

**At a meeting of the PLANNING AND HIGHWAYS (EAST) COMMITTEE held in the CITY HALL COUNCIL CHAMBER on WEDNESDAY 5 JANUARY 2022 at 5.30 p.m.**

**Present:-**

Councillor Butler in the Chair.

Councillors Dixon, Doyle, Foster, E. Gibson, Hodson, Morrissey, Peacock, Reed, Scanlan and P. Smith

**Declarations of Interest**

Declarations of interest were made by Members in respect of the following items of business:-

Item 4, Applications made under the Town and Country Planning Acts and Regulations made thereunder – Planning Application 20/02296/LP3 - Hendon Sidings Enterprise Zone Adjacent to Prospect Row

Councillor Dixon made an open declaration that he had been approached by residents seeking procedural advice regarding how they would be able to make representations at the Committee. In addition, he had also received an email representation from a resident, Mr Mordey, which he had forwarded to the Chairman and Planning Officers. He had however, retained an open mind on the application.

Item 4, Applications made under the Town and Country Planning Acts and Regulations made thereunder. Planning Application 21/02749/LB4 - Seaburn Tram Shelter, Whitburn Road, Seaburn, Sunderland

Councillor Doyle made an open declaration of Predetermination and Bias in respect of the application and left the meeting at the appropriate point on the agenda, taking no part in any discussion or decision thereon.

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Nicholson, Noble, Stewart and Wilson.

**Minutes of the last meeting of the Planning and Highways (East) Committee held on 29<sup>th</sup> November 2021**

Councillor Reed referred to page 7 of the minutes in respect of Planning Application Reference 21/02069/PSI - Monkwearmouth Hospital Newcastle Road Sunderland. He advised that he had questioned Councillor Hartnack regarding the provision of a community hall which had been offered to the applicant as a venue to consult with local residents and which had been declined. He advised that this had been omitted from the minutes.

1. RESOLVED that the minutes of the last meeting of the Planning and Highways (East) Committee held on 29<sup>th</sup> November 2021 be confirmed and signed as a correct record subject to the above amendment.

**Planning Application Reference 20/02296/LP3 Local Authority (Reg 3). - Engineering works including alterations to the vehicular access from Extension Road and the re-profiling of the site (Amended plans received showing removal of northern access). Hendon Sidings Enterprise Zone, Adjacent to Prospect Row, Sunderland, Port of Sunderland.**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

Prior to asking the Officer to present the report, the Chairman advised that a supplementary report had been circulated round the meeting which provided an update on that contained within the agenda. The Committee having been given time to read the supplementary report, the representative of the Executive Director of City Development presented the report. Members were informed that that the application was originally presented to the Committee at its meeting held on 2nd November 2021, however a decision on the application was deferred to allow for a site visit to take place. The application was re-submitted to the Committee on 29th November 2021, however a decision on the application was again deferred to allow for the amendment to the proposals to be made (i.e. the removal of the northern access).

The Committee was advised that the development proposed by the application involved the following works:

- Vehicular access to the south, involving improvements to the existing access from Extension Road. The existing access would be widened to accommodate HGVs and required a new earthwork cutting with associated embankments down to road level, a new footway, a widened 'bellmouth' junction and a reduction to the existing southern boundary wall level to mirror the proposed earthworks;
- Retention of stone and brick boundary wall to the western perimeter, with repairs, repointing and re-coping to be undertaken as required and new green mesh fencing erected to fill gaps in the boundary and replace sections of palisade fencing. Trees and shrubs alongside the wall were also to be retained;

- Removal of existing areas of hardstanding, concrete bays, transient stockpile mounds and vegetation (other than retained trees and shrubs to the western edge) within the site;
- Earthworks to remove buried foundations/obstructions and create a level site for future development;
- Reprofilling of the site to provide a level development platform of between 14m and 15m AOD
- Resurfacing of the site, following completion of earthworks, with site-won hardcore and geotextile membrane to retard vegetation growth;
- Creation of minor bunds and wildlife habitats to the north of the site;
- The erection of two small electricity substations, one to the northern boundary and one to the southern boundary.

The application had previously included the provision of a new access in the northern boundary of the site, onto Barrack Street, however this had been formally removed from the submission. The representative of the Executive Director of City Development reiterated that at this point the current application was simply seeking to make the site 'shovel ready' in preparation for future development. Any future proposals to develop the land would also be subject to planning controls.

