

PLANNING AND HIGHWAYS COMMITTEE

AGENDA

Meeting to be held in Committee Room 2 on Thursday, 19th December, 2013 at 5.30 p.m.

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Minutes of the last meeting of the Committee held on 23rd October, 2013 (copy attached)	1
4.	Minutes of the extraordinary meeting of the Committee held on 28th November, 2013 (copy attached)	4
5.	Report of the meeting of the Development Control (North Sunderland) Sub Committee held on 30th October, 2013 (copy attached)	13

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| 6. | Report of the meetings of the Development Control (Hetton Houghton and Washington) Sub Committee held on 30th October, 28th November, 2013 and the extraordinary meeting held on 20th November, 2013 | 15 |
| | (copies attached) | |
| 7. | Report of the meetings of the Development Control (South Sunderland) Sub Committee held on 29th October and 26th November, 2013 | 26 |
| | (copies attached) | |
| 8. | The County Durham Plan, Local Plan Pre-Submission Draft: Consultation Response of the City Council | 37 |
| | Report of the Deputy Chief Executive (copy attached) | |

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

11th December, 2013

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in COMMITTEE ROOM 2 on WEDNESDAY, 23RD OCTOBER, 2013 at 5.30 p.m.

Present:-

Councillor Tye in the Chair

Councillors Ball, Copeland, Curran, Davison, Dixon, Ellis, Francis, E. Gibson, Lauchlan, T. Martin, Padgett, Price, D. Richardson, Scaplehorn, Thompson, Walker and Wood.

Declarations of Interest

There were no declarations of interest

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Blackburn, Essl, Howe, Scott, P. Watson and D. Wilson

Minutes of the meeting of the Committee held on 17th September, 2013.

1. RESOLVED that the minutes of the meeting held on 17th September, 2013 be confirmed and signed as a correct record.

Report of the Meeting of the Development Control (North Sunderland) Sub Committee held on 2nd October, 2013

The report of the meeting of the Development Control (North Sunderland) Sub-Committee held on 2nd October, 2013 (copy circulated) was submitted.

(For copy report – see original minutes)

2. RESOLVED that the report be received and noted.

Report of the Meetings of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 4th September and 2nd October, 2013

The reports of the meetings of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 4th September and 2nd October 2013 (copies circulated) were submitted.

(For copy reports – see original minutes)

3. RESOLVED that the reports be received and noted.

Report of the Meetings of the Development Control (South Sunderland) Sub-Committee held on 3rd September and 1st October, 2013

The reports of the meetings of the Development Control (South Sunderland) Sub-Committee held on 3rd September and 1st October, 2013 (copies circulated) were submitted.

(For copy reports – see original minutes)

4. RESOLVED that the reports be received and noted.

Planning for the Future – Core Strategy and Urban Core Plan for Gateshead and Newcastle: City Council Response to Consultation

The Deputy Chief Executive submitted a report (copy attached) to provide the Committee with an opportunity to consider the proposals set out in the emerging Core Strategy for Newcastle and Gateshead and agree a response to the consultation exercise being conducted by the Councils.

(For copy report – see original minutes)

Gary Clasper, Principal Policy Officer for Planning presented the report and was on hand to answer Members' queries.

Mr Clasper advised Members that the statutory period for making representations on the strategy had been extended to allow any comments from this Committee to be included.

Councillor T. Martin commented that he welcomed the changes to the strategy and the fact that colleagues from the neighbouring authorities had taken this Council's comments into consideration, in particular those on Leam Lane.

The Chairman also welcomed the changes in response to Leam Lane and requested a covering letter be included with our response to the consultation,

thanking Newcastle/Gateshead colleagues for taking our concerns into consideration and their cooperation on the matter.

5. RESOLVED that the Committee

- i) Endorsed the comments as detailed within the report;
- ii) Authorised the Deputy Chief Executive to prepare a covering letter setting out the agreed response of this Committee; and
- iii) Authorised officers to forward a copy of this report and covering letter to Gateshead Council as constituting the City Council's formal response to the Core Strategy and Urban Core Plan for Gateshead and Newcastle.

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

(Signed) P. TYE
(Chairman)

At an extraordinary meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CIVIC CENTRE COUNCIL CHAMBER on THURSDAY, 28TH NOVEMBER, 2013 at 5.00 p.m.

Present:-

Councillor Tye in the Chair

Councillors Ball, Curran, Davison, Essl, E. Gibson, Howe, Lauchlan, T. Martin, Padgett, Price, D. Richardson, Scaplehorn, Thompson, Turton, Walker. D. Wilson and Wood

Declarations of Interest

Councillor Essl made an open declaration that he is a shareholder in Tesco (one of the proposed foodstore operators) and therefore took no further part in the meeting.

In addition all other Members of the Committee recorded that they had received a significant amount of correspondence from the various interested parties in relation to both of the planning applications on the agenda. However no Members had responded substantively to any of the correspondence and no Members felt that they had a closed mind on either application as a result of this correspondence.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Blackburn, Copeland, Dixon, Ellis, Francis, Scott and P. Watson.

The Chairman firstly checked that all Members had received a copy of the officer's supplementary report in respect of the two applications which had been provided in the Members' room earlier that day. The Chairman also stated that if any Members had not had the opportunity to read the supplementary report, he would provide five minutes reading time before moving into the main agenda items.

All Members of the Committee confirmed that they had already read the supplementary report and did not require any additional reading time.

Jonathan Rowson, Assistant Head of Law and Governance then advised the Committee that as the two planning applications on the agenda are competing out of centre foodstore proposals with common considerations and the proposed officer recommendations are interlinked, it was proposed that both applications and reports and should be considered together.

The Members of the Committee confirmed their agreement to this approach.

Reference from Development Control (Hetton, Houghton and Washington) Sub Committee – 12/00100/FUL

Erection of a food store (Use Class A1) and a six island petrol filling station with sales kiosk including cash point (A.T.M) and staff welfare facilities, to include the construction of a new roundabout entrance from Cragside Road and associated landscaping and infrastructure (Reduced floorspace – Amended plans received 14.03.13, updated information received 14.06.13) – Land North of Armstrong Road, Armstrong Industrial Estate, Washington, NE37 1QW

Danielle Pearson, Senior Planner firstly outlined the Morrisons application proposal for the Armstrong Road site and explained the non-retail planning considerations in respect of the application as described in the reports to the Committee

Reference from Development Control (Hetton, Houghton and Washington) Sub Committee – 12/03137/OUT

Outline Planning Application for the erection of a food Superstore with car parking, petrol filling station and associated works (Amended Scheme 31/05/13) – Phase 1, The Peel Centre, Spire Road, Glover, Washington

Anthony Jukes, Principal Development Control Planner, then outlined the Peel application proposal and explained the non-retail planning considerations in respect of the application as described in the reports to the Committee.

The Chairman then introduced Mike Holliss, Partner in Hollissvincent who had undertaken an independent audit report and retail appraisal for the Council in respect of both application proposals.

Mr Holliss firstly outlined the assessment of each application against the saved retail policies in the Council's Development Plan and the area specific proposals.

Mr Holliss then referred to the key development management tests for out of centre retail development set out in Paragraphs 24, 26 and 27 of the National Planning Policy Framework (NPPF).

Mr Holliss advised that it was considered both applications passed the sequential test as there was no sequentially preferable site in Washington or Concord centres that was suitable and viable for either development proposal. The allocated Western Car Parks site proposed by M&G in their objection was not considered to be suitable and viable for a third town centre foodstore scheme.

Further, there was no clear evidence that either application would have a significant adverse impact on existing, committed and planned investment in either of the centres. The applications were unlikely to cause a significant adverse impact on the proposed cinema / restaurant scheme and very limited weight was given to M&G's potential foodstore opportunity on the Western Car Park given the conclusions on this site under the sequential test.

The starting point with regard to the assessment of the impact of the applications on the vitality and viability of Washington Town Centre had been to assess the current health of Washington, with the conclusion that it continues to enjoy the reasonably good level of health as originally reported in the SRNA in 2009

With this backdrop in mind, Mr Holliss explained that when each application proposal is assessed separately with the existing planning commitments the impact on the vitality and viability of either Washington town centre or Concord local centre is not considered to cause a significant adverse.

