

**At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 3<sup>rd</sup> MARCH, 2020 at 5.45 p.m.**

**Present:-**

Councillor Thornton in the Chair

Councillors Blackett, M. Dixon, Jenkins, Lauchlan, F. Miller, Speding, Turner and G. Walker

**Also in Attendance:-**

Councillors Heron, Johnston, N. MacKnight and Williams

**Declarations of Interest**

19/00102/MAV – Biffa Waste Plc, Houghton Quarry, DH4 4AU

Councillors Thornton and Turner made an open declaration in the above item as Members of Hetton Town Council but advised that they had not taken part in consideration of the application.

**Apologies for Absence**

Apologies for absence were given on behalf of Councillors Jackson, Potts, Scaplehorn and P. Walker

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

The Executive Director of City Development submitted a report (copy 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 reports – see original minutes)

**19/00102/MAV – Variation of conditions 2 (list of approved plans), 3 (time limit for restoration of site), 10 (noise and vibration migration measures) and 21 (plant and machinery details) of planning permission ref 12/03178/FUL, to allow for a revised restoration programme for the site, an extended programme and altered phasing of works, the construction and operation of an aggregate wash plant, the re-alignment of the access road within the quarry and amendments to on-site landscaping scheme at Biffa Waste PLC, Houghton Quarry, Newbottle Street, Houghton le Spring, DH4 4AU**

The representative of the Executive Director of City Development presented the application advising the Committee of the key issues to consider in determining the application, advising that the application sought to allow for a continuance of Holystone's recycling operations and the continued in-filling of the quarry void to create a revised development platform for the employment park. Members were advised that the applicant contended that current economic conditions were not conducive to the delivery of an employment park at this location at this time.

Members were reminded that at its previous meeting of the Committee the application had been deferred to allow a site visit to be undertaken. The site visit had taken place on 21<sup>st</sup> February, 2020.

The Chairman advised that there were a number of speakers for the application and invited Councillor Johnston to address the Committee.

Councillor Johnston thanked the Committee for the opportunity and advised that since the previous meeting he had continued to receive even more concerns from residents about the effect the application would have on the local area and its regeneration which even the Council's Strategic Property Manager had raised concerns that the continued operation of the facility would have a detrimental effect on the Council's intended use of the Houghton Colliery site for retail. Councillor Johnston advised that he was strongly against the application and raised the following points in his objections:-

- Paragraph 145 of the NPPF and Policy NE6 of the CSDP both refer to development in the Green Belt only being permitted where they preserve the openness of the Green Belt and are consistent with the exception list in national policy;
- The application approved in 2013 was time limited and it is arrogant that the applicants request that operations continue and automatically assume that it would be approved;
- It would be cruel to subject the residents of Houghton to another five to ten years operation on site when they have already suffered enough;
- It shows a complete lack of ambition and aspiration to better the area;
- There is no evidence to show that the employment park is not needed on site;
- Development of the site should be moving forward as previously promised;
- Are 2 jobs or 300 jobs more preferred for the area? and £2 million or £12million in investment which the Houghton Colliery development would bring;

- It is not in keeping with the dynamic, vibrant and healthy aspirations being promoted through the city plan; and
- The development would only disrupt local transport links.

In closing, Councillor Johnston commented that Members who had attended the site visit were able to witness how disruptive traffic was on the A182 and this would only continue if operations were to be extended at the site. He asked Members of the Committee to take on board all of the representations that had been made and show residents of the local area that their quality of life mattered and that redevelopment of the area was a priority for the area by refusing the application before them.

In response to a question from Councillor Dixon to the number of complainants, Councillor Johnston advised that residents complained continually to himself and ward colleagues and advised that they had met with the quarry manager to discuss the issues in relation to the roads. Residents in the area had suffered for years with the issues relating to the site but had been promised, through the 2013 planning application, that there would be an end date, with the site being developed for business units.

The Chairman then invited Councillor Heron to address the Committee who thanked Members for the opportunity to address them and advised that she had been involved with issues relating to the Houghton quarry site for some fifteen years and raised the following issues in objection to the application:-

- The state of road surfaces, only last week residents had contacted her to complain about them, sink covers being bent, pot holes, etc.
- At the site visit the road cleaning vehicle had circulated constantly but this was not the case on a day to day basis;
- The footpaths in the area were covered in mud from the site traffic;
- Lorries accessing the site do not stick to the designated routes and on the site visit Members had noted that some were not covered; and
- Complaints had been made about the developers site at Washington where crushing had caused dust which neighbouring residents had to complain about.

In closing, Councillor Heron reiterated that residents had suffered with the issues from the quarry site for long enough and had been looking forward to the regeneration of the area. The redevelopment of the Houghton Quarry site was vital to the area and communities and this application would not allow this to go ahead. She advised that residents submitted their complaints through ward Councillors and that she was the voice for those residents who objected to the application.