The representative of the Executive Director of City Development then advised the Committee of the key issues to consider in determining the application including:-

- Land use considerations;
- The implications of the development in respect of the amenity of the locality;
- The impact of the development in respect of highway and pedestrian safety;
- The impact of the development in respect of ecology and biodiversity;
- The impact of the development in respect of built heritage and archaeology;
- The impact of the development in respect of flooding and drainage;
- The impact of the development in respect of ground conditions;

In conclusion Members were informed that the proposed development was acceptable in land use terms given that the proposed engineering works were intended to support the redevelopment of a key brownfield site which was allocated for commercial and industrial development in the Council's adopted Core Strategy and Development Plan, which formed part of the Port's Enterprise Zone. The development proposals were considered necessary to help market the site and increase its attractiveness to potential developers and to this end, the current access arrangements to the site were not considered to be satisfactory and would be significantly improved by the proposals.

Subject to the imposition of the conditions highlighted in the report, the proposals raised no significant concerns relative to visual and residential

amenity, the setting of the Old Sunderland Conservation Area and other heritage assets proximate to the application site, archaeology, highway and pedestrian safety, flood risk and drainage and land contamination/ground conditions. The implications of the proposals were confirmed as being acceptable by Natural England and the Council's Ecology consultant, subject to the adoption of the proposed mitigation measures. The proposals were also considered to be acceptable in relation to the biodiversity and ecology considerations relative to the application site itself.

It was therefore considered that the proposed development was acceptable in relation to all relevant material planning considerations and that there are significant benefits to be derived from the proposals in terms of supporting the future redevelopment of a key brownfield site. Accordingly, the application was recommended for approval.

The Chairman thanked the representative of the Executive Director of City Development for his report and invited questions from Members.

In response to an enquiry from Councillor Doyle, the representative of the Executive Director of City Development confirmed that in contrast to the original application the location of the substation had been moved 7 metres to the south east and the northern access road removed.

Councillor Dixon referred to a representation by Mr Mordey which suggested an alternative position for the substation and asked if there was any merit in the suggestion. The representative of the Executive Director of City Development informed the Committee that it was the view of Officers that the location of the substation proposed in the amended application was acceptable. There was a concern that the location suggested by Mr Mordey for the substation, was too close to an ecological bund.

Councillor Foster referred to the Members' site visit and the mention of the possibility of erecting a safety fence during the period of construction to protect playing children. The representative of the Executive Director of City Development advised that this was something that would be taken up with his Highways officers.

Councillor Morrissey referred to the use of the term 'shovel ready' and asked the representative of the Executive Director of City Development if future site development would be of an industrial nature and if he believed the character of the area would be fundamentally changed as a result? The representative of the Executive Director of City Development replied that under Policy SS5 of the Council's Core Strategy and Development Plan, the site was earmarked for commercial and industrial development. Any specific plans for development in the future would be considered accordingly. The proposal before the Committee would enable the Adopted Plan to be enacted. Councillor Morrissey stated that he believed the proposal would fundamentally change the character of the area.

There being no further questions for the representative of the Executive Director of City Development, the Chairman informed the Committee that Mr Moon had registered to speak in objection to the application. The Chairman invited Mr Moon to address the Committee advising that he would be given 5 minutes to do so.

Mr Moon referred to the proposed location of the electricity substation and questioned why it appeared it was more important to locate it closer to his property and that of Mr Mordey than to a group of trees. He also believed that the point made by Mr Mordey regarding the detrimental effect the development would have on surrounding property values was a valid one. He stated that his objection to the previous application had centred on the location of the Northern Access Road and the potential structural damage its construction and use could do to his property. The removal of the road from the proposal had lessened this concern however he queried whether it could re-appear in future planning applications if the development of the site took off.

The Chairman thanked Mr Moon for his objection and invited questions from Members.

