members of the Sub Committee and the relevant material planning considerations against which the application had been assessed. There was a late sheet circulated in respect of this application which provided the final comments from the lead flood authority and from Public Protection and Regulatory Services and which set out some amendments to the conditions set out in the report. Members were now recommended to approve the application.

Councillor English queried what the trickle irrigation was and why it was being removed. The representative of the Executive Director of Economy and Place advised that the originally proposed trickle irrigation was a huge engineering project which would have seen pipework installed around the 580m long bund which would have then provided water to the top of the fence on the bund to allow plant growth. The whole system needed to be installed at once. The new system was based around a trellis and used natural rainfall for irrigation; as such it involved less engineering works to install and also required less ongoing maintenance. The lead flood authority were satisfied that there would be no impact on flooding from the design or materials used.

Councillor Porthouse questioned whether there would be trees on the bund as the report had referred to 97 trees however he was not aware of any trees within the site of the bund; he was concerned that when trees were planted on top of bunds they then caused issues for residents who then made requests for them to be cut down once they get taller. The representative of the Executive Director of Economy and Place advised that there were no trees on the development site but the reference to trees related to trees which were alongside the cycle track which ran alongside the proposed location of the bund. The applicant, Mr Ian Cansfield, then advised that there was a scheme of planting proposed which did not affect any of the existing trees; he also advised that the improved irrigation system would ensure that more top soil would be able to be kept on site which would result in less traffic during the development. The trees planted would not be planted up to the property boundaries; there would be conditions to ensure that the planting was appropriately controlled and officers were keen to ensure that the most suitable types of trees were planted.

4. RESOLVED that the application be approved for the reasons set out in the report and late sheet subject to the 12 conditions set out within the report.

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

(Signed) M. ESSL, I. GALBRAITH,
 Chairman. Vice-Chairman.

Item 6

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 5th JUNE, 2018 at 5.45 p.m.

Present:-

Councillor Scullion in the Chair

Councillors Blackett, M. Dixon, Hodson, Jackson, Lauchlan, Porthouse and Turner

Also in Attendance:-

Councillors Heron and N. MacKnight

Declarations of Interest

17/01095/VAR – The Russell Foster Football Centre

Councillor Scullion made an open declaration in the application having been closely involved in a number of previous applications for the site. He commented that it could be seen that he may have predetermined this application and therefore left the meeting during its consideration.

Apologies for Absence

Apologies for absence were given on behalf of Councillor Scaplehorn

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

The Executive Director of Economy and Place submitted a report and late sheets (copies circulated), which related to Hetton, Houghton and Washington areas, 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 report – see original minutes)

Appointment of Chairman

Councillor Scullion having to leave the meeting for the first application moved that Councillor Jackson be appointed Chairman for consideration of that item. It having been seconded by Councillor Porthouse, and duly agreed it was:-

1. RESOLVED that Councillor Jackson be appointed Chairman.

17/01095/VAR – Variation of conditions 2 (no of pitches) and 3 (Hours of operations) attached to planning application 13/02636/VAR. Condition 2 seeks to vary the condition from 6 pitches to 12 pitches. Condition 3 seeks to vary hours of operation at the Russell Foster Football Centre, Staddon Way, Houghton-le-Spring, DH4 4WL

The representative of the Executive Director of Economy and Place presented the application advising the Committee of the key issues to consider in determining the application and drawing Members attention to the update within the circulated late sheets, advising that there had been some late representations from the public and an additional petition which had been received at 1:00pm that day. The Officer informed the Committee that copies of the documents were available for circulation.

The Chairman introduced Mr. Kevin Hall who wished to speak in objection to the application. Mr. Hall commented that he had not had sight of the late sheets until arriving at the meeting and therefore was not able to raise any objection he may have in relation to them. He also commented that his presentation was quite detailed and requested an additional 30 seconds time to be able to present this to the Committee.

Mr. Hall opened in thanking the Committee for the opportunity to address them with objections in relation to the application. He advised that he spoke on behalf of the Tree and Wildlife Action Group and raised objections in relation to the following:-

- That the Council would be acting 'ultra vires' if the Committee proceeded to make a decision on the application;
- That the project which the application alludes to was declared a forestry project by a judgement handed down by the High Court in London in 2007 and therefore the application should be rejected;
- As a minimum, the application should have had an environmental impact assessment and this had not been undertaken;
- Documents being left off the planning portal;
- The increase in the no of pitches from 6 to 12;
- The extra traffic and journeys on the network that the extra hours of operation and pitches would have;
- The lack of parking provision for the increase in the number of users of the facility; and
- The lack of response to the concerns and objections that had been made to the application.

In closing, Mr. Hall asked that his formal objection to the circulation of the late sheets be recorded.

The Planning Officer responded to the objections and commented that they did apologise and acknowledge that two documents had been omitted from the planning portal but that this had been rectified once brought to their attention.

The Officer referred to the comments regarding environmental impact assessment development and commented that this was linked to the Forestry Commission decision and not the Council and that the Council had not considered it as EIA development in 2004 and did not now. The applicant was also seeking to vary the conditions of the 2013 application and not that of the 2004 application.

The Officer also commented that all of the representations within petitions received would be considered in objection to the application and advised that the late sheet for circulation today was simply to advise members of the representations that had been received since the publication of the agenda and to set out in clear table format the proposals against the existing operational hours and the new conditions as set out in the agenda report for members consideration.

The Highways Officer advised that as part of the variation to the original scheme for the twenty pitches a transport assessment had been undertaken and it was not therefore necessary to carry another out for a variation of conditions that was for the use of a lesser number of pitches. He commented that the only issue that was of concern was the parking along Staddon Way and discussions had been held with partners and Northumbria Police. As the applicant had now confirmed that the parking charges were to be removed should planning permission be granted then this would allow full use of the car park and alleviate the issues.

He advised the Committee that they had looked into placing a traffic regulation order along Staddon Way but residents had objected to it and therefore it had not gone ahead. There had still been an opportunity to look at a traffic regulation order for The Crofters, but on balance the money that would be spent on putting it in place would be better spent on upgrading the existing car park.