Councillor Miller referred to the site visit that Members had undertaken and asked if it was usual for the road sweeper to be as visible as it had been that day? Councillor Heron commented that it was not usual and that she had been surprised as usually the sweeper would simply brush the debris of the roads, yet at the site visit they had been using the water to wash also. In response to further questions from Members, Councillor Heron commented that it was quite common that HGV's were using the wrong routes and/or uncovered.

The Chairman then welcomed Councillor Neil MacKnight who wished to address the Committee.

Councillor MacKnight advised that he also spoke in objection to the application stating that there had been many complaints made to him in relation to issues around the quarry site. He estimated that over 75% of the complaints raised with him at ward surgeries were in relation to issues from the site. He raised the following issues in objection to the application:-

- The issues of vehicles using the wrong routes was a common problem;
- The quarry site and issues from it had blighted the lives of the local residents for a number of years and had never been good neighbours;
- Approval of the application would see residents facing another ten year extension to operations at the expense of the quality of life for residents;
- The detrimental impact on wildlife that the continuing operation at the site would have;
- Houghton was improving and doing well and approval of this application would set that back;
- The proposed development of Houghton Colliery Site would see over £14million investment and 300-400 jobs which would be compromised should this application be approved; and
- Holystone had advised that this application would create only 4 jobs;
- Approval of the application would make investment in the area less attractive;
- The Council's Strategic Property Manager had raised concerns over the detrimental impact approving the application would have;
- The applicant states there is no demand for the employment park on site but there is no evidence of this
- The city should and must be open for business and large scale investment;
- Biffa were not good neighbours; they used the wrong routes, caused damage to the roads and create significant issues in what is a residential area;
- The number of additional traffic movements in the report is under estimated;
- There were no enforcements made on the applicant when planning conditions have been broken; and
- The site is a blot on the landscape and a blight to residents.

In closing, Councillor MacKnight commented that approval of the application would put a massive investment into the area at risk for at least another ten years which was completely unacceptable and he asked the Committee to refuse the application.

The Chairman thanked the Councillors for their representations and invited Mr. Ryan Peddie, Holystone, to address the Committee on behalf of the applicant.

Mr. Peddie advised that he was Financial Director at Holystone and commented that this development would see a significant new investment to the area with a total value in excess of £20million, £3million of which was on site. In relation to jobs on site he explained that there were five people on site, with a further six being

introduced with the wash facility operation and the development would help safeguard another thirty local jobs.

The Committee were informed that Holystone had taken over operations on site in 2015 and that they had anticipated concerns at that time. A number of the matters which had been raised by residents predated Holystone activities and could not be considered as part of this application. Mr. Peddie stated that he was unaware of any material issues to refuse the application and advised that none had been raised during the application and consultation process.

The service provided by the site was needed in Sunderland to stop the costs for regeneration developments and projects in the area rising due to having to access a similar facility further away. He commented that Sunderland had a significant shortfall to deal with the waste which was presented on site and the continuing operation of the facility would help to reduce that shortfall by 40%.

Mr. Peddie advised Members that there were no proposals to alter the number of vehicles accessing the site and that drivers were advised to use the agreed route. There had been no evidence presented to the Committee in relation to the issue regarding mud on the road and the replacement of the rumble strip with a state of the art cleaner would help improve this even further. Since Holystone had taken over the operations on site they had only received a single complaint in relation to mud on the road which they had looked to address.

In closing, Mr. Peddie commented that a number of the issues raised by Councillors and residents related to problems that were experienced prior to Holystone having taking over the operations and the new wash plant would ensure that there was no issues around odours and/or dust. There had been no complaints received on site since 2015 and Holystone were conscientious neighbours, wanting to work with the community and residents to find agreeable solutions to any problems they faced.

In response to questions from Members, Mr. Peddie advised that the complaints that had been received were in relation to the household waste disposal operations that had taken place on site previous to the inert waste that was now being treated. The next phase of the development would see the installation of the wash plant which would also improve the processing of materials on site.

Members referred to the application considered in 2013, whereby there had been a request to extend operations on site with a time limit of five years but now the Committee were being asked to extend the length of operation even further and the applicants advised that they were proposing to extend the continuation of operation at site until they were in a position to install the development platform for the intended employment park. The application also asked the Committee to approve the new element on site of the installation of the wash plant.

Councillor Miller referred to issues relating to a similar site in the Washington area and advised that cars in the local area were covered in dust there and was informed by the applicant that the site referred to was not ran by Holystone. The process on the site at Houghton Quarry was water driven and therefore there was no dust creation and no crushing element to the process at all. Members were advised that

there was a dust monitor system in place on site, regular visits were made by the Environment Agency and that there had been no negative reports in the last five years relating to dust from the site.