Councillor Doyle advised Mr Moon that while the depreciation of property values was a concern for residents, it was not a material planning consideration in terms of planning policy and therefore it was not something the Committee could take into account. He asked Mr Moon if he felt the removal of the Northern Access Road had improved the application or whether he felt it was as bad as before? Mr Moon replied that it had improved the application in that the threat of structural damage and the potential barrier between the pub and its customer base had been removed. The issue of the substation remained however, and Mr Moon questioned why was it not suitable for a mobile phone mast to be sited in Doxford Park but it was ok to site something similar in Hendon? Councillor Doyle stated that in Fulwell, residents had a substation that was only 10 metres from their properties however in terms of planning policy it was permitted. Mr Moon replied that he understood the need for such infrastructure but stated that it should not be located in a way that was detrimental to people's lives.

Councillor Dixon advised Mr Moon that he had asked Officers if it would be possible to move the substation further away, but the answer had been no. He asked Moon if there was anything he could say to change their minds. Mr Moon replied that it was a 12' x 12' structure and all it would take to move it would be a suitable length of cable. Relocating it as suggested by Mr Mordey would actually move it closer to its power source.

Councillor Morrissey stated that the residential area around the Welcome Tavern pub appeared to be a pretty self-contained neighbourhood and asked Mr Moon if he believed that its character would be fundamentally changed if the planning application was approved. Mr Moon replied that this would undoubtedly be the case. He had lived in the area for 60 years and had seen the area change from the days of the shipyards to the present day. It had

become a 'nice little area' with a close-knit community based around the pub. A lot of young families had started to move into the area which he welcomed, and he believed that its character was something that should be protected. He recognised the need for the city to develop and attract industry, but he believed it was something that needed to be done sympathetically and not to the detriment of existing communities.

There being no further questions for Mr Moon, the Chairman welcomed and introduced Mr Hunt, Port Director advising that he would be given 5 minutes to speak in support of the application.

Mr Hunt having addressed the Committee, the Chairman invited questions from Members.

Councillor Doyle asked what was the rationale behind the location of the substation and whether there was any scope to move it once more? Mr Hunt replied the rationale was the proximity to the offsite hook up point and the flexibility it would provide in optimising the ability to allow any future developments on the site to plug straight in. In theory it would be possible to move its location again, but it was felt that the proposed location was the most suitable.

The being no further questions for Mr Hunt, the Chairman asked the Committee to consider and comment on the application.

Councillor Dixon stated that he would be more than happy to approve the application but remained concerned about the location of the substation. He hoped there would be some flexibility regarding this.

Councillor Foster stated that like Councillor Dixon the location of the substation was a problem, but he was happy to support the application.

Councillor Doyle stated that he was happy to support the application being mindful of the new businesses it would bring. He asked however if a review of the location of the substation could be made a condition attached to the planning permission if granted. The purpose of the review would be to ask the applicant to justify the location in order to give comfort to residents.

The representative of the Executive Director of City Development replied that it was believed that the proposed location was already the optimum one and he felt there were no grounds to ask the applicant to consider relocating it again. He stated that there were numerous examples of substations coexisting with residential and business properties in the City. He cited a house on Chester Road that had a sub-station in its garden. He was also uncomfortable in seeking to secure something like this via a condition.

The Chairman advised that he would allow a short adjournment in order to seek legal advice in respect of Councillor Doyle's proposal.

Upon reconvening the meeting, the Chairman asked the Solicitor to address the meeting. The Committee was advised that the National Planning Policy Framework made it clear that planning conditions should only be imposed where they satisfy the 6 tests of necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. The imposition of a condition would not be necessary or relevant to planning, because it was not required for a definite planning reason to make the development acceptable in planning terms and would not be reasonable in all other respects. Therefore it was advised that the imposition of a condition as suggested by Councillor Doyle did not meet the 6 tests in this case.

Councillor Hodson referred to the issue of 'residential amenity' and admitted that it was something he was struggling with in regard to this application. It was stated on page 27 of the agenda that that the proposed development 'would not substantively affect the living conditions of the nearest dwellings' however this was something that residents obviously disagreed with. He referred to his own ward and the impact of the Riverside developments. The character of the Deptford area would fundamentally change as a result of the proposals. For somewhere like the Kings Arms this would be a benefit, its current isolated site would suddenly become within easy reach of a large residential development. The proposed development in Hendon was of a different nature but would also fundamentally change the character of the area in a way that residents wouldn't welcome. You couldn't discount the fact that the current application was just the first step which would inevitably lead to steps 2, 3 and 4.