However the combined cumulative impact of both proposals which is termed the "Two Store Scenario" together with the existing commitments is considered to cause a significant adverse impact on the vitality and viability of Washington town centre given the levels of trade diversion that would arise.

Therefore, Mr Holliss explained that in light of these impact assessments and the retail policies of the NPPF a choice has to be made between the two applications and one should be refused. In deciding which application should be refused, account must then be taken of the respective fall-back positions for each application site which have both been assessed in the committee reports as being real.

It is the cumulative impact of the Morrisons application with the commitments and the Peel Convenience Goods Led fall-back which is likely to cause a significant adverse impact on the vitality and viability of Washington town centre given the levels of trade diversion that would arise. Whereas, the cumulative impact of the Peel application with the commitments and the Armstrong Road fall-back is not considered to cause a significant adverse impact on the vitality and viability of the town centre.

Mr Jukes then outlined for Members the officer's overall recommendations in respect of both applications.

Councillor Walker enquired as to the fall back position for the Peel site and queried if a leading operator such as Tesco would trade alongside a smaller budget retailer such as Aldi or Lidl.

Mr Holliss advised that this was possible and was quite common within the UK.

The Chairman then introduced Pauline Willis, spokesperson for the Traders of Armstrong Industrial Estate who wished to speak in support of the Morrisons application. Ms Willis commented that the Morrisons application had the full support of the traders in the local area.

Ms Willis advised that there was a great public demand for Morrisons and whilst she did not have a great insight into politics, she did know the area and the local people in her area did not want a Tesco.

Ms Willis argued that the Peel site was unsuitable for any food based development and the road access to the site was unacceptable in her view. She stated that there were already issues with the surrounding roads, which would be exacerbated if more shoppers had to utilise them.

Without the proposed Morrisons development, Ms Willis felt that the traders on the Armstrong industrial estate would not be able to survive as they have had to live with a rundown site for many years and they badly needed the additional footfall in the area.

Ms Willis commented that the threats from M & G to pull out of the Cinema proposal if one of the applications is approved should be ignored as she believed M&G wanted to dictate every move in Washington. There was a need for greater freedom of shopping choice in Washington.

The Chairman then introduced Sandra Noble, who also wished to speak in support of the Morrisons application. Ms Noble advised that she lived in Concord, which needed a new Morrisons store as it would bring people into the area. She stated that M & G's complaints should be rejected as they were only scared of the additional shopping competition. There were 250 jobs at stake here and the local residents did not want a Tesco Store as many could not afford to shop there.

At that point the Chairman advised those members of the public who were speaking that the Members of the Committee were required to consider both applications based on their planning merits only and not political reasons so it was unfair to accuse Members of not listening to their constituents.

The Chairman then introduced David McNee, M&G's Centre Manager for the Galleries who wished to speak in opposition to both applications. Mr McNee commented that both of the applications would have a substantial impact on the Galleries and the town centre. He argued that the Hollissvincent report refers to no progress being made in respect of a foodstore scheme on the Western car parks site, but this was due to M&G concentrating on their other substantial town centre investment projects such as the Retail Park and Bus Centre.

Mr McNee advised that the Western car Parks site is available and could accommodate either application proposal. M&G were pleased to see that officers had recommended refusal of the Morrisons application as this would severely damage the Centre. However the Peel application should also be refused on the same grounds.

Mr McNee also commented that the benefits of new jobs claimed from both Morrisons and Tesco were overestimated due to the expected job losses that would occur at the Galleries due to shop closures if either of the proposals were approved.

The Chairman introduced Graham Connell of Colliers (agent for M&G) who also wished to speak in opposition to both applications. Mr Connell commented that he felt the consideration of the Peel application was flawed as the report does not address whether the proposals constitute sustainable development. He also felt that officers were giving insufficient weight to the retail policies in the UDP.

Mr Connell argued that key elements of M&G's evidence in objection to both applications had not been understood by officers and the Council's retail consultant. The Western Car Park site had not come forward for a foodstore development as M&G have been expanding other parts of the town centre.

Mr Connell stated that the Cinema proposals would have to be reviewed if either of the applications were approved. He also questioned the likelihood of the fall back position occurring on the Peel site.

The Chairman then introduced Steve Buckley of Peacock and Smith (agents for Morrisons) who stated that Morrisons were disappointed to see the officer recommendation to refuse their application as the retail case was very finely balanced. He argued that the Tesco proposal does not have the support of the local community.

Mr Buckley submitted that the Morrisons proposal was the better option and had unprecedented local support with 400 letters and a 626 signature petition in favour whilst Tesco had only limited public support and a petition with over one thousand signatures opposing the development.

Mr Buckley stated that Morrisons had sought to address the officer's concerns and as the decision was finely balanced on both applications, the public support in favour of Morrisons should sway the decision to approve the Morrisons application.

Mr Buckley also commented that the Morrisons development would create 250 jobs for local people and Morrisons would very much like to be part of Washington and would regenerate a currently run down site.

Mr Buckley also suggested that a Section 106 agreement could be used to mitigate the adverse impact of the Morrisons application on Washington town centre.

The Chairman then introduced Roger Wheeldon of Peel who welcomed the officer's recommendation and felt that the committee reports set out a fair and balanced review of the two applications. The overriding public comment was that Washington residents wanted increased shopping competition to the Galleries. Mr Wheeldon argued that M&G's tactics merely highlighted how they were trying to monopolise the area by blocking other retail development which would improve consumer choice. The Galleries had major issues with car parking and there was a real desire from the residents of Washington to see another superstore in the area.

Mr Wheeldon stated that M&G's suggestion that the Western Car Park site is suitable and viable for a third foodstore scheme were simply not credible and the history has confirmed this.

Mr Wheeldon also commented that Morrisons were already building a new store in nearby Birtley. Therefore the people of Washington will have a Morrisons store this time next year and if the Peel application were to be approved Washington residents would then have access to all four food operators.

Members of the Committee then asked questions of the speakers.

Councillor Walker asked if M&G's own impact assessment had come to the same conclusion as the officer's reports and whether any scenario was acceptable to M&G.

Mr Connell advised that the trade diversion that would be created by either application would significantly affect the smaller stores in the Galleries that were already suffering and this amount of trade loss would result in losing occupiers in the centre. Therefore either scenario would cause significant damage to Washington town centre.

In response to Councillor Scaplehorn's question to explain the reference by Morrisons to a potential section 106 agreement, Mr Buckley advised that this would have to be discussed with Local Planning Officers but Morrisons were willing to enter discussions.

Mr Rowson, Assistant Head of Law and Governance then asked Mr Buckley to explain how his proposal for a Section 106 agreement would work in this case and how it could be used to mitigate the impacts of trade diversion on the privately owned Washington town centre.

Mr Buckley suggested that it was for the Council to identify a proposed route under Section 106 although he accepted that any planning obligation would have to comply with the relevant tests to be a material consideration.

The Chairman commented that Morrisons have had 22 months to enter into discussions on this matter so he considered Mr Buckley's comment on a potential Section 106 Agreement to be misleading.

The Chairman also commented that he was concerned that the representatives from the Galleries were potentially being underhand with their comments in relation to the possible withdrawal of the Cinema proposals should either of these applications be approved.

Mr Connell responded and stated that he wished to clarify that M&G would, just like any normal investor, keep under review its confidence in investment proposals, but this statement was in no way intended to be an ultimatum and he apologised if this had been seen that way.

Councillor Padgett commented that Members were required to consider the proposed developments on the two sites, not the relevant supermarket brands themselves and individual preferences by residents for one brand over another. He also commented that the Peel site was located between two deprived areas of Washington and the Peel proposal would provide an important accessible shopping facility for local residents in these wards and would improve consumer choice. Councillor Padgett commented that he wanted to maximise local shopping choice for residents as some people did not drive and whilst he would ideally have liked to approve both applications, he accepted the clear advice from officers and the independent consultant on this point.

Councillor Scaplehorn commented that as a ward member for Washington West only three people had approached him expressing an objection to Morrisons, with hundreds in support. Therefore he felt that he needed to support the wishes of the people he represents and therefore he was in favour of the Morrisons application.