Councillor Speding referred to the previous planning permission and the cubic metreage of inert materials that were expected to reach capacity at the site; the application stated that there was the expectation that a further 621 cubic metres of inert waste would be imported to the site, if approved, and he asked how this related in real time. The representative of Holystone advised that figures had been recorded from the gate receipts as to what materials were received on site and that future activity was based on this information which gives a good indication of what would be future materials delivered to site.

Members were advised that there was demand for the site and that operations worked to the maximum; with materials being received from the Sunderland area which in turn helps the regeneration in the city as developers need to have the facility. There is already a shortfall for capacity in the city and without this facility they would need to find other sites to be able to meet the regeneration requirements. If the application was not approved they felt it would have a negative impact on regeneration and other developments in the city.

The Committee were informed that any construction site would need somewhere for inert waste to go and any alternative site for this new development would have to be visible and that was why the quarry site lends itself perfectly to this development. Any developments that were currently being constructed on brownfield sites in the city needed somewhere to take their inert materials and that was what this development could continue to offer.

Councillor Speding referred to the applicants view that there was no demand at this time for the development of the employment park and referred to the comments made by the Council's Strategic Property Manager and asked for clarification on the differing of opinions. The Planning Officer advised that there were two strands to consider; firstly, the applicant contends that it is not appropriate at this time to develop the employment park but that should they continue operations they could look to create the development platform, the role of Officers was to look at the merits of the application as submitted and make recommendations in line with that, which they had done.

The other strand would be the delivery of the development at the Houghton Colliery Site which concern had been raised over. In the view of Officers there had been no evidence presented that shows that there would be a definitive link between the approval of this application that would jeopardise development on the Houghton Colliery site and therefore Officers could not make recommendations in line with those concerns.

At this juncture, and in accordance with the Council's Protocol on Development Control Matters, Officers advised Committee Members that they should undertake a balancing exercise to weigh up any significant adverse impacts against the benefits of the scheme and understand the risks of any potential contrary decision to that of the Officer recommendation which would result in a possible appeal from the

applicant and potential risk of costs to the Council. Members of the Committee would need to be able to give reasons as to their proposal for any alternative motion.

Having fully considered the issues raised by the representatives and advice given by the Officers, Councillor Speding moved an alternative motion to refuse the application for reasons in relation to the impact on the green belt, that it is not in keeping with the core strategy and development plan policies.. Councillor G. Walker duly seconded the alternative motion.

Having been put to the vote and with Members voting unanimously, it was:-

1. RESOLVED that the application be refused and the Executive Director of City Development be authorised to prepare and issue a refusal notice on this basis in consultation with the Chairman and incorporating detailed reasons of refusal based on the summary ground expressed above.

**19/00783/FUL – Erection of single storey extension to front and side to form restaurant, flue to the side elevation and four additional parking spaces, (amended description) (amended plans received 30.7.19) at Sky Lounge Sports Pub, The Sky Lounge, Oxclose Road, Washington, NE38 7NL**

The representative of the Executive Director of City Development presented the application and late sheet advising the Committee of the key issues to consider in determining the application.

The Officer advised the Committee that the application had previously been deferred for Members to undertake a site visit and this had taken place on 28<sup>th</sup> February, 2020. A late representation had been received and was circulated to the Committee in the late sheet which all parties were given time to consider.

Members raised concerns over the highways issues at the site and commented that they felt that the situation had been doctored when members were on the site visit to make it appear not as bad as it usually was in relation to the parking. The Highways Officer informed Members that matters of illegal parking would need to be dealt with through reports to Northumbria Police or the Council's Enforcement Officers for action.

When asked about introducing traffic regulation orders in the area, the Highways Officer commented that this could be potentially looked into but it could possibly move the problems further afield. He advised that there had been complaints received in relation to the dangerous parking issues and Officers were considering the best way to address them. In relation to the planning application the development proposed requires a further four car parking spaces to be provided on site and the applicant was willing to provide these.

The Chairman advised that there had been requests made to address the Committee and firstly welcomed Councillor Williams to the Committee. Councillor Williams thanked Members for the opportunity to address them and advised that she spoke on behalf of her constituents in objection to the application and commented

that the venue had started as a pool/snooker hall but now there were numerous adverts for events and drinks offers and only recently they had been open until the early hours in a very populated area.

Councillor Williams commented that the interior of the premises was well set out and kept but it was situated in completely the wrong place, being surrounded by residents, and any further development would just continue to add to the problems already being suffered.

There were a number of comments in support of the application which Councillor Williams took Members through and would refute as to whether it was a great asset, or if the neighbouring elderly residents would use the facilities for example. She agreed with the local authority that a lot of the concerns were in relation to the management and operation of the premises which she realised were not material planning considerations but this development was not in the best interests of the community.