In response to Members comments, the representative of the Executive Director of City Development informed Members that with regard to the sub-station, it was the view of Officers that the proposed location was the optimum one. In relation to health concerns, electricity infrastructure, was subject to Government set exposure limits in relation to electromagnetic fields. These limits were designed to ensure there was no unacceptable risks to public health. As the exposure limits were regulated outside of the planning system the Council as Local Planning Authority had considered the development on the basis that all relevant health and safety requirements were being addressed and that the substation was safe in respect of public health. With regard to construction traffic this would be covered by a condition that would require that no development would commence until a Construction Environmental Management Plan had been submitted to and approved by the Local Planning Authority. With regard to the Northern Access road there was no guarantee that it would not form part of future development proposals for the site however it would be considered in context with the proposal at that time. With regard to the application fundamentally changing the character of the neighbourhood, the representative of the Executive Director of City Development stated that the current application had been looked at in isolation and on its own merits and it had not given rise to any concerns in respect of amenity. The starting point for change would be the submission of any further development proposals in line with the adopted Core Strategy and Development Plan.

There being no further comments, the Chairman moved the Officer recommendation as detailed in the supplemental report.

The Committee having requested that a recorded vote be taken, the recommendation was approved with 7 Members voting in favour (Cllrs Doyle, Foster, Gibson, Peacock, Reed, Scanlan and Smith). 2 Members voting against (Cllrs Morrissey and Hodson) and 1 abstention (Cllr Dixon).

Accordingly it was:-

2. RESOLVED that the application be granted consent under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) subject to the draft conditions listed in the report.

**Planning Application 21/01952/FUL Proposed two storey 30 Bed Residential Care home with associated landscaping and parking. Former Ford and Hylton Social Club, Poole Road Sunderland SR4 0HG**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report, advising the Committee of the key issues to consider in determining the application, including:-

- Principle of development;
- Design and impact on visual amenity;
- Impact on residential amenity (including noise, odour and air quality);
- Impact on highway and pedestrian safety;
- Impact on ecology;
- Impact on flooding and drainage;
- Impact in relation to land contamination;
- Impact on archaeology.

In conclusion the Committee was advised that the proposed development would provide a community facility in the form of a specialist residential care home, and contribute to meeting a specialist housing need, in a sustainable urban location with good access to public transport. The acceptability of a care home of a similar scale and position on this previously developed site had already been established in 2009 albeit under different planning policies and guidance. It was considered that the proposed development would be compatible with existing land uses, and that it would bring a vacant site into a beneficial use. It was therefore considered that it would be acceptable in principle.



Subject to the compliance with recommended conditions it was also considered that the proposed development would be of an acceptable design and have no harmful visual impacts when viewed from the public domain, and it would have no unacceptable impacts on the amenity of the occupiers of existing dwellings in the vicinity of the application site including during the construction process. It was also considered that the proposed development would afford future occupiers of the residential care home with an acceptable standard of amenity and that it would have no unacceptable impacts on landscaping and trees, highway and pedestrian safety, ecology, or in relation to flooding / drainage and contamination.

The proposed development accorded with the relevant planning policies and therefore was considered to be an acceptable form of development and was recommended for approval.

The Chairman thanked the representative of the Executive Director of City Development for his report and invited questions from the Committee.

In response to an enquiry from Councillor Doyle regarding the planning history of the site, the meeting was advised that it was not known why any of the developments previously granted planning permission on the site had failed to be implemented.

Councillor Doyle highlighted that the proposed development would provide 16 new parking bays, (including two disabled bays) and queried whether this was sufficient given there was the potential for 30 members of staff? The Highways Officer advised that the parking proposed was in line with Sunderland City Council's parking standards and was deemed appropriate to accommodate the number of staff taking the local travel planning into account.

In response to a further enquiry from Councillor Doyle regarding the proximity of public transport, the Highways Officer advised that that the proposed development had good local transport connections with the nearest bus stop being a 500 metre walk away.

There being no further questions the Chairman invited comments on the application.

Councillor Hodson welcomed the application. He stated that it represented a good fit for a site that had sat empty for a long time and was becoming a bit of an eyesore. He suggested it would also make sense for bus operators to increase the number of services to the Ford Field Estate given the amount of development going on in the area.

Councillor Doyle regretted that the applicant had chosen not to incorporate the points raised by Northumbria Police into the design of the scheme however he believed it still represented a good application.

