

**At a meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 5TH JANUARY, 2010
at 4.30 p.m.**

Present:-

Councillor E. Gibson in the Chair

Councillors Ball, Charlton, Copeland, M. Dixon, Ellis, Fletcher, M. Forbes, T. Martin, Miller, Morrissey, Scaplehorn, Tye and Wood

Declarations of Interest

09/04099/LAP – Change of use from caretakers house into offices and erection of ramp.

The Chairman declared a personal and prejudicial interest in the application as her husband, Cllr P. Gibson, was chair of the Board of Governors at the school.

Apologies for Absence

Apologies for absence were received from Councillors O'Connor, P. Watson and A. Wright.

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

The Deputy Chief Executive 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 the Regulations made thereunder.

(For copy report – see original minutes).

09/03839/FUL – Redevelopment of land to provide 67no. dwellings, including stopping up of highway and change of use to residential and landscaped areas. (Amended description 27.10.2009)

Councillor Tye congratulated Gentoo for planning this redevelopment at this time and for the mix of private and rental properties proposed. Although he indicated he would be happy to see the Section 106 money being spent at either of the proposed

locations; St. Matthew's Playing Fields or Silksworth Sports Complex, he would like more information about how the money was to be spent..

The representative of the Deputy Chief Executive advised that the two sites had been selected as these were the closest facilities to the development. If Members had a preference for where the money was to be spent this would be taken into account. Where the money was spent on sites with existing facilities the money would be used to replace and upgrade the existing facilities.

Councillor Ellis indicated that full information should be provided about allocation and use of Section 106 monies. She enquired about the distance between the development and the play facilities.

The representative of the Deputy Chief Executive advised that St Matthew's Playing Field was 0.5km away and there were already play facilities in place.

Councillor Miller commented generally about the use of Section 106 monies.

Councillor M. Dixon congratulated Gentoo for commencing this redevelopment and stated that it was pleasing to see such a large number of bungalows being included in the development.

1. RESOLVED that the decision be delegated to the Deputy Chief Executive to either:
 - a. Grant planning permission for the reasons set out in the report and subject to the 22 conditions therein subject to the completion of a Section 106 agreement to secure a financial contribution towards play provision at either St Matthew's Playing Fields and/or Silksworth Sports Complex, in lieu of on site provision by 18th January, 2010 or such other date as is agreed by the Deputy Chief Executive. Or:
 - b. Refuse permission should the legal agreement not be completed by 18th January, 2010 or such other date as is agreed by the Deputy Chief Executive on the grounds that the development does not make adequate provision for children's play.

09/04013/FUL – Change of use from residential care home to supported housing for homeless people (Retrospective)

Les Cheatham, a local resident, spoke against the application on behalf of himself and other local residents. He advised that:

- The applicant had moved into the property in February 2009 and had been operating since then without planning permission
- This was a conservation area and granting this application would set a damaging precedent for the conversion of other Houses of Multiple Occupancy in the area

- The residents were not against every application of this type. Wearside Women In Need had a base in the area and this was a shining example of how these projects could be operated.
- There was a problem with antisocial behaviour from the property and the police had been involved numerous times.
- There was concern over the status of Wear Body First, the required information had not been provided to Companies House and the Charities Commission.
- There were issues with staffing; the police had wanted 24 hour staffing however the management were using tenants to staff the premises. This was unacceptable as the residents were vulnerable adults who needed to be provided with training and support.
- There were mistakes in the report and the property overlooked 1 Valebrooke Avenue.

Following this presentation on behalf of the current residents, the Members expressed a number of concerns and queries about the status of the Company and its operating procedures. Keith Lowes, Head of Planning and Environment, advised Members that he had been advised that a representative of Wear Body Positive was to have been present at the meeting. As the recommendation was that if a consent is to be granted a condition be imposed stating that the use be personal to the applicant, it was important to ensure that there was clarity over the legal status of the applicant and its operating procedures. He suggested that Members defer the application until the issues could be addressed.