In relation to the four additional car park spaces Councillor Williams advised that these were already provided in an unofficial capacity, and used, therefore there was no additional parking being installed. It was felt that the added development was overkill and not particularly needed on site. Residents already raised complaints about the timings of deliveries and waste removals and to approve this development would only exacerbate those problems.

The Chairman thanked Councillor Williams for her representations and invited Ms. Quinn to address the Committee, who advised that she was speaking in objection to the application and raised the following points:-

- The venue was not a snooker club but a glorified nightclub;
- All of the issues and concerns raised were connected and although dealt with by different departments they were linked and had a knock on effect on each other;
- If users of the facilities were given the option to eat on the premises they would continue to drink more and the issues would increase
- It was having a detrimental impact on the mental health of residents and making their life's a misery;
- The area was not the same as that which she had moved into 20 years ago;
- When issues are reported, Northumbria Police have been unable to attend and address the problem;
- People were already parking in the area highlighted for additional car parking so there were no extra spaces being provided;
- Residents had not been made aware of the site visit taking place so did not attend;
- Traffic was parked in the main street dangerously and it was an accident waiting to happen, even though people had been continually warned of the problems;
- There were bottles and glass all over and residents could not let their children play in the street for their safety; and



- There had been no interaction with the management and residents as stated.

In closing, Ms. Quinn advised that residents were fed up with the issues and problems they were living with and asked the Councillors to think of the local residents when making their decision and refuse the application.

The Chairman thanked Ms. Quinn for her representations and invited and welcomed Ms. Nicola Allan to the Committee who had requested to speak on behalf of the applicant..

Ms. Allan spoke in support of the application and commented that she could feel the frustration from residents. She explained that the venue had an established use as a snooker club and had done for many years and as such, any requests of the applicant could not be retrospective and could only be in line with the application before Members which was for a room to hold six table and chairs for dining and a new kitchen extension to the side of the property.

If there were perceived to be further issues then conditions could be put in place to control those moving forward to help improve the situation for residents but Ms. Allan commented that she concerned that there was a lack of evidence for some of the inflammatory remarks that had been made. She referred to the extensions to licensing hours and advised that having looked into this there had been four incidents since 2019 which had been granted by the Council; two for boxing events, one for the 22<sup>nd</sup> December and one for New Year's Eve.

Ms. Allan advised the Committee that the applicant had met with the Council and Northumbria Police and the area had been monitored by CCTV for nine months with no official complaints having been raised as a result of that. In relation to licensing there had been no breaches and the police were happy with the venue and its operations.

The application seeking approval was for a small restaurant area and kitchen extension, which would result in any noisy equipment being moved further away from residents. Ms. Allan asked the Committee to consider the development on its planning merit and approve the application.

In response to a query around the serving times of meals, Ms. Allan advised she did not have exact times for service, although she assumed it would be in line with the times that the venue were operating to their licensing conditions.

When asked how many users of the facilities used their vehicles to access the site, Ms. Allan advised this was not something she would know and advised that there were a number of other premises in the vicinity which could add to the parking issues in the area, it was not possible to say which vehicles were using which facility.

Having fully considered the representations Councillor Miller moved an alternative motion to refuse the application on the grounds that there were not enough parking spaces being provided and that the parking and highway concerns were detrimental

to the neighbouring school, nexus and public transport and the emergency services who also used the main route.

At this juncture, in accordance with the Council's Protocol on Development Control Matters, Officers advised the Committee of the implications of a proposed contrary decision.

The Highways Officer advised the Committee that the Council's parking policy only required the installation of an additional four spaces in line with the proposed development and explained that they could not look to request further spaces for the retrospective site. Members were then advised by the Planning Officer that the applicant had been fully compliant in the request made and to move an alternative motion would be contrary to Council policy, the Committee were not being asked to look at the use and operation of the venue but just at the planning merit of the extensions proposed in the application.

The Committee were then advised that the reasons for refusal would need to be substantiated and have evidence to support the decision or the applicant could look to appeal the decision and the Council would be at risk of costs associated with an appeal.

After consideration of the Officer's advice above, Councillor Miller withdrew her alternative motion and the Officer recommendation was put to the vote, with Members voting five in favour, two in objection and one Member abstaining, it was:-

2. RESOLVED that the application be approved for the reasons as set out in the report and subject to the four conditions detailed therein.

### **Items for Information**

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

3. RESOLVED that:-
  - A site visit be undertaken to 19/01280/FU4 – Land to the north of Mount Lane, Springwell;
  - A site visit be undertaken to 16/01581/MAW – Springwell Quarry; and
  - 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) M. THORNTON,  
Chairman.