Councillor Foster echoed members comments and welcomed the proposed development.

There being no further comments the Chair moved the Officer recommendation as detailed on page 62 of the agenda papers and it was:-

3. RESOLVED that the application be approved subject to the conditions listed in the report.

**Planning Application 21/02480/LP3 Local Authority (Reg 3) Replacement of existing double lane batting practice cage with a new double land practice cage.  
Ryhope Recreation Park Ryhope Street South Sunderland.**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report, advising the Committee that the proposed batting cage would be erected within the same location as the existing facility which lay adjacent to the existing tennis courts. It was considered that there was no conflict with the applicable planning policies and consequently it was recommended that consent was granted for the development

There being no questions for the Officer, the Chairman thanked him for his report and asked Members to consider the application.

Councillor Dixon welcomed the application and shared his memories of playing cricket at Ryhope in the past. He had been intrigued by the use of the term 'cage' and had visited the site. He believed it was an excellent project and fully justified. In particular he welcomed the addition of the new synthetic surface.

There being no further comments the Chair moved the Officer recommendation as detailed on page 69 of the agenda papers and it was:-

4. RESOLVED that the application be granted consent under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) subject to the conditions listed in the report.

**Planning Application 21/02590/LB3 – Listed Building Consent  
Demolition of the southern and northern gable walls of redundant former builder's yard and office.  
Former Builders Yard and Office 7 & 8 Easington Street Monkwearmouth  
Sunderland**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report, advising the Committee that the application for Listed Building Consent related to a building located within the Sheepfolds area of central Sunderland and which occupied a roughly triangular plot on the outside of a bend in Easington Street, which formed the western edge of the Sheepfolds area. The building was located directly adjacent to the Grade-II Listed former North Eastern Railway (NER) stables; it was erected on the footings of the part-demolished south range of the stables, and its internal wall adjoined the gable wall of the remains of a surviving part of the south range of the stables complex.

The building in question stood at what would become the northern landing point of the new River Wear footbridge crossing, which was granted consent at the Planning and Highways (East) Committee meeting held on 29th March 2021. The construction of the bridge necessitated the demolition of the building in question and prior approval for the demolition works had recently been granted via application. ref. 21/02346/DEM, determined under delegated powers. The works involved the demolition of the northern and southern gable walls of the building, which adjoined the wall of the surviving Grade-II Listed stable range. This application for Listed Building Consent sought consent for the scope of the works which would physically affect the Listed stable walls.

In conclusion the representative of the Executive Director of City Development advised that it was considered that the application submission had provided sufficient information to enable an understanding of the significance of the heritage asset to be affected by the proposals (i.e. the NER stables) and the nature of the potential effects of the works, in terms of the risk of damage to the exposed stables wall. It was also considered that the conditions recommended by the County Archaeologist and the Council's Built Heritage officer would enable these effects to be appropriately managed and, if necessary, inform repairs and rebuilding in the event any collapse did occur. It was therefore recommended that Listed Building Consent be Granted.

There being no questions for the Officer, the Chairman asked Members to consider the application.

Councillor Doyle having welcomed the application and expressed his thanks for the consideration being given to the impact on a designated heritage asset, the Chairman moved the recommendations as detailed on page 75 of the agenda papers, and it was:-

5. RESOLVED that Listed Building Consent be granted subject to the conditions listed in the report.

At the request of the representative of the Executive Director of City Development and with the consent of the Chairman, the following two

applications on the agenda were considered together as they were inextricably linked.

**Planning Application 21/02747/LP3 Local Authority (Reg 3)  
Removal of existing shop front and replacement with new traditional timber and masonry shop fronts. Repair and conservation works to the upper elevations, to include masonry and window repairs, 3 no. casement windows at first floor level to be replaced with sliding sash windows. Elephant Tea Rooms 64- 66 Fawcett Street Sunderland SR1 1BB**

**Planning Application 21/02748/LB3 Listed Building Consent  
Removal of existing shop front and replacement with new traditional timber and masonry shop fronts. Repair and conservation works to the upper elevations, to include masonry and window repairs, 3 no. casement windows at first floor level to be replaced with sliding sash windows. Elephant Tea Rooms 64- 66 Fawcett Street Sunderland SR1 1BB**

The Executive Director of City Development submitted reports (copies circulated) in respect of the above matters.

