

**At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 4 JULY 2022 at 5.30 p.m.**

**Present:-**

Councillor Thornton in the Chair.

Councillors Doyle, Foster, Herron, Morrissey, Mullen, Nicholson, Scott and Warne.

**Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillor G. Miller.

**Minutes of the last Ordinary meeting of the Planning and Highways Committee held on 13<sup>th</sup> June 2022**

2. RESOLVED that the minutes of the last Ordinary meeting of the Planning and Highways Committee held on 13th June 2022 be confirmed and signed as a correct record.

**Planning Application 22/00192/FUL – Conversion of restaurant (Use Class E (b)) to provide student accommodation with 15no. studios and 1no. accessible studio, and 1no shopping unit (Use Class E (a)), with external alterations to the elevations. Former Louis Café, Park Lane, City Centre, Sunderland, SR1 3NX**

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.

Councillor Doyle referred to Policy H3 of the Core Strategy and the requirement to demonstrate the need for student accommodation and that he

was pleased to see this evidence was provided on the development therefore wished to place his gratitude on record.

Councillor Doyle also referred to Page 35 of the agenda and wished to caution against the use of wording within the report, particularly with regards to “this would contribute to regenerating and transforming the urban core into a vibrant and distinct area”. Councillor Doyle commented that student accommodation within the old Joplins building had not quite worked out and that he did not consider John Street to have transformed into a vibrant area therefore he suggested we be mindful to reign in our aspirations.

There being no more comments or questions by Members, the Chairman put the Officer recommendation to the Committee and it was:-

3. RESOLVED that the application be approved subject to the draft schedule of conditions as set out in the report and the completion of a Section 106 legal agreement

**Planning Application 22/00529/SUB - Erection of a single storey extension with access stairs to rear and creation of smokers area (resubmission). - Mamas Kitchen Houghton Road Newbottle Houghton-Le-Spring DH4 4EF**

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.

In conclusion members were informed that it was considered that the development would be likely to result in harm to the living conditions of the occupiers of the neighbouring residential properties by reason of overlooking, loss of privacy and outlook. It was also likely to lead to conditions detrimental to highway safety. As a result the proposal was considered to be unacceptable and Members were therefore recommended to refuse planning permission for the reasons detailed in the report.

There being no questions for the representative of the Executive Director of City Development the Chairman welcomed and introduced Councillor Juliana Heron who had registered to speak in objection to the application advising that she would be given 5 minutes to address the Committee and that an Officer would inform her when her time was up. Councillor Heron addressed the Committee citing the following issues in objection.

- a petition in objection had been submitted signed by 90 residents of Hillview Road

- the area already suffered from parking problems. The application would add to this.
- The increased traffic would be detrimental to highway safety
- The proposed smokers area was too close to neighbouring properties and gardens where children would be playing resulting in noise disturbance, overlooking and the smell of smoke.
- She wanted to see the business succeed but believed that the proposal was out of character for a conservation area.
- Residents had again emailed with concerns over the extractor fan to be used and that all of the residents on the petition were from the area of Hill View/Coaley Lane
- Residents were also concerned that the development was taking away staff parking areas therefore questioned where the staff would then move to in order to park.

The Chairman welcomed and introduced the applicant Mrs Helen Cooper who had registered to speak in support of her application. The Chairman advised that she would be given 5 minutes to address the Committee and that an Officer would inform her when her time was up. Mrs Cooper addressed the Committee citing the following issues in support:-

- The application would utilise current dead open space. It would not remove a parking space as it too small an area to allow any vehicle to park
- It would not remove a service area as all deliveries came through the front of the property.
- The business employed 18 members of staff and the application would provide a staff room, shower room and secure storage area for the staff.
- The main reason for the application was the kitchen extension to allow the business to cater for people with specific dietary requirements which the current cramped space did not allow.
- The dining area was not being extended so there would be no increase in patrons and therefore no increase in the numbers parking
- The smoking shelter would be used by smokers who would formerly congregate around the front door. The smoker's area would be completely private and screened by a smoked glass balustrade. It would enhance the amenity of neighbours who had previously had to look out onto a brick wall and extractor fan.
- The smokers' area would not result in an increase in litter or vermin
- A large percentage of the letters of objection were submitted by friends of local residents who did not live in the area.
- Mrs Cooper thanked the Committee for attending a site visit to look at the area first-hand and hoped that this had cleared the blurred edges of the application. The visit had taken place on a Friday evening during their busiest period and still showed there to be no issues. Mrs Cooper claimed that this was despite residents parking their cars on the street rather than on their drives to try and exacerbate any situation.

- Mrs Cooper further advised that the smoking terrace would close at 9pm in line with the restaurants last orders and that it would be monitored to reduce disruption to residents.
- The Committee heard that the applicants had put substantial money into the establishment since they had obtained it in 2010 and wished to keep the building at a high standard.

The Chairman invited the Committee to comment on and debate the application. Councillor Mullen referred to residents concerns over the extractor fan and size of the building and enquired if these were complaints as the building stood now or if they were concerns over the proposed changes. Councillor Juliana Heron commented that residents were concerned about the noise with the increased size proposed.

In response to an enquiry from Councillor Doyle, the representative of the Highways Department advised that Officers had assessed the staff parking and given the scale of the development had relied upon the transport statement provided by the applicant and it was determined that no additional parking was required.

Councillor Nicholson commented that parking was a non-issue as the development was for staff benefit and would not generate extra customers so there would be no extra demand.

Councillor Doyle commented that he agreed with the Officer recommendation as he gave great weight to the Development Management standards and he did not feel this proposal met those standards. The original application had failed on visual impact/amenity and materially this application had not changed in that regard.

The Chairman commented that she was very sympathetic towards the applicant and in respect to the kitchen and facilities for the staff she felt these would improve their staff working conditions, however she was minded to agree with the Officer recommendations to reject this proposal on the grounds of visual amenity impact on the residents. However she commented that her concerns with the development could potentially be addressed via a resubmission in the future if the proposal did not include a smoking area and store.

There being no more questions or comments by Members, the Chairman put the recommendation to the vote, with six Members voting in favour and three Members voting against, it was:-

4. **RESOLVED** that the application be refused for the reasons as set out within the report.

### **Items for information**

Members gave consideration to the items for information contained within the matrix (agenda pages 45-61).

5. 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. THORNTON  
(Chairman)