Councillor Lauchlan commented that he was concerned regarding the level of impact on the Galleries Shopping Centre and the risk of shop closures and potential job losses if either application was approved.

Councillor Howe commented that he was a great supporter of believing in the views of the local people and therefore felt he should support the Morrisons application.

Councillor Wood commented that it seemed there were strong arguments for improving consumer choice for shoppers in Washington with a third foodstore and new competition was to be welcomed. He noted that the Hollissvincent audit report had clearly concluded that it was not appropriate to approve both applications and there was a clear recommendation from officers to approve the Peel application. He reminded other Members of the Committee that if they do not wish to support the officer's recommendations in respect of both applications then they should move an alternative recommendation with reasons in support of the proposed motion. ,

Councillor Thompson referred to the issues raised by the objectors regarding the potential safety of the road network in the vicinity of the Peel site and the A1231 and enquired if the Highways department were satisfied with the proposed highway arrangements for the development.

James Newell, Assistant Head of StreetScene (Network Management) advised that the figures used in the transport assessment in respect of the Peel application were particularly robust in overestimating the potential traffic generation under worst case scenarios and there would be modest queue lengths on the slip road as identified in the report which is what he expected to see. Mr Newell advised that he had visited the site and the proposed highways works (which would be secured through a Section 278 Agreement under the Highways Act 1980) were appropriate and would ensure that the proposed development is acceptable in terms of highway safety.

With no further comments from Members, the Chairman then put to the vote in turn the officer's recommendations in respect of each application.

In relation to the officer's recommendation in respect of the Peel application, with 12 Members voting in favour of the officer's recommendation and 5 Members voting against it was:-

3. RESOLVED that Members be minded to approve the Peel application subject to the draft conditions outlined in the main committee report and that the application be referred to the Secretary of State in accordance with the provisions of the Town and Country Planning (Consultation) (England) (Direction 2009 (Circular 2/09) for the following reasons:-
 - The application proposal passes the sequential test under Paragraph 24 of the NPPF;
 - The application proposal (together with the existing planning commitments and the Armstrong Road fall-back position) would not have a significant adverse impact in relation to either of the impact tests under Paragraph 26 of the NPPF in respect of Washington Town Centre and Concord Local Centre;
 - Therefore there are no significant adverse impacts to outweigh the positive benefits of the application in terms of physical regeneration, employment and the qualitative shopping benefits

of introducing a new leading foodstore operator within the Washington area; and because

- The conflict with Shopping Policies S1 and S2, and with Area Proposals WA7 and WA33 of the UDP are more than offset by other material considerations, including the positive economic and social benefits arising from the net job creation and the meeting of a known operator demand, the social benefits of improving shopping facilities and consumer choice, the comprehensive redevelopment of the dated and run-down application site with a development of good quality and efficient, modern design and through the improvements to vehicular, pedestrian and public transport access.

In relation to the officer's recommendation in respect of the Morrisons application, with 12 Members voting in favour of the officer's recommendation and 5 Members voting against it was:-

4. RESOLVED that the Morrisons application be refused for the following reason:-

The application would have a significant adverse cumulative impact on the vitality and viability of Washington Town Centre, when combined with the existing commitments, and either the Peel application or the Convenience Goods-Led Fall-back at the Peel Centre Phase 1 site, contrary to Paragraphs 26 and 27 of the NPPF, and because this level of cumulative impact (in either case) would cause significant conflict with the objectives of the UDP's saved Shopping Policies and it's Area Proposals for Washington and Concord.

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

(Signed) P. TYE
(Chairman)

At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on WEDNESDAY, 30TH OCTOBER, 2013 at 4.45 p.m.

Present:-

Councillor Copeland in the Chair

Councillors Curran, Davison, E. Gibson, Jackson and Thompson.

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Blackburn, Francis, Tye and D. Wilson.

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

The Deputy Chief Executive submitted a report, supplementary and circulatory report (copies circulated) relating to the North Sunderland area, copies of which had also been forwarded to each Member of the Council upon applications made thereunder.

(For copy report – see original minutes).

13/02329/FUL – Installation of a 1,122sq.m mezzanine floor in Unit 3 and installation of additional mezzanine floorspace of 289 sq m in Unit 5 (transfer of retail floorspace permitted under 04/02261/FUL) - Unit 3 & Unit 5 Hylton Riverside Retail Park, Timber Beach Road, Sunderland, SR5 3XG

1. RESOLVED that the application be delegated to the Deputy Chief Executive for the completion of a unilateral undertaking.

13/02388/FUL – Proposed residential development of 34 units, associated access and landscaping – Site of former Newcastle Road Swimming Baths, Sunderland.

2. RESOLVED that the application be Delegated to the Deputy Chief Executive in order to complete the Section 106 agreement as stated in the supplementary report.

13/02521/FUL – Extra Care housing development comprising 100 apartments with associated communal spaces including a convenience store, hair salon, restaurant, lounges, garden area and associated vehicle parking and 30 bungalows with private gardens, on plot parking and associated access roads. Development to include stopping up of highway – Junction of Faber Road and Carley Hill Road, Sunderland.

3. RESOLVED that the item be Delegated to the Deputy Chief Executive as stated in the circulatory report.

13/02635/VAR – Variation of conditions 2 (plans), 6 (landscaping scheme) and 10 (BREEAM) of previously approved application 12/00231/FUL – Erection of 24 bed purpose- built dementia care centre including visitor and support accommodation, additional parking and associated landscaping – Monkwearmouth Hospitals, Newcastle Road, Sunderland, SR5 1NB

4. RESOLVED that the application be agreed.

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

(Signed) R. COPELAND,
Chairman.

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on WEDNESDAY, 30th OCTOBER, 2013 at 5.45 p.m.

Present:-

Councillor Thompson in the Chair

Councillors Davison, Heron, Lauchlan, Padgett, Richardson, Scaplehorn, Scott, Wakefield and Walker

Declarations of Interest

13/02594/LAP – Replace existing timber perimeter fencing with 1.8m high galvanised steel palisade fencing

Councillors Richardson and Scott made an open declaration in the above application as Chairmen of the Coalfields Area Committee and Coalfield Area Place Board respectively.

13/01703/FUL – Erection of a commercial / industrial building at land East of Unit 34 Crowther Road, Washington

Councillor Thompson made an open declaration in the above application as he was the ward Councillor who had requested that the item be referred to the Sub Committee for discussion and in that he wished to speak in objection to the application having predetermined the issues.

Apologies for Absence

Apologies for absence were received from Councillors Blackburn, Tate and Wood

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

The Deputy Chief Executive submitted a report, supplementary report and report for circulation (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 report – see original minutes)

13/02442/VAR – Variation of condition 2 : Approved plans of planning approval 12/02556/REM (Approval of reserved matters (in connection with outline planning approval 11/01612/OUT) for 158 dwellings (including 10% affordable homes) and associated landscaping and infrastructure) comprising rearrangement of plots 67-70 and 82-84 and modifications to the internal highway layout at SIG Combibloc Limited, Blackthorn Way, Sedgely Industrial Estate, Houghton-le-Spring

Members having fully considered the application, it was:-

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

13/02444/FUL - Change of use from open space to private garden with boundary enclosures, erection of shed / summerhouse, part retrospective at Thornton Cottage, Redburn Row, Houghton-le-Spring, DH4 6PX

The representative of the Deputy Chief Executive presented the application as set out in the body of the report, summarising the issues around the principle of the development.

The Chairman welcomed Councillor Ellis to the Committee who had requested to speak in objection to the application and on behalf of Mr and Mrs Chappow.

Councillor Ellis spoke to the Committee in objection to the application raising the following issues:-

- The land is public land, having been maintained for the last 40 years from the public purse and does not belong to the applicant;
- The application was retrospective as works had already taken place on the site;
- The applicant has no legal right to do works beyond the grass verge but has and continues to.

Councillor Ellis asked that the Committee refer these issues to the enforcement team within the Council for action and asked why no action had been taken against the application previously.

The Officer advised that the report set out in full the relevant matters for consideration by the Committee with regards to the application and advised that the grant of planning permission does not transfer ownership of land and that applications can be made for land that does not belong to the applicant.