(for copy reports – see original minutes)

Prior to asking the representative of the Executive Director of City Development to present the reports, the Chairman advised that a supplementary report had been circulated round the meeting which updated that contained within the agenda with respect to the Listed Building Consent application. The Committee having been given time to read the supplemental report, the representative of the Executive Director of City Development presented the report, advising the Committee of the key issues to consider in determining the applications.

The Committee was advised that it was considered that the overall approach to the external repair and restoration of the listed building and new shop fronts demonstrated a sympathetic and high-quality design approach to conserving and enhancing the listed building and the historic high street. The detailed design of the scheme had been subject to lengthy discussions between the architects, the Conservation Team and Historic England, and demonstrated a sound and properly informed conservation approach that should ensure the significance of the building is conserved and sustained into the future.

It was considered there were no conflicts with the planning policies applicable to the applications and therefore it was recommended that consent was granted to both applications.

The Chairman thanked the representative of the Executive Director of City Development for his report and invited questions from Members.

Councillor Hodson referred to the supplementary report and the comments from Sunderland Civic Society regarding the possibility of relocating the BT feeder box and asked if this had been costed? The representative of the Executive Director of City Development replied the cost of relocating the box was approximately £60,000 and as its removal was not required as part of the scheme, the expenditure could not be justified.

There being no further questions the Chairman invited the Committee to comment on the application.

Councillor Doyle expressed his support for both applications. He believed that the current ground floor elevation was 'incongruous' and concurred with the Civic Society's comments that the proposed restoration would provide a 'dignified' frontage in keeping with the original design and the upper floors.

Councillor Hodson stated that he would go a step further than Councillor Doyle and describe the current ground floor elevation as an 'aberration'. He stated that the Tea Rooms was a massively significant building for Sunderland and he was really pleased with the restoration plans. It was a high quality and much loved building and residents would warmly receive its restoration. He noted that the local history library would shortly be moving out of the premise and he hoped that whatever its new use may be, a way was found to maintain public access to the building.

The Chairman echoed the comments of members stating that the building was a beautiful piece of architecture, representing Sunderland at its best, and having moved the officer recommendations, as detailed on page 83 of the agenda papers in relation to the planning permission application and in the supplemental report for the listed building consent application, it was :-

6. RESOLVED that :-

i) with regard to application 21/02747/LP3 Local Authority (Reg 3), consent be granted under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the conditions in the report; and

ii) with regard to application 21/02748/LB3, Listed Building Consent be granted, subject to the conditions set out in the main report including the update to Condition 1 detailed in the supplemental report.

**Planning Application 21/02749/LB4 Listed Building Consent Removal of internal partitions and seating, restoration of roof and cast-iron pillars; erection of glazed timber panels to enclose the building and various other works to enable the conversion to a cafe.  
Seaburn Tram Shelter, Whitburn Road, Seaburn.**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

Prior to asking the representative of the Executive Director of City Development to present the report, the Chairman advised that a supplementary report had been circulated round the meeting which provided an update on that contained within the agenda. The Committee having been given time to read the supplemental report, the representative of the Executive Director of City Development presented the report. Members were informed that the application for Listed Building Consent related to the Tram Shelter located adjacent to the seafront on Whitburn Road opposite Seaburn recreational park and sought approval for the specific works being proposed for the conversion that already benefitted from planning approval, namely:

- Restoration of fish-scale roof, reusing existing slates to the same pattern
- Restoration of roof timberwork
- Repair of rainwater goods
- Restoration of cast-iron columns, with the columns left outside the new elevations
- Restored/new timber elevations enclosing the space replicating the profile and pattern of the north and south side gable panels with true divided light clerestory glazing with 12mm slim double-glazed units (DGUs). Top hung casement sashes with 12mm DGUs. Insulated bottom panels.
- Relocation of seat footings, with new timber seat slats to the west (road) elevation.
- Superstructure of vertical cantilever wind posts on the long elevations and corners to provide lateral stability. Fixed to new insulated floor slab.

In conclusion members were advised that it was considered that the proposed development was appropriate in accordance with the relevant national and local planning policies and therefore it was recommended that Listed Building Consent was granted in respect of the application.