In response to a query from Councillor Hodson in relation to the applicant having broken previous conditions on operating hours, the Planning Officer advised that the arrangements for operating hours which had been agreed in 2013 were complex and the club had wished to extend and change the hours where they could use the facilities. The proposed operational hours were a more straightforward arrangement and would allow the facility to be used during the summer school holidays more. It would be difficult for any hours of extension to be used during the winter months as there were no floodlights and the dark nights would be here by then.

The Chairman then welcomed Councillor Heron to the Committee who advised that the whole area around the application site had completely changed over previous years with over 500 new homes being built in the surrounding area. She commented that it was felt the hours of extension to 9:00pm were too long for the site to be open and that it would not be good for the area.

Parking issues were still of concern in the area and on busy days the traffic would block dropped kerbs and people who used the facilities and site did not seem to care as to where they parked and whether they were causing an obstruction. There were very little users of the facility who used the onsite parking and due to erratic parking on the main road and children crossing to get to the facilities she felt the application should be refused on the grounds of health and safety.

The Chairman thanked Councillor Heron for her contributions and invited Councillor MacKnight to address the Committee.

Councillor MacKnight commented that he felt that the application was fundamentally flawed and in particular the numbers in relation to the increase in vehicles did not stack up. He commented that if you calculated the number of vehicles needed for each match and then multiplied by the number pitches it was well in excess of the number of car parking spaces available on site. He also stated that this was without taking into account change over periods and those who may arrive early to allow them to warm up and by his calculations that meant the site could attract from 600/700 cars at any one time.

In closing, he added that he lived very close to the application site and could verify that vehicles parked without consideration all the way along the road and onto the roundabout which could cause a hazard for other vehicles using the road and for any emergency vehicles that may need to pass.

The Highways Officer advised that when applications for development were received as part of the assessment they would have taken into account the impact of committed development, such as housing development in the areas, as part of the operational impact on traffic in the area. An assessment had been carried out on parking numbers as part of a previous traffic survey and the applicant had provided information which Officers were satisfied with.

In relation to parking management around the site, he advised that Northumbria Police had visited the site previously but that you would always have people who would park badly and this should be reported to the relevant bodies at that time. Critically, it was felt that the removal of the charge for the on site car parking would alleviate and address that problem.

In relation to Members concerns that the applicant could change their mind at any time and bring the car parking charge back into force, the Planning Officer advised that a condition had been included that the car parking facility had to be available for use at all times during the proposed operational hours.

Members having fully considered the application, and having been put to the vote, with five Members voting in favour and 2 Members voting against the application, it was:-

2. RESOLVED that the application be approved subject to the six conditions set out within the report and for the reasons detailed therein.

18/00075/FUL – Erection of 99 dwellings with associated roads, infrastructure and public open space at land east of former Broomhill Estate, Houghton Road, Hetton-le-Hole, Houghton –le-Spring

The representative of the Executive Director of Economy and Place presented the application advising the Committee of the key issues to consider in determining the application and drawing Members attention to the information contained within the late sheet.

In response to a query from Councillor Turner regarding the protection of the Stephenson Trail, the Highways Officer confirmed that the trail would remain, there were traffic calming measures to be introduced at the site but the trail would be continue to be protected.

Members having fully considered the application, it was:-

3. RESOLVED that the application be delegated to the Director of Economy and Place, who is minded to approve the application for the reasons as set out in the report and subject to the twelve conditions relating to those areas as set out in the late sheet.

18/00370/FUL – Sub-division and change of use of existing unit to A1 (retail) and A5 (hot food takeaway) at Biddick Community Centre, 33 Biddick Village Centre, Washington, NE38 7NP

The representative of the Executive Director of Economy and Place advised that the applicant had requested that consideration of the application be deferred to allow for further information to be considered.

4. RESOLVED that the application be deferred.

Items for Information

Members having fully considered the items for information contained within the matrix, it was:-

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

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

(Signed) A. SCULLION,
Chairman.

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 3rd JULY, 2018 at 5.45 p.m.

Present:-

Councillor Scaplehorn in the Chair

Councillors Blackett, M. Dixon, Hodson, Jackson, Lauchlan, Porthouse, Rowntree, Scullion and P. Walker

Declarations of Interest

17/00865/LP3 – Land West of Former Washington Old School

Councillor Scaplehorn made a DPI in the application as a Director of Sunderland Home and left the meeting during its consideration.

Apologies for Absence

Apologies for absence were given on behalf of Councillors Essl, M. Turton and Williams.

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

The Executive Director of Economy and Place submitted a report (copies circulated), which related to Hetton, Houghton and Washington areas, 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 report – see original minutes)

17/00865/LP3 – Erection of 4 no two bedroomed bungalows with associated parking and landscaping (Amended description) at land west of former Washington Old School, Albert Place, Columbia, Washington

The representative of the Executive Director of Economy and Place presented the application advising the Committee of the key issues to consider in determining the application.

Councillor Hodson asked if there were to be any parking restrictions put in place to keep the character and protect the current residents in Albert Place and was advised that road markings could be looked at around the junction but it was unlikely that the area would warrant any further traffic calming measures than possibly some double yellow lines. A consultation could be undertaken with the current residents to gather their views and consent to any restrictions that could be put in place.

Councillor Hodson also commented on the lack of windows to the bathroom, giving no natural light in the room at all and was informed that as the bungalows were semi-detached it was not unusual for the bathrooms to be in that position. Extraction from the bathroom would be through ventilation installed in the ceiling but it was not unusual for a bathroom in a development of this type to have no window.

Councillor Blackett asked what the design and character of the current houses in the area was and was advised that there was a mix, there were a number of bungalows but there was no specific style to the property type.

Members having fully considered the application, and having no further questions, it was:-

1. RESOLVED that the application be approved subject to the twelve conditions set out within the report and for the reasons detailed therein.