Members sought clarification as to whether the land was owned by the Council and if so, should the applicant be applying to purchase or rent that land from the Council and when asked if the Council would pursue the issue around ownership of the land, the Officer advised that this would be an issue for Property Services to investigate if

seen to be necessary but that this was not a material planning consideration to be taken into account by the Committee.

Members having fully discussed the application and having had their questions answered, it was:-

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

13/02594/LAP – Replace existing timber perimeter fencing with 1.8m high galvanised steel palisade fencing, to include 10 no pedestrian access gates and erection of 1.5m high close boarded fencing to divide plots at allotments site opposite John Street / Rear of Britannia Terrace, Fence Houses, Houghton-le-Spring

The representative of the Deputy Chief Executive presented the application as set out in the body of the report, summarising the issues around the principle of the development.

Members welcomed the application and saw it as an improvement to the current site, and it was:-

3. RESOLVED that the application be granted consent in accordance with Regulation 3 of the Town and Country Planning General Regulations (as amended) for the reasons as set out in the report and subject to the three conditions as detailed therein.

At this juncture it was proposed that application 13/01703/FUL be moved to the final item for discussion on the agenda to allow the Chairman to remain for the remainder of the items.

13/02390/FUL – Demolition of existing school buildings and erection of new school with associated hard and soft play areas at Usworth Grange Primary School, Marlborough Road, Sulgrave, Washington, NE37 3BG

Members having fully considered the report, it was:-

4. RESOLVED that the application be granted approval for the reasons as detailed in the report and the fifteen conditions as set out therein.

13/02569/FUL – Change of use from Class C2 (Residential Institutions) to 28 no. flats (Class C3) and associated external alterations (AMENDED DESCRIPTION) at Fell House, Albion Terrace, Springwell, Gateshead, NE9 7RJ

Councillor Scaplehorn sought clarification as to why the number of parking spaces had been reduced and was advised that this application was more akin to social housing and therefore did not require the same number as a housing scheme would, therefore, through discussions with the engineers they were happy with 20 spaces within the curtilage of the site.

Councillor Scaplehorn went on to say, ordinarily, he would agree with that proposal but that the area was notorious for parking issues that were already of concern in the area.

Members concerns having been taken into account, and having had their questions answered, it was:-

5. RESOLVED that the application be granted approval for the reasons as detailed in the report and the three conditions as set out therein.

13/02714/FUL – Construction of a multi-screen cinema and up to 6 no. use class A1-A5 units with associated hard and soft landscaping, servicing and amendments to existing footpath and car park including the stopping up and diversion of footpath and closure of the existing subway and provision of alternate pedestrian crossing point at Cheviot House and adjoining land, Washington Town Centre, Washington, NE37 1HE

6. RESOLVED that the application be deferred.

Items for Information

7. RESOLVED that site visits be undertaken to the following planning applications:-
 - 13/00198/FUL – Land at Murton Lane / South of Firtree Lane, Easington Lane, Houghton-le-Spring;
 - 13/01617/FUL – Land East of Gillas Lane, Houghton-le-Spring; and
 - 13/00297/OUT – Land off Herrington Road / Opposite The Stables, West Herrington, Houghton-le-Spring.

At this juncture, Councillor Richardson took the Chair for the remainder of the meeting.

13/01703/FUL – Erection of a commercial / industrial building (use classes B1/B2/B8) with associated works to include stopping up and change of use of existing footpath across site and to north side of Crowther Road to part of cartilage of new unit and grass verge, creation of new footpath link to Harvey Close, creation of new vehicular access onto Crowther Road, erection of new fencing and pedestrian gate, provision of soft landscaping at land east of Unit 34 Crowther Road, Crowther, Washington, NE38 0AQ

The Chairman welcomed and introduced Councillor Thompson and Mr. Hepburn to the Committee who had come to speak in objection and favour of the application respectively.

Councillor Thompson thanked the Committee for the opportunity to speak and advised that he spoke in objection to the application on behalf of his fellow ward Councillors. He explained that there were grave concerns over the closure/reroute of a footpath.

He advised Members that the Industrial Estate was a vibrant and busy one with constant vehicular movement. The application would see half of a footpath being closed which he and his ward councillors were of the opinion that it should be closure of the full footpath. If the full footpath were not closed or rerouted then it would see the remaining half of the footpath leading from a grassed, quiet area, straight into the busy car park of a busy industrial estate, with no further footpath access.

Councillor Thompson reiterated that he and his fellow ward councillors had no objections to the facility or the proposed closure to the footpath as outlined but asked that consideration be given to alternatives to the remainder footpath so as to not to draw members of the public into a busy industrial estate. He asked that the application be deferred to look at alternative solutions or a condition be added to ensure that the remainder footpath access be closed or improved.

The Chairman welcomed Mr. Hepburn to the Committee who spoke in favour of the application, stating that the application had followed three years work which had involved working in conjunction with the highways section of the Council to ensure that they hit every requirement necessary to go ahead with the application.

He explained that the new route had very little pedestrian usage and it was felt that those numbers using the route were en route to the industrial estate. He explained that they currently occupied neighbouring properties within the estate and were looking to bring in more blue chip companies to the estate.

Members having fully considered the application and representations given, it was:-

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

Town and Country Planning Act 1990 – Appeals

9. RESOLVED that appeals received and determined for 1st to 31st August, 2013 be received and noted.

(Signed) G. THOMPSON,
Chairman.

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on THURSDAY, 28th NOVEMBER, 2013 at 3.30 p.m.

Present:-

Councillor Thompson in the Chair

Councillors Davison, Heron, Lachlan, Padgett, Richardson, Scaplehorn, Wakefield, Walker and Wood

Declarations of Interest

There were no declarations of interest made.

Apologies for Absence

Apologies for absence were received from Councillors Blackburn, Heron, Scott and Tate

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

The Deputy Chief Executive submitted a report and supplementary 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 report – see original minutes)

11/01066/SUB – Provision of 176 space car park at land at Campground, Springwell Road, Springwell, Gateshead

1. RESOLVED that the application be deferred to allow further information from the applicant to be received and considered.

At this juncture the Chairman proposed that the fourth planning application be considered next on the agenda to allow those parties present to leave following its consideration.

13/02714/FUL – Construction of a multi-screen cinema and up to 6 no. use class A1-A5 units with associated hard and soft landscaping, servicing and amendments to existing footpath and car park including the stopping up and diversion of footpath and closure of the existing subway and provision of alternative pedestrian crossing point at Cheviot House and adjoining land, Washington Town Centre, Washington, NE37 1HE

The representative of the Deputy Chief Executive presented the report in respect of the application, summarising the planning issues around the principle of the development.

The Chairman welcomed Mr. Graeme Connell, Colliers International to the meeting who had requested to speak in favour of the application and answer any questions from the Committee on behalf of the applicant.

Mr. Connell addressed the Committee advising that following a site visit by Members some concerns had been raised over trees at the site and ecology and pedestrian highways. Following further discussions works on the applications had been carried out to address those issues Members had.

With regards to trees and ecology, Mr. Connell advised that a number of trees would be lost to allow for the building of the development but that the benefits brought about by redeveloping would outweigh the benefits currently provided by the trees. In relation to ecology information had been submitted to the Council and had been considered broadly acceptable.

In relation to Highways, Mr. Connell advised that the majority of the issues had been pedestrian related and that now the technical information had satisfied Officers that they met standards to operate safely. It was explained to Members that maintenance of the highways would fall to the Galleries management to be responsible in monitoring and introducing changes if any issues arise.

Members continued to raise concerns over access to the proposed development and were advised that islands would be installed to help alleviate pedestrian crossings but that these would not be controlled crossing as they did not meet the standard necessary for them. The large lamp that was currently situated at the roundabout near to the site would either remain or be resituated further along the road but the level of illumination would remain.

Members having fully considered the report, it was:-

2. RESOLVED that the application be delegated to the Deputy Chief Executive who is minded to approve the application subject to the satisfactory resolution of the outstanding matters and the twenty one conditions as set out in the report and any other conditions deemed necessary in respect of the outstanding matters.

13/02435/FUL – Extension to existing factory unit and associated car parking (Amended description 12.11.2013) at 3-4 Sedling Road, Wear, Washington, NE38 9BZ

Members having fully considered the application, it was:-

3. RESOLVED that the application be granted consent for the reasons as set out in the report and subject to the nine conditions as detailed therein.