The Chairman thanked the representative of the Executive Director of City Development for his report and invited questions from the Committee.

Councillor Hodson referred to the strong recommendation from the County Archaeologist that specialist conservation advice was sought by the applicant from Sunderland City Council's conservation team and also that if the proposed works were approved historic building recording was undertaken. He asked would this be carried out? The representative of the Executive Director of City Development replied that it would as it would form part of the conditions attached to the grant.

Councillor Hodson asked if there would be any merit in providing a heritage panel similar to that erected in Minster Park? The representative of the Executive Director of City Development replied that this had not been looked

at but was something that could be raised with the Council's Regeneration Manager. Councillor Hodson replied that he would welcome this as it was a significant part of the city's history in relation to its transport and coastline.

Councillor Dixon agreed with Councillor Hodson regarding the need to commemorate the building's heritage. In addition, he asked if it was known how the building had come to be listed as this had not been the case when the original planning application had been determined 3 years ago. The representative of the Executive Director of City Development advised that he was not certain however he believed that it was listed by Historic England following a request from a member of the public.

Councillor Dixon felt the Council could have done better in maintaining the tram shelter since its listing. He criticised its current condition and believed it was in an appalling state with the Council culpable for letting it fall into disrepair. The representative of the Executive Director of City Development replied that there was a limited budget and priority was given to buildings in active use. Councillor Dixon added that he would have thought the fact it was listed would have increased the priority given to the building.

In response to an enquiry from Councillor Dixon as to how the Council would ensure the building was maintained in the future, the meeting was informed that the Council's Building Control Officers and Regeneration Teams would work with the applicant to ensure that the work was undertaken in accordance with the conditions attached to the consent if granted. Once completed its maintenance would be incumbent on the owners.

Councillor Dixon referred to the list on page 93 of the agenda papers of other refurbishments being undertaken to nearby buildings and asked if any of these buildings were listed. The meeting was informed that it was not believed that they were.

In response to enquiries from Councillor Reed, the representative of the Executive Director of City Development explained what work would be done in respect of the details to the tram shelter windows to ensure they were in keeping with the historic heritage of the building and that the colours used were appropriate.

In response to an enquiry from Councillor Peacock regarding bin storage, the representative of the Executive Director of City Development replied that approval for this had been granted as part of the previous planning application. The storage area would be surrounded by wooden fencing and gates in keeping with the character of the building.

In response to a further enquiry from Councillor Dixon the representative of the Executive Director of City Development advised that the nearby listed public conveniences would not be impacted by this application.

There being no further questions for the representative of the Executive Director of City Development, the Chairman welcomed the following speakers who had registered to speak in objection to the application

- i) Ms Alison Hicks
- ii) Dr. Paul Skinner

Each were given 5 minutes to address the Committee and cited the following grounds of objection:-

- The conservation report had described the shelter as a cherished heritage asset, a nationally rare and largely intact example of an early-20<sup>th</sup> Century tram shelter. It had an elegant and attractive design with notable cast-iron work.
- 2693 people had signed a petition objecting to its conversion to a café.
- It contravened paragraph 197 of the NPPF
- People used the tram shelter daily, enjoying the views, resting, taking shelter from the elements, chatting and breast feeding. It still operated as a bus shelter. People would lose this facility unless they were prepared to go inside and pay for a coffee.
- Since 1901 it had provided a safe haven for people and provided a high social return for little cost. This would be lost and would be in direct conflict with the object of the Sunderland Seafront Trust, i.e to provide or to assist in the provision of facilities in the interests of social welfare for recreation or other leisure time of Inhabitants who have need of such facilities by reason of their youth, age, infirmity or disability, financial hardship or social circumstances with the objects of improving their conditions of life.
- There were already too many eating outlets in the area (30) and no account had been of the cumulative impact of another.
- Its presence would increase the traffic problems in the area.
- The Seaburn Master Plan was fragmented and not fit for purpose.

The Chairman thanked Ms Hicks and Dr Skinner for their presentations and invited questions from the Committee.

Councillor Dixon referred to Dr Skinner's admission that he was the member of the public that had requested that the building be considered for listing and asked his reasons for doing so. Dr Skinner replied that he had missed the consultation in respect of the original application and had assumed that given the heritage of the tram shelter that it was a listed building. He subsequently found out that it was not. He was amazed that the Council had not applied to have it listed so he had decided to do so himself via the simple online process.