18/00370/FUL – Sub-division and change of use of existing unit to A1 (retail) and A5 (hot food takeaway) with extraction flues to roof (Amended Proposal) at Biddick Community Centre, 33 Biddick Village Centre, Washington, NE38 7NP

The representative of the Executive Director of Economy and Place presented the application advising the Committee of the key issues to consider in determining the application.

Councillor Hodson referred to issues he was aware of around hot food takeaways in his ward where extraction and exhaust requirements were not being adhered to but then found that the Council had very little powers to enforce requirements and asked for assurances that the conditions were robust enough to enforce so that residents were protected from this happening in this area.

Councillor Porthouse commented that if the correct extraction units were installed, looked after and cleaned then there should be no issues or concerns for residents. Should maintenance become a problem at any time in the future then it would be necessary to enforce it through the Council's environmental health department.

Councillor Lauchlan commented on the definition of a shopping parade as the policy stated that the application would not normally be permitted outside of a shopping parade if it would create harm and it was difficult to prove that it would or wouldn't cause harm to residents until it was up and running. The surrounding area to the development site was residential and the Supplementary Planning Guidance stated that hot food takeaways should not be permitted in smaller shopping parades which

were predominately in residential areas and he felt that granting the application would be contrary to the UDP guidance.

Members having fully considered the application, and having been put to the vote, with seven Members voting for, two Members voting against and one abstain, it was:-

2. RESOLVED that the application be delegated to the Executive Director of Economy and Place, who is minded to approve the application for the reasons as set out in the report and subject to the eight conditions relating to those areas as set out in the late sheet.

Items for Information

Members having fully considered the items for information contained within the matrix, it was:-

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

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

(Signed) B. SCAPLEHORN,
Chairman.

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 7th AUGUST, 2018 at 5.45 p.m.

Present:-

Councillor Scaplehorn in the Chair

Councillors M. Dixon, Essl, Hodson, Jackson, Lauchlan, Porthouse, Rowntree, Scullion and P. Walker

Declarations of Interest

There were no declarations of interest made.

Apologies for Absence

Apologies for absence were given on behalf of Councillor Williams.

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

The Executive Director of Economy and Place submitted a report (copies circulated), which related to Hetton, Houghton and Washington areas, 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 report – see original minutes)

17/02396/FUL – Change of use of existing Dungarven bungalow from C3 (dwellinghouse) to Sui Generis (veterinary practice) to form extension to existing veterinary practice. Includes demolition of external garages / outbuildings and associated external works including erection of a link building and removal of roof from Dungarven Bungalow AMENDED PLANS RECEIVED 05.02.18 at 66 Blue House Lane and Dungarven, Usworth, Washington, NE37 2TA

The representative of the Executive Director of Economy and Place presented the application advising the Committee of the key issues to consider in determining the application.

Councillor Porthouse was pleased to see a business expanding and developing further in the area but had some concerns over the removal of the pitched roof on the existing bungalow and it being replaced with a flat roof. He questioned if this would be in keeping with other properties in the area and the Planning Officer advised that there were several other retail properties in the vicinity which also had flat roofs.

Upon being put to the vote, and with nine Members voting in favour and one Member abstaining, it was:-

1. RESOLVED that the application be approved subject to the nine conditions set out within the report and for the reasons detailed therein.

Items for Information

Members having fully considered the items for information contained within the matrix, it was:-

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

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

(Signed) B. SCAPLEHORN,
Chairman.

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 4th SEPTEMBER, 2018 at 5.45 p.m.

Present:-

Councillor Scaplehorn in the Chair

Councillors Blackett, M. Dixon, Hodson, Jackson, Porthouse, Rowntree, Scullion, Speding, P. Walker and Williams

Declarations of Interest

17/02080/FUL – 1 Liberty Green, Washington, NE38 7UA

Councillor Speding made an open declaration that he was a member of the Football Association and the Durham County Football Association which the applicant was also a member of but he retained an open mind on this application.

Apologies for Absence

Apologies for absence were given on behalf of Councillor Lauchlan.

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

The Executive Director of Economy and Place submitted a report (copies circulated), which related to Hetton, Houghton and Washington areas, 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 report – see original minutes)

17/02080/FUL – Erection of a two storey extension and a rear and first floor extension to side (Amended description) 1 Liberty Green, Washington, NE38 7UA

The representative of the Executive Director of Economy and Place presented the application advising the Committee of the key issues to consider in determining the application.

1. RESOLVED that the application be rejected for the reasons as set out within the report.

18/00705/MAW – Relocation of pre-cast concrete wall, extension of concrete hardstanding area and installation of picking station with associated conveyors and weigh bridge – Timberpack Waste Recycling Centre, Staithes Road, Washington, NE38 8NW

The representative of the Executive Director of Economy and Place presented the application advising the Committee that officers were giving consideration to the drainage and flood risk matters of this development and further information had been requested in relation to the flood risk management of the site therefore it was recommended to defer the determination of this application so that the additional information requested could be submitted.

2. RESOLVED that the item be deferred so that more detailed information relating to drainage and flood risks could be assessed.

18/01174/ADV – Display of 4no. non- illuminated roundabout signs – Armstrong Road, Armstrong Industrial Estate, Washington

The representative of the Executive Director of Economy and Place presented the application advising the Committee of the key issues to consider in determining the application.

3. RESOLVED that advertisement consent be granted subject to the six conditions contained within the report

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

(Signed) B. SCAPLEHORN,
Chairman.

Item 7

PLANNING AND HIGHWAYS COMMITTEE – 10TH OCTOBER, 2018

REPORT OF THE CHIEF EXECUTIVE

TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 198 AND 201

THE CITY OF SUNDERLAND TREE PRESERVATION (NO.172) ORDER 2018 AT LAND BETWEEN 20 WOODSIDE GROVE AND 1 CRANBORNE, EAST HERRINGTON, SUNDERLAND.