13/02621/LAP – Erection of new leisure centre, comprising pool hall, sports hall, squash courts, trampoline hall, fitness suite, exercise studio, spinning room, changing rooms and associated admin rooms. 6 no 5 aside football pitches and 100 car parking spaces. Stopping up and diversion of footpath at Washington Leisure Centre, Washington Town Centre, Washington, NE38 7SS

4. RESOLVED that the application be granted consent in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 for the reasons as set out in the report and subject to the twenty three conditions detailed therein.

Items for Information

5. RESOLVED that:-
 - 10/02944/FUL – Down at the Farm, Haining Law Farm, Stoneygate – the application be removed from the matrix as it is now disposed;
 - 13/01617/FUL – Land East of Gillas Lane, Houghton-le-Spring – that the application be referred to Planning and Highways Committee as the application is of city wide, strategic importance;
 - 13/02265/OUT – Land to rear of Springwell Village Club/ Fence to side garden of 6 Westfield Crescent, Springwell – that a site visit be undertaken and update emailed to Committee Members.

Town and Country Planning Act 1990 – Appeals

6. RESOLVED that appeals received for 1st to 31st October, 2013 be received and noted.

(Signed) G. THOMPSON,
Chairman.

At an extraordinary meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on WEDNESDAY, 20th NOVEMBER, 2013 at 3.45 p.m.

Present:-

Councillor Thompson in the Chair

Councillors Blackburn, Davison, Padgett, Richardson, Scott, and Tate

Declarations of Interest

There were no declarations of interest made.

Apologies for Absence

Apologies for absence were received from Councillors Lauchlan, Scaplehorn and Wood

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

The Deputy Chief Executive 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 report – see original minutes)

13/00297/OUT – Outline Application to provide 10 no executive dwellings at land off Herrington Road / Opposite The Stables, West Herrington, Houghton-le-Spring

The representative of the Deputy Chief Executive advised that the application had withdrawn this application. Therefore, it was:-

1. RESOLVED that the application be withdrawn.

13/02688/ADV – Retention of 2 no free standing signs at entrance behind fencing at LWC Limited, Mulberry Way, Fence Houses Industrial Estate, Houghton-le-Spring, DH4 5RH

Members having fully considered the application, it was:-

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

(Signed) G. THOMPSON,
Chairman.

At a Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 29th OCTOBER, 2013 at 4.45 p.m.

Present:-

Councillor E. Gibson in the Chair

Councillors Ball, Copeland, Ellis, T. Martin, Thompson, Turton, Tye and S. Watson

Declarations of Interest

Land at Croftside House, Knollside Close, Sunderland

All Members made an open declaration that they had received correspondence direct from Aldi but no Members had responded to the correspondence with their views on the application and all Members would be considering the application with an open mind.

The Chairman declared that she had also received emails from residents in respect of this application and that the objectors had attended her ward surgery. However she had not entered into any discussions with any party on the planning merits of this application and she would be considering the application with an open mind.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Atkinson, Blackburn, Dixon, Maddison, Price, P. Watson and Wood.

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

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

(For copy reports – see original minutes).

**13/00544/FUL – Demolition of existing care home and erection of a food store with associated vehicular and pedestrian access, car parking and landscaping.
Land at Croftside House, Knollside Close, Sunderland**

The representative of the Deputy Chief Executive advised that the application was to replace the existing care home with a 1,480sq.m. single storey food store with 77 parking spaces including provision for disabled and 'parent and child' parking. The proposed store's opening hours would be 8am to 10pm Monday to Saturday and 10am to 4pm on Sundays and the requested times for deliveries to be allowed was between 7am and 11pm Monday to Saturday and 9am to 7pm on Sundays.

The responses from the consultees were included in the circulatory report and the statutory consultees had raised no objections subject to the imposition of appropriate planning conditions relating to issues such as land contamination and noise attenuation. There had been a large number of objections from residents and the grounds for these objections were set out in the circulatory report. There had also been a number of representations from residents in support of the application; the grounds for these representations were also set out in the circulatory report. There had also been an objection from Councillor Errington which was based around the site not being suitable for the development proposal ; the lack of footpaths in the area; and the impact on the local residents from the noise and increased traffic levels.

The principle of the development had been considered and the proposal had been considered against the relevant policies of the Unitary Development Plan and National Planning Policy Framework. A planning and retail assessment had been carried out in August 2013 by independent retail consultants HollissVincent. It was considered that the application passed the sequential test and there were no suitable and available sites for the proposed development within Doxford Park Local Centre or in an edge of centre location. In addition, it was not considered that the proposal would cause a significant adverse impact on Doxford Park Centre and would be likely to create some benefits for the Local Centre through increased retention of spend within the local area and the potential generation of linked trips between the proposed store and the Local Centre.

The siting and design of the store had been given consideration and it was felt that the layout was acceptable given that the entrance to the store had been located at the corner furthest away from the nearest residential properties. There would be road widening carried out and a footpath would be installed. The refrigeration unit had been positioned so that the noise from it would not adversely affect residents and the loading bay had been designed to ensure that there would not be adverse noise issues. There would be landscaping and planting undertaken to provide screening to reduce the risk of noise escaping from the site.

The scale and mass of the store was considered to be acceptable; the maximum height would be 5.5 metres which was 1.5metres lower than the ridge height of the houses on Knollside Close and was 2.6 metres lower than the adjacent public house; it was also 2.9 metres lower than the height of the existing building on the site. The design of the building was functional with the main design features facing Doxford Park Way. It was not considered that there would be a negative impact on the visual amenity of the area.

There were concerns over the delivery hours as there was the potential for noise disturbance however there would only be 40 minutes of activity a day and the design of the loading bay helped to mitigate against the potential for noise disturbance which was considered to be acceptable.

Councillor Tye queried the hours for deliveries; he asked whether the proposed hours had been requested by the applicant and whether there had been any discussions with the applicant around the delivery hours given the potential concerns regarding noise disruption and impact on amenity. The Representative of the Deputy Chief Executive advised that the applicant had originally requested 24 hour deliveries however following the production of the noise assessment they had requested the hours set out in the report; there was no evidence that an 11pm end time for deliveries would cause any significant issues.

Councillor Thompson referred to the pedestrian access to the site and the fact that the only access which wheelchair users or parents with pushchairs could use was the vehicular entrance which would put these people in direct conflict with vehicles accessing the site. He queried whether it would be possible for a new pedestrian route across the car park to be included. The Highways Engineer advised that there was no requirement for a designated footway in a car park of this size.

The Chairman then introduced the local residents who wished to address the Committee in objection to the application.

Mr Sumby advised that he lived in Knollside Close and had suffered from anti-social behaviour problems; he was concerned that there would be an increase in these problems should the application be approved. He also expressed concerns that the increase in traffic would make it difficult for him to cross the road as he needed to use a walking stick.

Mrs Macdonald then addressed the Committee and stated that she was speaking on behalf of all local residents who had objected to the application. It was felt that the location of the store, right next to houses, was inappropriate; there was a concern over the amount of traffic the development would create and the impact this would have on residents. There were no pathways along the road and the route was used by children walking to school and the increase in traffic would cause a danger to these children. The existing care home was in-keeping with the residential nature of the surrounding area while the supermarket would not be and would have a significant visual impact. Residents had concerns over the noise that would be created along with the potential for litter and for vermin to be attracted to the site. There were also concerns over the HGV deliveries which it was feared would affect access to Knollside Close for emergency vehicles. The public house already caused some traffic issues and it was felt that this development would exacerbate the problems. She stated that there had been 430 objections from people who lived close to the site; the people who had supported the application did not live as close to the development site as the objectors. She suggested that the Committee should visit on a Saturday to experience how quiet the area currently was.

The Highways Engineer advised that there had been a transport assessment carried out by an independent consultant and that they had identified that there would not be more than 5 percent increase in traffic volume as a result of the development which was not considered to be excessive and which would not exceed the capacity of the junction. Knollside Close was a residential cul-de-sac and the plans to widen the road and introduce a footpath would ensure that there were no issues with access to the store impacting on residents; the provision of a footway would be an improvement on the current situation. The 77 parking spaces provided were

considered to be suitable for the demand the store would be likely to create. The transport assessment had been carried out on a weekday and was a worst case scenario. The road would be widened to 7metres which was close to the 7.3metres width that a standard A-road designed to accommodate 2 way traffic would be.