The new recommendation to defer the application was put to the Committee and it was:

2. RESOLVED that the application be deferred to allow further information to be provided in relation to the legal status of the applicant organisation and its operating procedures.

09/04099/LAP – Change of use from caretakers house into offices and erection of access ramp.

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

09/04355/FUL – Change of use from warehousing (Class B8) to waste materials recycling facility (Class B2) and waste transfer station (sui generis). (Amended description 09.12.2009)

Councillor T. Martin asked whether the Magnesium Limestone aquifer was a source of drinking water and whether the furniture business would be remaining at the front part of the site.

The representative of the Deputy Chief Executive advised that the aquifer was a source of drinking water and the Environment Agency wanted confirmation that there was no contamination of the aquifer as a result of previous developments on the site.

The building would still remain however the furniture business had been refused planning permission

Councillor T. Martin then asked for clarification of whether the 70m separation distance between the houses and the application site included the building. He also asked for reassurance that there would be no work and storage taking place in the outside area and what would be the frequency of journeys to and from the site.

The representative of the Deputy Chief Executive advised that the 70m was from the houses to the front of the application site which was behind the furniture store. There were conditions to ensure that the yard was only used for manoeuvring vehicles. There would be a maximum of four journeys per hour between 7am and 6pm.

Councillor Tye commented that he was surprised that there had been no representations made by local residents. He had concerns regarding parking at the site, there had been discussions regarding parking when the furniture store had been considered and he felt that this development would have a greater impact than the furniture store. He had concerns over the 24 hour recycling of plastics as he felt that this could result in the operator recycling other materials at night.

The representative of the Deputy Chief Executive advised that there would be a maximum of 9 people working at the site at any time and as such there would not be parking problems. There was the potential for enforcement officers to visit the site if there were any concerns regarding night time operation.

Councillor Ellis asked whether the environmental desk study had been carried out and whether bore holes would need to be drilled.

The representative of the Deputy Chief Executive advised that the desk study had been commissioned and that bore holes may not be necessary.

The agent for the applicant advised that the desk study would look at previous uses of the land and the potential for contamination of the aquifer as a result of the land uses. If there was a risk of contamination identified then there would be a requirement to drill bore holes in order to identify whether there was any contamination which could require remedial works.

Councillor Ellis then commented that it was pleasing to see that the Environment Agency was working to protect the aquifer.

Councillor Charlton queried whether there would be new jobs created and stated that he hoped the facility would provide employment for local people.

The agent for the applicant advised that there would be 19 positions, 15 of these would be new jobs and there would be one new management post.

In response to a question from Councillor M. Dixon regarding neighbour consultation, the representative of the Deputy Chief Executive advised that there were always notices displayed at the site and the neighbours were written to in order to advise them of the application.

4. RESOLVED that the decision be delegated to the Deputy Chief Executive to either:
 - a. Grant permission for the reasons set out in the report subject to the conditions set out therein and subject to the satisfactory address of the objection raised by the Environment Agency by 26th February, 2010 or such other date that is agreed by the Deputy Chief Executive. Or:
 - b. Refuse permission should the objection raised by the Environment Agency not be satisfactorily addressed by 26th February, 2010 or such other date as is agreed by the Deputy Chief Executive.

09/04508/LAP – Creation of an open access adventure play area

Councillor Tye asked whether the play area would be fenced off or open.

The representative of the Deputy Chief Executive advised that the play area would be open but would be covered by CCTV.

5. RESOLVED consent be granted for the reasons set out in the report subject to the 11 conditions set out therein and subject to the of Environment Agency objection being withdrawn.

Town and Country Planning Act 1990 – Appeals

The Director of Development and Regeneration submitted a report (copy circulated) concerning the above for the period 1st November, 2009 to 31st November, 2009.

(For copy report – see original minutes).

6. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,
Chairman.

E. BALL,
Vice-Chairman.