1. PURPOSE

To advise the Committee regarding two objections that have been received in response to the making of a Provisional Tree Preservation Order in respect of trees at the site between Woodside Grove and Cranborne, East Herrington and to ask that the Committee consider both the objection received and the contents of this report, and indicate its support (or otherwise) to the view of the Chief Executive that Tree Preservation (No. 172) Order, 2018 at land between 20 Woodside Grove and 1 Cranborne, East Herrington, Sunderland, be confirmed, without modifications.

2. BACKGROUND

2.1 A local planning authority may make a Tree Preservation Order (TPO) when it is believed that:

2.1.1 the preservation of particular trees or woodlands is desirable in the interests of amenity, and

2.1.2 It is expedient to preserve the trees or woodland by making a TPO.

2.2 Policy CN17 of the Council's Unitary Development Plan states that "The City Council will encourage the retention of trees which make a valuable contribution to the character of an area, by the making of tree preservation orders and replacing trees in highways and other public areas, with species which help maintain the character of the locality. The retention of trees, hedges and landscape features in all new development will be required where possible".

2.3 The draft TPO, which is the subject of this report, was created in direct response to development interest in the land upon which the trees are situated. In the City Council's view, such development could serve to threaten the future of the trees and increase the risk of the trees subsequently being felled, in order to maximise the developable area. It is considered that the removal or indiscriminate pruning of the subject trees would have a significant adverse impact on the local environment and its enjoyment by the public and residents. Since it was considered that these trees could be under threat, TPO 172 was initiated to secure the trees'

long-term protection. A TPO allows the Authority to strictly control any removal or pruning of trees on the site.

- 2.3 The subject site on which the trees are located takes the form of an area of grassed open amenity space which is located within an established residential estate. The land is flanked by residential curtilages on three sides and the street of Woodside Grove/Cranborne on its fourth side. Collectively, the subject trees are considered to provide a high level of amenity to the area, given that they include mature specimens of notable size, which are prominently visible within the prevailing street scene and from surrounding properties, and all appear to be in good health. The individual ash tree is considered to be a particularly good specimen, given its excellent form.

The trees provisionally protected by the Order comprise an individual Ash tree, encircled in black dots and marked as T1 on the submitted site plan, together with a group of three trees (2 Maple and 1 Elder), within the broken black line and marked as G1 on the said plan.

An amenity assessment (TEMPO) of these trees has been commissioned by the Local Planning Authority, which concludes that the trees are in good condition, and the age of the trees suggests that they have the potential to benefit the amenity of the area for a significant period of time to come (see Appendix 3).

3. MAKING OF THE TREE PRESERVATION ORDER

- 3.1 A Provisional Tree Preservation Order No. 172, was made on 23rd August, 2018 under the provisions of Sections 198 and 201 of the Town and Country Planning Act 1990.
- 3.2 The statutory objection period to the Provisional Order has now expired, and two objections have been received (and not withdrawn) in respect thereof.
- 3.3 A copy of the plan showing the location of the area of trees is attached marked as **Appendix 1**.
- 3.4 A copy of the Tree Preservation Order (No.172) Order 2018, at Land Between 20 Woodside Grove and 1 Cranborne East Herrington Sunderland, is attached marked as **Appendix 2**.
- 3.5 A Copy of the Tree Evaluation Method for Tree Preservation Orders (TEMPO) is attached marked as **Appendix 3**.

4. OBJECTION ONE

Objection one to the proposed Order was received from Mr. Andrew Jones, Head of Property for Gentoo Group Limited of Emperor House, 2 Emperor Way, Doxford International Business Park, Sunderland, SR3 3XR. Gentoo Group Limited own the land upon which, the subject trees are situated.

5. REASONS FOR OBJECTION ONE

5.1. A copy of the letter from Mr. Jones of Gentoo is attached, and marked as **Appendix 4**. The letter makes a number of points relating to the size and 'quality' of the trees in question, as follows:

- *"....the trees on the site are of no particular merit, being semi mature and of poor quality with no ecological value."*
- *"Gentoo, as landowner will happily work with the developer and Local Authority, in order to provide replacement trees in a more appropriate location, either on this site or on Gentoo land elsewhere".*

6. COUNCIL COMMENTS ON OBJECTION ONE

6.1 A copy of the letter of reply to the objection from Peter McIntyre, Executive Director of Economy and Place, is attached, and marked as **Appendix 5**. The Council's response to those specific objections set out above, are as follows:

- ***'Of No Particular Merit'***

"The value of the trees has been thoroughly assessed by the Council, with input from an independent Arboriculturalist and it is considered that the trees are of very good form and quality and make a significant positive contribution to the amenity of the locality. The age of the trees also means that they have the potential to benefit the amenity of the area for a significant period of time. Whilst the 'ecological' value of the trees may not be 'considerable', the Council considers that the quality and amenity value of the trees is such that the making of a Tree Preservation Order is justified".

- ***'..We are happy to plant replacement trees in in a more appropriate location'***

"The Council is of the view that such a procedure would only result in the amenity of the area being diminished by virtue of the existing trees being lost, particularly as any 'replacement trees' would take a significant amount of time to reach a condition whereby their quality and value equalled that of the existing specimens.

7. OBJECTION 2

- 7.1 A second objection was received from Mrs Beverley Steele, Director of Highcrest Homes NE Ltd., of Highfields, Hillcrest, Middle Herrington, Sunderland, and a copy of the letter is attached and marked as **Appendix 6**. A plan included with the letter of objection is marked as **Appendix 6a**.