In response to a query from Councillor T. Martin the representative of the Deputy Chief Executive advised that there would only be one new footpath installed on Knollside Close on the same side of the road as the proposed store.

The Chairman then introduced Simon Plum who would be speaking on behalf of the applicant. He advised that the store was a modest size and was intended to be a neighbourhood store; this sort of location was usual for stores of this type. The design of the store was intended to be sympathetic to the local area with no overlooking windows and the entrance to the store being at the end furthest away from the residential properties. The loading bay had been designed so that there would not be noise disturbances when unloading; following discussions it had been agreed that additional planting would be installed to provide an acoustic screen. Delivery vehicles would reverse down the loading ramp which meant that the rear doors of the HGV would be at floor level removing the need for any external movements during the unloading. The loading ramp would not be used for storage. The delivery vehicles used were owned by Aldi and it was possible to turn off the refrigerators and reversing beepers should any deliveries be made at unsocial hours. The refrigeration equipment had also been moved so that it was further away from the houses and was screened by fencing to ensure that there was no noise disturbance from it. The flat roof was lower than the height of any other buildings in the area and had been designed so that it was less imposing than other designs of roof. A number of new footpaths were proposed along with carriageway widening on Knollside Close; visitors to the store would not need to go past the car park entrance.

Councillor Thompson expressed concerns that pedestrians would be required to walk across the car park past the loading bay and the dangers that this would cause while delivery vehicles were reversing into the loading bay. Councillor Tye also raised concerns that the vehicles would need to cross onto the opposing lane when turning into Knollside Close due to the narrow nature of the roads and the size of the vehicle. Mr Plum advised that the carriageway was wider than necessary to ensure that the delivery vehicles would not need to swing out into the opposing lane on Hall Farm Road. There would be three pedestrian accesses to the site however the only access without steps would be the entrance to the car park which was also the vehicle access; the provision of ramps at the other paths had been considered however the gradient required meant that the route would be just as long as walking round to the main access. It was not considered to be appropriate to include designated footways within the car park as due to the small size of the car park it was unlikely that they would be used as people would normally follow the most direct route across the car park.

The Highways Engineer advised that the traffic plan showed that the HGVs did not have to cross Hall Farm Road when turning into Knollside Close although they would need to cross onto the opposite side of Knollside Close when turning into the car park.

Councillor Tye stated that he remained concerned over the proposed access arrangements; he found it surprising that Aldi's health and safety officers had felt that

it was acceptable for customers to have to walk across the path of HGVs. He also stated that he was concerned by the proposed delivery hours and thought the applicant should consider and reduce the delivery hours to the site to minimise the impact on residential amenity; he asked Mr Plum what he thought would be acceptable for delivery hours. Mr Plum advised that the hours for deliveries had been chosen based on the recommendations of a noise assessor and were in line with the industry recognised daytime hours; they would be willing to consider a change should Members feel that it was necessary to ensure that the development would not cause a nuisance to its neighbours. There would be two deliveries a day and they would generally be during quieter periods when the car park would not be as busy. The access was wider than standard to ensure that people would be able to get passed the HGVs without any issues.

Councillor Thompson advised that his concern was not for when the HGVs were moving forwards but was for when they were reversing within the car park and the potential for conflict with other road users. He was concerned that there would be problems caused by the close proximity of the parent and child parking spaces to the area where the delivery vehicles would be reversing round. He was also concerned that while delivery vehicles were reversing there could be queues build up which could then lead to an obstruction on Hall Farm Road which could affect the busses which used this road.

Councillor Copeland suggested that the deliveries should take place at around 7am and 9pm so that they were taking place outside of the store opening hours and at a time when local children would not be on their way to or from school.

Councillor Tye commented that in general he supported the principle of the development however he had significant concerns over the only flat pedestrian access being the vehicle access and the proposed delivery hours. He suggested that there should not be any deliveries between 8pm and 8am as he felt that the current proposed delivery hours were unreasonable. He then moved that the application be deferred so that these outstanding issues could be addressed.

Councillor Copeland seconded the motion to defer the application to allow the outstanding issues to be addressed and accordingly the Chairman put this to the committee. With all Members voting in favour of the alternative recommendation it was therefore:-

1. RESOLVED that the application be deferred to a future meeting of the Committee in order that the applicant give further consideration to the provision of a ramped pedestrian access to the north of the site and the proposed delivery hours to the proposed store.

Items for Information

2. RESOLVED that a site visit be undertaken at 13/02500/FUL, The Eastenders, 33 High Street East, Sunderland at the request of the Chairman.

Town and Country Planning Act 1990 – Appeals

The Deputy Chief Executive submitted a report (copy circulated) concerning the appeals received and determined for the period 1st August, 2013 to 31st August, 2013.

(For copy report – see original minutes).

3. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,
Chairman.

At a Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 26th NOVEMBER, 2013 at 4.45 p.m.

Present:-

Councillor E. Gibson in the Chair

Councillors Ball, Copeland, Dixon, Ellis, Maddison, T. Martin, Price, Thompson, Turton and Wood

Declarations of Interest

Items for Information - 13/02948/FUL – Sunderland Royal Hospital, Chester Road, Sunderland, SR4 7TP

Councillor Wood made an open declaration in respect of this pending application and stated that he would withdraw from the meeting should there be substantive discussion on this application.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Blackburn, P. Watson and S. Watson.

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

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

(For copy reports – see original minutes).

13/02609/VAR – Variation of condition 2 (approved plans) for previously approved application 12/02103/FUL (Demolition of existing sports hall and Etterick building and development of a new Sports Centre and a Visual and Performing Arts building, including outdoor performance area, landscaping, improvements to access arrangements and associated engineering works) for relocation of refuse compound and creation of new service road to the north of the Barnes and Chester building. (Amended description 14.11.2013)

The Bede Centre, City of Sunderland College, Durham Road, Sunderland, SR3 4AH

The representative of the Deputy Chief Executive advised that the application was to vary Condition 2 of the previously approved scheme in order to change the positioning of the main refuse compound and to upgrade and widen the existing internal footpath to a new service road. There had been no representations received and it was not considered that there would be any adverse impact on residential amenity as a result of the proposed changes. Network Management had not expressed any concerns over the changes to the service road.

1. RESOLVED that the application be approved for the reasons set out in the report and subject to the 17 conditions set out therein.

**13/02629/VAR – Variation of condition 2 (Hours of operation) of previously approved application 12/02475/VAR. Unit 1 to be operated only between the hours of 00:00 Monday to 23:59 Saturday and 08:00 to 16:00 on Sundays, Public and Bank Holidays. Unit 2 to be operated only between the hours of 08:00 and 20:00 Monday to Saturday and 08:00 – 16:00 Sundays, Public and Bank Holidays. (Amended description)
ASDA Stores Limited, Unit 1 Ryhope Street South, Sunderland, SR2 0AB**

The representative of the Deputy Chief Executive advised that this application was to vary the previously approved operating hours to allow 24 hour opening of the ASDA store. There had been no representations received and as there would be no change to the current delivery hours it was felt that there would be no significant adverse impact on the surrounding residential properties.

Councillor T. Martin asked whether any consideration had been given to traffic management in the area as part of this application. He was advised that there was no requirement to reassess the traffic management as the store already exists and the application was just for the change the opening hours; it was not anticipated that there would be any significant increase in footfall in the vicinity of the store as a result of the increased opening hours.

Councillor Price commented that the application could reduce the density of the traffic as people would be able to visit the store over a longer period of time.

2. RESOLVED that the application be approved for the reasons in the report subject to the 8 conditions set out therein.

**13/02683/OUT – Residential Development of 17no. 3 storey town houses with access from Tavistock Place
8-12 Murton Street, Sunderland, SR1 2QY**

The Chairman advised that this application had been withdrawn from this particular agenda by officers and would be considered at a future meeting of the Committee.