Councillor Hodson asked if anyone knew who had originally built and owned the tram shelter. The meeting was informed that the tram shelter had been built and owned by the Sunderland Tramways Company which was ultimately bought out by the then Sunderland Corporation.



There being no further questions for Ms Hicks and Dr. Skinner, the Chairman welcomed and introduced Jonathan Dryden, co-founder of the applicant (Blacks Corner) who had registered to speak in support of the application advising that he would be given 5 minutes to do so.

Mr Dryden addressed the Committee informing Members of the history of Blacks Corner and his passion for the business which had grown from small local beginnings to its position nationally where it was now the largest retailer of cheese north of Manchester. The proposal before Members would operate at a regional level but would operate from a building of national importance. The café however had the potential to become nationally recognised as a place to eat and Blacks Corner would be striving for a Rosette Rating for its use of British produce. Mr Dryden believed that the proposal guaranteed a future for the tram shelter and would preserve the historic integrity of the building.

In conclusion he stated that if Blacks Corner wasn't here in 100 years time, the building would be safe in the hands of the Sunderland Seafront Trust, complete with a restoration that would last for another 100 years after that.

The Chairman thanked Mr Dryden for his presentation and invited questions from the Committee.

In response to an enquiry from Councillor Hodson, Mr Dryden explained the circumstances which had led to Blacks Corner taking on the Building.

In response to enquiries from Councillors Hodson and Dixon, Mr Dryden explained that the provision of a history board was an absolute. It was intended that the elevation of the building closest to road would be used as a history wall and that it would still be made available as a place for people to wait. This was something that Blacks Corner would work on in conjunction with the Council regarding the design and content with perhaps the inclusion of historic photographs as suggested by Councillor Dixon.

There being no further questions for Mr Dryden, the Chairman invited the Committee to consider and comment on the application.

Councillor Hodson stated that he was grateful for the members of the public speaking in objection to the application adding that if anything this had made him even more conflicted. The point made regarding the loss of public open space to private enterprise was valid and was a very strong point. However, the committee was dealing with a disused building and there was a danger it would become more and more derelict without the proposals. He believed it would be wrong to pass the cost of renovation onto council taxpayers. The proposal represented an opportunity to bring in external private investment to improve the building and keep it standing for future generations. He believed this was a positive move.

Councillor Reed stated that he echoed a lot of Councillor Hodson's points and welcomed the opportunity the application provided to pass the care of valued listed building over to a passionate local developer.

Councillor Dixon stated he took a different view to Councillor Hodson in that there had been a lot of public money wasted in the City. He stated however that he had been persuaded by the presentation from the new owners which had been passionate and not blasé. He said he was going to trust the words of the new occupiers as he believed what they had said. He trusted what had been written in the planning report and that the development would be checked by Building Control as the renovations were undertaken and also what had been said in respect of commemorating the building's history. In trusting Blacks Corner to restore the building sensitively he hoped they would involve the community as much as possible going forward and in this respect recommended that they should maintain a close relationship with people like Alison Hicks and Dr. Skinner. In conclusion Councillor Dixon stated that he was going to support the application but hoped that the trust being given was justified in the future.

There being no further comments the Chairman put the Officer recommendation as detailed in the supplementary report, to the Committee and it was:-

7. RESOLVED that Listed Building Consent be granted, subject to the conditions set out in the main report.

### **Items for Information**

Members gave consideration to the items for information contained within the matrix (agenda pages 103-109).

In response to an enquiry from Councillor Doyle, Members were provided with an update in respect of Planning application 20/01442/VA3-Bay Shelter Whitburn Bents Road.

In response to an enquiry from Councillor Dixon in respect of Planning application 21/02435/FUL - Rowlandson House, the Development Manager advised that she would ask the relevant case Officer to provide him with an update.

In response to a general enquiry from Councillor Doyle, the Development Manager explained the rationale regarding the current suspension of formal Committee Site Visits in light of the Council's Covid guidelines.

In conclusion Councillor Hodson expressed a degree of concern regarding the acoustics in the Chamber and a suggestion that members of the public at the back of the room had experienced difficulties in hearing.

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

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

(Signed) M. BUTLER,  
(Chairman)