7.2 REASONS FOR OBJECTION 2

Highcrest Homes NE Ltd. advise that they are at present negotiating with Gentoo Group Ltd. to purchase the land in question, for development. The letter makes a number of points relating to the trees in question, as follows:

- *“During a recent site visit to conduct a general survey of the land, we were approached by a disgruntled resident of whose property abuts the site.”*
“The resident made it very clear that he was not happy about any development and stated that he would do everything in his power to stop any development going ahead. Since this incident we have been advised that Tree Preservation Orders were placed upon the trees. It is clear that this has been instigated by the resident. It is apparent that the residents are using this (TPO) as an instrument to avoid any further development on this land”
- *“From a developers perspective, If the orders were to remain in place, the site would be rendered useless for potential development and due to this we would request that the orders be removed”.*

7. COUNCIL COMMENTS ON OBJECTION 2

- 7.1 A copy of the letter of reply from Peter McIntyre, Executive Director of Economy and Place, addressing the points made in the objection, is attached, and marked as **Appendix 5**. The Council's response to those specific objections set out above, are as follows:

- **“It is apparent that the residents are using this (TPO) as an instrument to avoid any further development on this land.”**

“Whilst the Council cannot reveal the identity of any persons responsible for requesting the making of the TPO, I can confirm that the potential development interest in the land was taken into consideration in deciding whether to make the TPO. In this regard, the Government's National Planning Practice Guidance (NPPG) website advises (at paragraph 10, reference ID: 36-010-20140306) that ‘in some cases, the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order’.

- **“From a developers perspective, If the Orders were to remain in place, the site would be rendered useless for potential development and due to this we would request that the orders be removed.”**

“With reference to the implications of making the TPO, in respect of your proposals for the site, I must advise that the potential merits of any prospective development cannot be taken into account in determining whether to make the TPO, particularly given that the Council, in its capacity as Local Planning Authority, has not yet been approached to formally consider a scheme via either a pre-application enquiry or a full planning application.”

“In the event you do proceed with a pre-application enquiry or formal planning application in respect of a proposed development of the site, the protected status and amenity value of the trees would, of course, represent a material consideration in respect of determining the merits of any proposal. Any potential harm to the amenity value of the trees would then have to be weighed against all other material considerations, including the potential benefits the proposed development of the land would bring in terms of the supply of affordable housing.”

7.2 In conclusion, it is considered that all of the objections have been fully and properly considered and addressed, and that the Council is in a position to confirm the TPO without modification, in accordance with regulation 7 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

8. RECOMMENDATIONS

It is recommended that the Committee considers the contents of this report and the objections received and indicates its support (or otherwise) to the view of the Chief Executive that Tree Preservation (No.172) Order, 2018 at Land Between 20 Woodside Grove and 1 Cranborne East Herrington, Sunderland, be confirmed without modification.

BACKGROUND PAPERS

The Plan (Appendix 1)

Provisional Tree Preservation Order (No. 172) (Appendix 2)

Tree Evaluation Method for Preservation Orders (TEMPO) Score-sheet (Appendix 3).

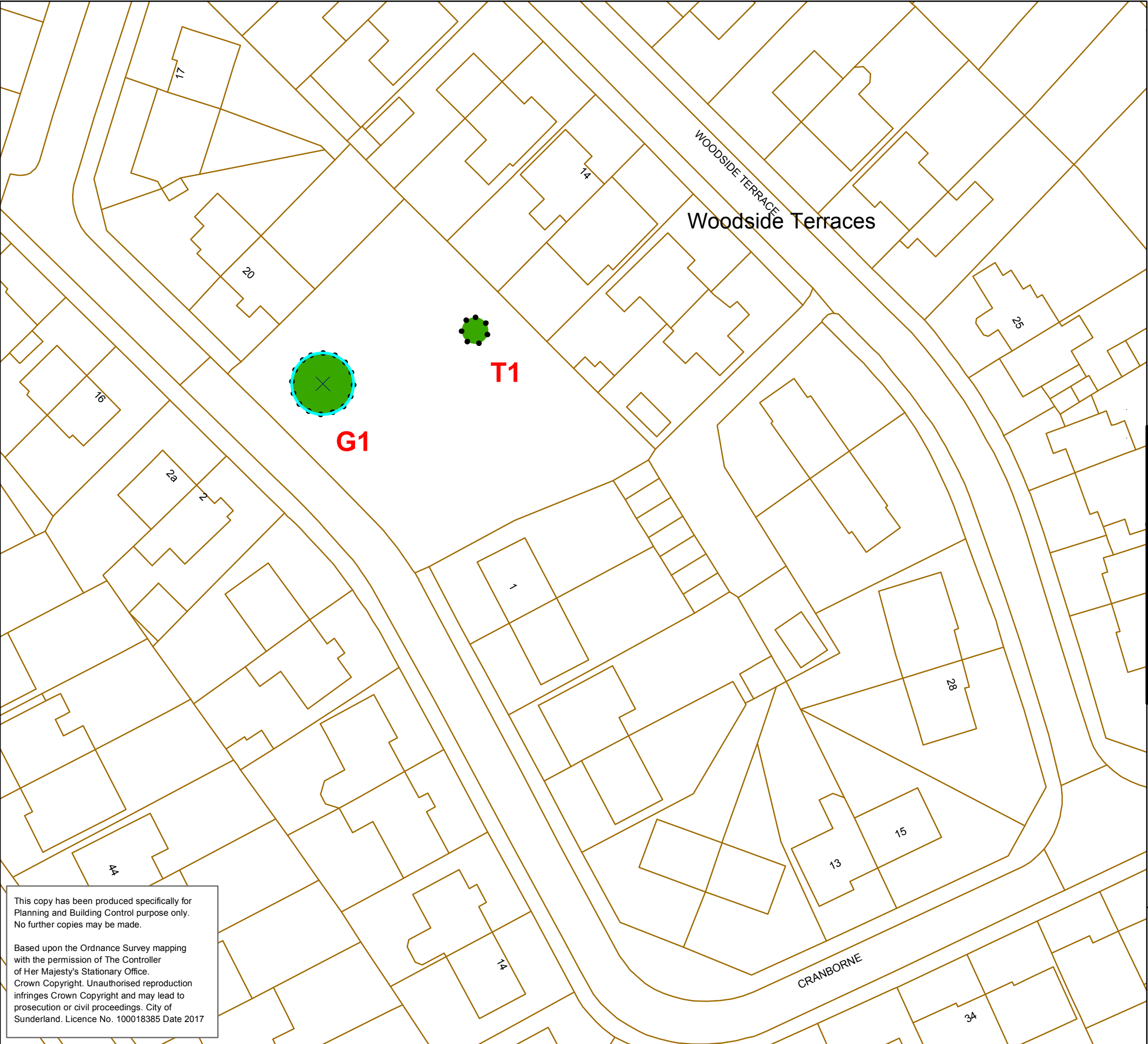
Letter of objection from Mr. Jones of Gentoo (Appendix 4),