13/02865/FUL – Construction of 3 storey extra care housing development comprising 71no. apartments with communal and staff facilities, refuse stores,

**plant room, secure garden, parking and the construction of 14no. 2 bed bungalows with in-curtilage parking.
Land at Burleigh Garth, North of Hartley Street, Sunderland**

The representative of the Deputy Chief Executive introduced the report and advised that the principle of the development was considered to be acceptable as it was consistent with the prevailing land use of the area and would create a sustainable development. There would be acceptable levels of residential amenity for the residents of the proposed development and the scale, massing and design of the proposal was considered to be appropriate for the area. There would be no adverse impact on the setting of the listed Holy Trinity Church. Archaeological investigation had taken place and the County Archaeologist had recommended that conditions be attached to any consent granted to ensure that the archaeological remains were properly recorded. There had been some ground contamination concerns however Environmental Health had confirmed that there were no identified risks to human health and the issues could be adequately addressed by conditions being imposed on any consent. Overall the development was considered to be acceptable and as such the application was recommended for approval subject to the conditions in the circulatory report.

Councillor T. Martin welcomed the development which he felt would improve the area. He was pleased to see that the development would not have a negative impact on the history of the area.

Councillor Copeland asked how many mobility scooters would be able to be stored in the storing and charging area. She was informed that the plans showed spaces for up to 14 mobility scooters.

3. RESOLVED that the application be approved for the reasons set out in the circulatory report and subject to the 15 conditions set out therein.

**13/02962/LAP – Change of use from vacant brownfield site to temporary car park
181-186 High Street West, Sunderland**

The representative of the Deputy Chief Executive advised that the proposed use of the site on a temporary basis as a site would bring this vacant site back into use and at the same time would not prejudice the longer term regeneration objectives of the area. The proposed development would have a minimal impact on the character of the area. To date there had been one representation received which related to the cost of the proposed works which was not a material planning consideration. The final date for the receipt of representations was not until 27th November, after the date of the Committee meeting, and as such the recommendation was for Members to be minded to grant consent subject to the receipt of no new objections prior to the expiry of this deadline.

Councillor Price queried why the use would be limited to only three years; he felt that should no other development be brought forward within this time then the car park should remain until an alternative use was brought forward. He also queried whether the parking would be free or not. He was informed that there was a need to strike a balance between bringing the site back into use and ensuring that any future long-term development proposals for the site were not prejudiced. It would be possible for

the permission to be renewed at the end of the three years should no alternative development proposals be brought forward. The planning conditions would require the site to be landscaped should the car park be removed to ensure that the site would not be left derelict. Whether or not the proposed car park would be free or subject to charges was not a material consideration for planning purposes although it was believed that there would be a fee to park.

Councillor T. Martin expressed his support for the application which would ensure that the site was brought back into use until a redevelopment proposal which was in line with the Development Plan could be brought forward.

Councillor Copeland welcomed the application as it would tidy up the area and would bring people into the Sunnyside area.

4. RESOLVED that Members be minded to approve the application under regulation 3 subject to no new representations being received prior to the expiry of the representation period, for the reasons set out in the report and subject to the 2 conditions set out therein.

Items for Information

The Chairman advised that application number 13/00799/FUL – Land at Burdon Lane, Burdon, Sunderland should be referred to Planning and Highways Committee as the application was considered to be of strategic importance and/or city-wide significance given its location and its relationship with other potential development sites; she also requested that a site visit be held and it was agreed that the application should be referred to Planning and Highways and that all Members of Planning and Highways committee should be invited to a future site visit.

She also advised the Committee that the application 13/02500/FUL – The Eastenders, High Street East, Sunderland, SR1 2LD had been withdrawn by the applicant.

5. RESOLVED that:-
 - a. 13/00799/FUL – Land at Burdon Lane, Burdon, Sunderland- Application be referred to the Planning and Highways Committee and a site visit be arranged;
 - b. 13/02948/FUL – Sunderland Royal Hospital, Chester Road, Sunderland, SR4 7TP- Site visit to take place at the request of Councillor Price.

Town and Country Planning Act 1990 – Appeals

The Deputy Chief Executive submitted a report (copy circulated) concerning the appeals received and determined for the period 1st October, 2013 to 31st October, 2013.

(For copy report – see original minutes).

6. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,
Chairman.

**THE COUNTY DURHAM PLAN, LOCAL PLAN PRE-SUBMISSION DRAFT:
CONSULTATION RESPONSE OF THE CITY COUNCIL****REPORT BY THE DEPUTY CHIEF EXECUTIVE****1.0 PURPOSE OF REPORT**

- 1.1 The Council has been consulted by Durham County Council regarding the next stage of its emerging Local Plan (The County Durham Plan). This report highlights specific issues arising from The County Durham Plan that will be of significance to the future development of the city. Endorsement is sought for the response.

2.0 BACKGROUND TO THE COUNTY DURHAM PLAN

- 2.1 The Local Plan sets out the preferred spatial strategy for the county and will guide future development and growth up to 2030. Known as the Pre-Submission Draft, this is the fifth significant stage in the development of the plan. It is also the final, formal stage of consultation and marks the last opportunity to make comments on the plan before it is submitted to the Secretary of State, for examination by a planning inspector. The closing date for responses is Monday 9th December.
- 2.2 The City Council has responded at all stages of the consultation on the Local Plan. The last was in December 2012 following the publication of the Preferred Options version of the Plan. This report focuses on how the latest Plan has been amended to reflect these responses and highlights any areas of concern that may have emerged.

3.0 SUMMARY OF THE MAIN PROPOSALS**Housing**

- 3.1 The Plan identifies a net dwelling requirement of at least 31,400 dwellings to 2030, this is an increase of 1,400 on the previous Preferred Options version of the plan (2012). It is stated in the current Plan that the number has risen in the light of new information from the 2011 Census being released. This information has been used to update the population, household and employment forecasts that underpin the Plan.
- 3.2 In housing terms, this new information indicates that the population of the County could rise from 513,000 to 560,000 over the plan period. In calculating the resulting dwelling requirement the Plan takes a “mid-way” assumption between 2008 and 2011 household formation rates.
- 3.3 The table below sets out how the proposed housing numbers have changed over the different versions of the plan.

Durham Local Plan: Proposed Housing Allocations

	Proposed Housing Allocation (2010-30)	Dwellings Per Annum	Methodology
Issues & Options (June 2010)	29,000 dwellings	1,385	RSS Target
Core Strategy Policy Directions (June 2011)	38,200 dwellings	2,010	2008 ONS Population/ Household Projections
Local Plan (September 2012)	30,000 dwellings	1,500	Durham County Scenario 4 Model, incorporating 2010 ONS Population Projections
Local Plan (September 2013)	31,400 dwellings	1,650	2011 Census and DCLG Housing Projections

- 3.4 Policy 30 in the Plan details Housing Land Allocations. As can be seen in the table below, the number of new dwellings proposed in the four districts most likely to have an impact on the housing market in Sunderland, that is Durham City, Chester-le-Street, Seaham and Murton has decreased significantly from those set out in the Preferred Options Plan.

Durham Local Plan: Proposed Housing Allocations by District

	Pre-submission Proposed Housing Allocation (2013)	Preferred Options Proposed Housing Allocation (2012)	Core Strategy Policy Directions (2011)
Durham City	4222	5120	4750
Chester- le-Street	1090	1300	850
Seaham	610	1150	700
Murton	-	350	600
Total	5922 dwellings	7920 dwellings	6900 dwellings

- 3.5 Apart from the site at Lambton Park in Chester-le-Street where 400 executive dwellings are proposed, there are few housing sites of any significant size identified in locations close to the City boundary. Most of the houses proposed in Durham City are in the three Strategic Housing Sites at Sniperley Park, North of Arnison and Sherburn Road.

Employment Land

- 3.6 The issue of employment land in Durham County has been the subject of review over the course of preparing the Plan. The earlier Employment Land Review (ELR) undertaken for the Council considered that the amount of employment land in the County (817ha) represented a significant oversupply. The Preferred Option Plan therefore proposed a requirement for 300ha of employment land.