Letter from Planning and Environment to Mr Jones of Gentoo addressing the objection (Appendix 5)


Letter of objection from Mrs Beverley Steele of Highcrest Homes NE Ltd, of Highfields, Hillcrest, Middle Herrington, Sunderland, SR3 3TN (Appendix 6)
A plan enclosed with the objection shows the trees in terms of the desired development (appendix 6a)

Letter from Planning and Environment to Mrs Beverley Steele, addressing the objection (Appendix 7)

Patrick Melia
Chief Executive



Key

 Trees to be included in the Order



*Economy and Place Directorate
PO Box 102. Civic Centre.
Sunderland SR2 7DN*

*Telephone: 0191 520 5506
Web: www.sunderland.gov.uk*

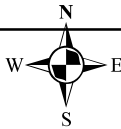
**City of Sunderland Tree
Preservation Order no. 172**

**Tree Preservation Order at
Land at Woodside Grove**

Sunderland

Scale 1:500

Date August 2018



TPO 172

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**TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012**

Town and Country Planning Act 1990

**The City of Sunderland Tree Preservation (No. 172) Order 2018 at Land
Between 20 Woodside Grove, and 1 Cranborne,
East Herrington, Sunderland**

The Council of the City of Sunderland, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as The City of Sunderland Tree Preservation (No. 172) Order 2018 at Land Between 20 Woodside Grove, and 1 Cranborne, East Herrington, Sunderland.

Interpretation

2. (1) In this Order "the authority" means the Council of the City of Sunderland.

(2) In this Order reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012

Effect

3. (1). Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsections (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), and subject to the exceptions in regulation 14 no person shall—
 - (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

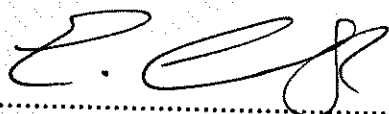
Any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any [tree] [trees] identified in the first column of the Schedule by the letter "C", being [a tree] [trees] to be planted pursuant to a condition imposed under paragraph (a) section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when [that tree is planted] [those trees are planted].

DATED: 23rd August, 2018

The Seal of the Council of the City of Sunderland
was hereunto affixed in the presence of -



..... Authorised Signatory

Authorised by the Council to sign in that behalf

SEAL NO 62920A

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually (encircled in black dots on the map)

Reference on map	Description	Situation
T1	ASH	Located adjacent to rear (south-west) 14 and 16 Woodside Terrace

Trees specified by reference to an area (within a blue line on the map)

Reference on map	Description	Situation
NONE		

Groups of trees (within a broken black line on the map)

Reference on map	Description	Situation
Area G1	x2 Maple and X1 Elder	Located adjacent to south-east side Boundary of 20 Woodside Grove

Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation
NONE		

DATED

23RD DAY OF AUGUST, 2018

CITY OF SUNDERLAND

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (TREE PRESERVATION)

(ENGLAND) REGULATIONS 2012

TREE PRESERVATION (NO. 172) ORDER 2018 AT LAND BETWEEN 20
WOODSIDE GROVE AND 1 CRANBORNE, EAST HERRINGTON,
SUNDERLAND

Patrick Melia
Chief Executive
Civic Centre,
SUNDERLAND.

Ref: AM/78987

Tree Evaluation Method for Preservation Orders - TEMPO

Survey Sheet and Decision Guide

Location:	Land to rear Woodside Tce East Herrington Sunderland	Date:	15.02.18
Surveyor:	Chris Redfern	Owner (if known):	
Species:	Ash spp	TPO ref:	T1

Part 1: Amenity Assessment			SCORE:
a.) Condition & Suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point			5
5	Good	Highly suitable	
3	Fair	Suitable	
1	Poor	Unlikely to be suitable	
0	Dead/dying/dangerous	Unsuitable	
NOTES	Tree is in good condition with exceptional form		

b.) Retention span (in years) & suitability			SCORE:
5	100+ years	<i>Highly suitable</i>	4
4	40-100 years	<i>Very suitable</i>	
2	20-40 years	<i>Suitable</i>	
1	10-20 years	<i>Just suitable</i>	
0	< 10*	<i>Unsuitable</i>	
NOTES	Very long safe useful lifespan potential		

c.) Relative public visibility & suitability for TPO			SCORE:
Consider realistic potential for future visibility with changed land use			4
5	Very large trees with some visibility or prominent large trees	Highly suitable	
4	Large trees or medium trees clearly visible to the public	Very suitable	
3	Medium trees, or large trees with limited view only	Suitable	
2	Young, small, or medium/large trees visible only with difficulty	Barely suitable	
1	Trees not visible to the public, regardless of size	Probably unsuitable	
NOTES	Large tre which is clearly visible to the public		

d.) Other factors		SCORE:
<i>Trees must have accrued 7 or more points (with no zero score) to qualify</i>		2
5	Principal components of arboricultural features or veteran trees	
4	Tree groups, or members of groups important for their cohesion	
3	Trees with identifiable historic, commemorative or habitat importance	
2	Trees of particularly good form especially if rare or unusual	
1	Trees with none of the above additional redeeming features	
NOTES	This tree is of particularly good form	

Part 2: Expediency assessment		SCORE: <
--------------------------------------	--	--

Part 3: Decision guide		TOTAL SCORE:	DECISION:
Any 0	Do not apply TPO	18	
1-6	TPO indefensible		
7-11	Does not merit TPO		
12-15	TPO defensible		

16+	Definitely merits TPO		Merits TPO
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10 September 2018

Elaine Waugh
Head of Law and Governance
P.O. Box 100
Civic Centre
Sunderland
SR2 7DN

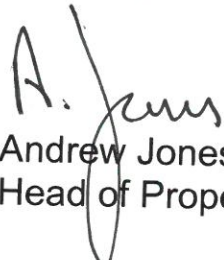
Dear Ms Waugh

Re: Town and Country Planning Act 1990 – Section 198
City of Sunderland Tree Preservation (No.172) Order 2018 – Land
Between 20 Woodside Grove and 1 Cranborne, East Herrington,
Sunderland- Ref. AM/789897

I am in receipt of your letter of 23 August.

Having reviewed this matter, I should like to object to the provisional order being confirmed on the basis that the trees on the site are of no particular merit, being semi mature and of poor quality with no ecological value. Gentoo, as landowner will happily work with the developer and Local Authority in order to provide replacement trees in a more appropriate location, either on this site or on Gentoo land elsewhere. We would be happy to be guided by yourselves as to the appropriate location and species.

Yours faithfully


Andrew Jones
Head of Property

Gentoo Group Limited

Registered Office: Emperor House, 2 Emperor Way,
Doxford International Business Park, Sunderland SR3 3XR
www.gentooigroup.com

A charitable community benefit society, registration number 7302
VAT Reg No. 755 466305

f.a.o. Mr A Jones
Gentoo Group Ltd.
Emperor House
2 Emperor Way
Doxford International Business Park
Sunderland
SR3 3XR

Date: 14th September 2018
Our ref: AM/789897 (TPO 172)
Your ref:

This matter is being dealt with by: Your details

Dear Sir,

RE: TREE PRESERVATION ORDER 172, LAND BETWEEN 20 WOODSIDE GROVE
AND 1 CRANBORNE, EAST HERRINGTON.

I refer to your representation, received 12th September 2018, submitted in relation to the Council's intention to make a Tree Preservation Order (no. 172) in respect of the trees at Woodside Grove/Cranborne, East Herrington. I would like to offer the following comments and information.

The Council does not agree with your assertion that the trees in question are 'of no particular merit' as they are 'semi mature' and of 'poor quality'. The value of the trees has been thoroughly assessed by the Council, with input from an independent **Arboriculturalist**, and it is considered that the trees are of very good form and quality and that they make a significant positive contribution to the amenity of the locality. The age of the trees also means they have the potential to benefit the amenity of the area for a significant period of time.

Whilst the trees may not be of 'significant' ecological value, the Council considers that the quality and amenity value of the trees is such that the making of a Tree Preservation Order is justified.

With regard to your offer to replace the trees elsewhere on the site, or at another location, the Council is of the view that such a procedure would only result in the amenity of the area being diminished by virtue of the existing trees being lost, particularly as any

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2008-2009
Reducing Health
Inequalities



2008-2009
Reducing Re-offending



INVESTOR IN PEOPLE



The Government Standard
Building and Development Control Service



UK



replacement trees would take a significant period of time to reach a condition whereby their quality and value equalled that of the existing specimens.

I trust the above clarifies the Council's views in respect of this matter, however please don't hesitate to contact Mr Browning using the details below if you require any further information or assistance.

Yours faithfully

Peter McIntyre
Executive Director Economy and Place

Name: Your details

Title:

Direct Line:

E-mail:

Highfields,
Hillcrest,
Middle Herrington,
Sunderland

SR3 3TN

Date 15th September 2018

Elaine Waugh,
Head of Law and Governance,
PO Box 100,
Civic Centre,
Sunderland,
SR2 7DN

**CITY OF SUNDERLAND TREE PRESERVATION (NO172) ORDER 2018 LAND BETWEEN 20
WOODSIDE GROVE AND 1 CRANBOURNE, EAST HERRINGTON, SUNDERLAND**

I am writing in respect of the above, as we are an interested party.

As it stands we are in the process of purchasing the land from Gentoo.

This process has been ongoing for the past 12 months and we have spent a considerable amount of time and money preparing a scheme for development.

We have recently spoken with Jillian Wright (Planning officer) in respect of a pre discussion for the scheme and to check the status of any Tree Preservation Orders on said trees.

Jillian confirmed at this point that there were no orders on the trees stated.

During a recent site visit to conduct a general survey of the land, we were approached by a disgruntled resident of whose property abuts the site.

The resident made it very clear that he was not happy about any development and stated that he would do everything in his power to stop any development going ahead.

Since this incident we have been advised that Tree Preservation Orders were placed upon the trees. It is clear that this has been instigated by the resident.

It is apparent that the residents are using this as an instrument to avoid any further development on this land.

From a developers perspective, If the Orders were to remain in place, the site would be rendered useless for potential development and due to this we would request that the orders be removed.

Our proposed development would provide affordable family homes in an existing residential area where there is currently a shortage of this type of housing.

This is in line with the current council policy.

As a part of our proposed scheme, if required, we are happy to plant replacement trees in a more appropriate position.

We trust you can understand our current position with this matter and look forward to hearing from you.

Please find enclosed a copy of the proposed site plan with the current position of the trees marked with an X.

If you require any further information, please contact me.