3.7 The Submission Plan is now allocating 399 hectares of land. The reason given for this higher allocation is that the two Prestige Sites at Amazon Park and Newton Park take advantage of specific economic opportunities relating to the Hitachi plant, whilst that at the Drum Industrial Estate reflects the ongoing popularity of the estate. The Plan states that this is the optimum amount of employment land needed to meet quantitative and qualitative needs over the plan period; it therefore accords with the approach in the National Planning Policy Framework regarding the need to avoid an over-supply of employment land.

3.8 The employment land portfolio identified in the Plan therefore comprises:-

Prestige Employment Sites (3) – 94ha
General Employment Sites – 297ha

3.9 In addition, specific employment uses totalling some 221ha are proposed at NetPark (Research and development), Tursdale (railfreight), Seaham (film studio) and Lambton Park (business centre). Due to the “specialist” nature of these sites they are not included in the general employment land portfolio. Aykley Heads is identified as a Strategic Employment Site, primarily for B1 office uses.

Green Belt

3.10 National planning policy dictates that Green Belt boundaries should only be amended through the development plan process. The Submission Plan is proposing strategic Green Belt deletions in two locations, at Aykley Heads and Lambton Park, along with a number of smaller non-strategic amendments. The County Council has prepared a paper to support the proposed changes to the Durham Green Belt (October 2013). This is in addition to work undertaken during previous stages of plan preparation to identify and justify proposed amendments to the Green Belt in Durham.

3.11 These Green Belt sites are considered by Durham to have the least environmental impact, are practically feasible for development, and where development would be most likely to lead to the creation of sustainable communities.

Transport

3.12 Policy 50 of the Submission Plan concerns main transport routes. The Plan highlights the importance of the Leamside Line to improving rail infrastructure for both passenger and freight services and accordingly safeguards the route.

3.13 In addition, the Plan identifies a route for Phase 2 of the East Durham Link Road at Murton which leads it to the City boundary. This route is shown on the Proposals Map which accompanies the Plan.

4.0 IMPLICATIONS FOR SUNDERLAND

Housing

- 4.1 The Plan proposes 31,400 houses to be developed to 2030. This is an increase of 1,400 over the Preferred Option Plan. Durham County Council have used a similar methodology for calculating future housing need to Sunderland. Proposed housing numbers appear sound and correspond with the County's proposed growth scenarios.
- 4.2 It is considered that due to their small size, those proposed housing sites close to the City boundary would be unlikely to have an adverse significant effect on the delivery of housing in Sunderland. Given its proximity to Sunderland's border and its own market area the site at Lambton Park (400 executive dwellings) could in part fulfil Sunderland's executive requirement without affecting the prospects of further executive housing development in the City.

Employment Land

- 4.3 The level of employment land proposed in the Plan appears reasonable. The Plan does not feature any new proposals for economic development that would directly affect employment sites in Sunderland or adversely affect the efforts of the City Council to secure the regeneration of the City.

Green Belt

- 4.4 The County Council has undertaken additional work on reviewing the Green Belt to support the Pre-submission Plan. None of the proposed deletions would weaken the Green Belt between Sunderland and Durham. In particular, the proposal to delete Green Belt land at Picktree Lane near Rickleton to accommodate new housing, as included in the Preferred Options Plan, has been deleted (see paragraph 5.1 below) and does not feature in this latest version of the Plan.

Transport

- 4.5 Policy 50 of the Plan concerns the allocation and safeguarding of transport routes and facilities in the County. Policy 50(e) states that the route of the East Durham Link Road (Phase 2 to Murton) will be safeguarded. The Proposals Map accompanying the Plan identifies a route for the road which leads it to the City boundary. This route was referred to in the Preferred Options Plan but was not shown in any detail.
- 4.6 This current proposal is only partially consistent with the Sunderland Core Strategy which states that ".....the City Council will continue to work with adjoining Durham County Council to investigate the possibility of a road link in the longer term, through the southern Coalfield, to connect with the East Durham Link Road/A19 near Dawdon (the Coalfield Regeneration Route)"

- 4.7 However, at present the policy safeguarded from the Easington Local Plan shows the East Durham Link Road (EDLR) extending from the west end of the existing road in a north westerly direction to join the A1285 Colliery Lane at its junction with Murton Lane. In addition the Proposals Map shows a realignment of the A1285 Murton Lane within Durham with both alignments converging at a junction just inside the Sunderland boundary.
- 4.8 These alignments as presently drafted are not consistent with the previously agreed alignment (UDP Policy HA28.2) as they would result in traffic from the new road in Durham being channelled through the Four Lane ends junction in Hetton and thence along the A182 through the centre of Hetton or along the B1284 North Road and also the need to build a new junction just inside the Sunderland boundary.
- 4.9 If the section of the EDLR into Sunderland is to be taken forward it must be developed in partnership with the Council and its implementation and construction coordinated with the Council's Coalfield Regeneration Route (Hetton Bypass) to avoid any adverse traffic effects on Hetton and Easington Lane and to ensure satisfactory junction arrangements where the overall route meets the A690. In this context we would ask that an alignment to the A182 at Snippersgate as previously agreed be protected.
- 4.10 The need for a co-ordinated approach to the development of this road was raised by Durham County Council in its recent response during consultation on the Sunderland Core Strategy, which requested that the City Council's Plan should safeguard the corresponding route to link the road with the highway network in Sunderland.
- 4.11 As it stands, the City Council cannot agree to this approach. As outlined in paragraph 4.6 above. The route does not feature as a specific highway scheme in Sunderland's Core Strategy, though the need to work with Durham County in investigating the possibility of a link road is highlighted. It should be noted that funding has not been identified for this route by either Council.
- 4.12 Therefore, at this stage the City Council submits a holding objection to Policy 50(e) of the Durham Local Plan. Further discussion between the two Councils needs to take place with a view to resolving this issue and agreeing upon an agreed alignment of the road.

5.0 CITY COUNCIL CONSULTATION RESPONSES TO PREVIOUS PLAN

- 5.1 In response to the 2012 Preferred Options Plan, the City Council made two specific objections:-

1) Objection to the lack of clarity around future housing sites

Whilst the Preferred Options Plan identified a requirement for 30,000 new dwellings, sites for only 20,562 dwellings were allocated in the Plan (Policy 30). The City Council objected on the grounds that the lack of certainty over the shortfall of sites (amounting to 9,438 new dwellings) meant that it was difficult to identify where these sites could come forward and therefore assess their potential impacts on housing development proposed in the City's emerging Core Strategy and the Council's wider housing regeneration strategy.

This has now been rectified and in the Pre-submission Plan all the housing sites needed to make up the 31,400 requirement have been identified and allocated.

It is considered that none of the housing sites proposed by the Plan are in locations or are of a scale that would adversely affect the housing market in Sunderland.

2) Objection to the proposed development of housing at Picktree Lane.

It was considered that development of this Green Belt site would result in the merging of two authorities, change the nature of the area, and further add to highway problems along Picktree Lane.

This site is no longer allocated for housing in the Plan and the site has been returned to its previous Green Belt designation.

6.0 CONCLUSIONS

- 6.1 Overall Sunderland welcomes the values underpinning the vision of County Durham's emerging Core Strategy to establish prosperous and sustainable communities many of which lie within Sunderland's hinterland.
- 6.2 Changes made since the Preferred Options draft have reflected emerging evidence. The Pre-submission Plan is considered to be robust and well-founded.

7.0 NEXT STEPS

- 7.1 Because the closing date for consultation responses preceded the date of this Committee, a draft response has been forwarded to Durham Council. Unlike on previous occasions, due to the statutory nature of this stage of consultation, it has not been possible to secure an extension of time for the City Council to submit its responses to the Durham Plan.
- 7.2 Following consultation with the chair of Planning and Highways Committee, a copy of this report was forwarded to Durham County Council on 9 December as constituting the officer response to the

consultation on the Plan. Subject to Committee approval this report will be confirmed as constituting the agreed response of the City Council.

8.0 RECOMMENDATION

8.1 Committee is requested to:

- i) Endorse the comments as detailed within this report and make any additional comments considered appropriate;
- ii) Authorise officers to forward a copy of this report to Durham County Council as the City Council's formal response to the Local Plan.

9.0 BACKGROUND PAPERS

The County Durham Plan; Pre-submission draft Local Plan (October 2013)

The County Durham Plan; Preferred Options Local Plan (September 2012)

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