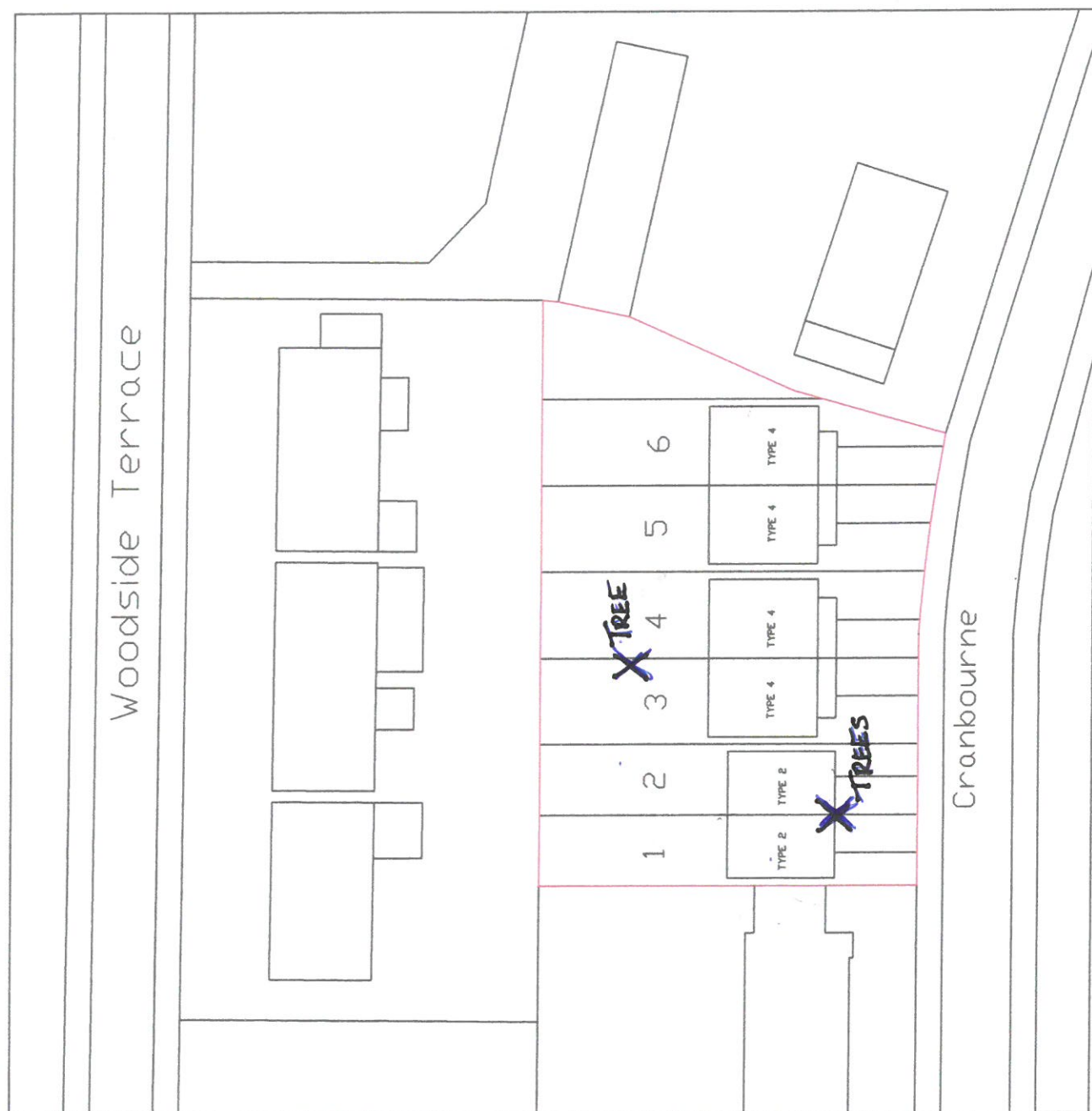
Beverley Steele

Director

A handwritten signature in black ink, appearing to read 'B Steele'.

Highcrest Homes NE Ltd

07790916082



General Notes		No.		Revision/Issue		Date	
Project Name and Address Highcrest Homes Ltd							
Project Name and Address Woodside Grove East Herrington Sunderland							
Project		Date		Sheet		001	
31.07.2018							
1/500							

f.a.o. Ms B Steele
Highcrest Homes NE Ltd.
Highfields
Hillcrest
Middle Herrington
Sunderland
SR3 3TN

Date: 25th September 2018
Our ref: (TPO 172)
Your ref:

This matter is being dealt with by: Andrew Browning, Principal Planner, Development Management

Dear Madam,

RE: TREE PRESERVATION ORDER 172, LAND BETWEEN 20 WOODSIDE GROVE AND 1 CRANBORNE, EAST HERRINGTON.

I refer to your representation, dated 15th September 2018, submitted in relation to the Council's intention to make a Tree Preservation Order (no. 172) in respect of the trees at Woodside Grove/Cranborne, East Herrington. I would like to offer the following comments and information.

It is understood that your company, Highcrest Homes, is in the process of purchasing the land on which the trees stand, from Gentoo, with the intention of developing the land for residential purposes. Your representation contends that the Council has acted to make a Tree Preservation Order (TPO) in response to a request from a local resident, who does not wish for such development of the land to take place and is seeking to use the TPO process as a means of preventing the housing proposals.

Whilst the Council cannot reveal the identity of any persons responsible for requesting the making of the TPO, I can confirm that the potential development interest in the land was taken into consideration in deciding whether to make the TPO. In this regard, the Government's National Planning Practice Guidance (NPPG) website advises (at paragraph 10, reference ID: 36-010-20140306) that 'in some cases, the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order'.

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Notwithstanding the above, I must advise that the value of the trees has been thoroughly assessed by the Council, with input from an independent Arboriculturalist, and it is considered that the trees are of very good form and quality and that they make a significant positive contribution to the amenity of the locality. The age of the trees also means they have the potential to benefit the amenity of the area for a significant period of time.

The Council therefore considers that the quality and amenity value of the trees is such that the making of a Tree Preservation Order is fully justified.

With reference to the implications of making the TPO in respect of your proposals for the site, I must advise that the potential merits of any prospective development cannot be taken into account in determining whether to make the TPO, particularly given that the Council, in its capacity as Local Planning Authority, has not yet been approached to formally consider a scheme via either a pre-application enquiry or a full planning application.

In the event you do proceed with a pre-application enquiry or formal planning application in respect of a proposed development of the site, the protected status and amenity value of the trees would, of course, represent a material consideration in respect of determining the merits of any proposal. Any potential harm to the amenity value of the trees would then have to be weighed against all other material considerations, including the potential benefits the proposed development of the land would bring in terms of the supply of affordable housing.

I trust the above clarifies the Council's views in respect of this matter, however please don't hesitate to contact Mr Browning using the details below if you require any further information or assistance.

Yours faithfully

Peter McIntyre
Executive Director Economy and Place

The Case Progression Officer is: Andrew Browning
Title: Principal Planner
Direct Line: (0191) 561 8765
E-mail: andrew.browning@sunderland.gov.uk