

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 1st AUGUST 2022 at 5.30 p.m.

Present:-

Councillor G. Miller in the Chair.

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

Declarations of Interest

There were no declarations of interest made.

Apologies for Absence

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

Minutes of the last meeting of the Planning and Highways Committee held on 4th July 2022

1. RESOLVED that the minutes of the last meeting of the Planning and Highways Committee held on 4th July 2022 be confirmed and signed as a correct record.

Planning Application Reference 21/01825/FU4 – Demolition of existing building and erection of 18no bungalows for supported living and 1no bungalow for accommodation of up to three members of staff (including overnight accommodation); including felling of trees and modifications to the access onto Hylton Road - Princess of Wales Centre, Hylton Road, Sunderland

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

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report, advising Members that the Application had been approved at a recent meeting of the Planning & Highways (East) Committee (11 April 2022)

with the description of the development, at that point in time being “Demolition of existing building and erection of 19no bungalows for the over 55's”

Subsequently the Applicant, contacted Planning Officers to ask if the description could be amended from occupation for the “over 55s” to “supported living” (including one bungalow for staff accommodation). The Applicant was advised, given the material difference between the two descriptions, that a re-notification exercise would need to be undertaken (including Ward Councillors and neighbours) and the Application referred back to the Planning & Highways Committee. The re-notification exercise had now been undertaken and the Application accordingly brought back for re-determination to the Planning & Highways Committee.

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

2. RESOLVED that the application be approved subject to :-

i) the completion of a planning obligation for the provision of a financial contribution towards local open space, mitigation for the protected coastline and three affordable houses on site;

ii) a positive consultation response from the Tyne & Wear Archaeologist to the recently submitted Building Recording and the associated deletion of condition no. 4.

iii) any further comments from the Local Highway Authority (including any additional / amended conditions) and

iv) the draft conditions detailed in the report.

Planning Application 21/02435/FUL – Change of use of existing residential care home (Use Class C2) to non-residential institution as a children's day nursery - Rowlandson House, 1 and 2 Rowlandson Terrace, Sunderland

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter. In addition, a supplementary report was tabled for Members' information which contained a statement in objection to the application submitted by Ward Councillor Michael Mordey who was unable to attend the meeting in person. The Committee was given an appropriate amount of time to read the update.

(for copy reports – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of the recent planning history of the building and the key issues to consider in determining the application.

In conclusion the Committee was advised that the proposed change of use of the building was considered to be justified and the principle of the development considered to be acceptable. On planning balance and in considering the previous comments of the Planning Inspectorate and the comments of the Highway Engineer in terms of the removed necessity for a TRO, while it was recognised that indiscriminate parking may take place, through the imposition of a proactive set of conditions that provided details of parking to future users and limiting numbers of attendees, it was not considered that the removal of the need for a TRO would significantly prejudice levels of residential amenity. Furthermore, with the impositions of the conditions, it was not considered that the proposal would impinge upon the free passage of traffic or create conditions prejudicial to highway or pedestrian safety. Accordingly, the application was recommended for approval.

The Chairman thanked the Officer for his report and invited questions of clarification from Members. In response to a query from Councillor Warne regarding the consultation process, the Committee's attention was drawn to pages 32 to 33 of the agenda which detailed the list of consultees including the properties to which neighbour notifications were sent and also that site notices were posted on all four corners of the junction.

Councillor Doyle referred to the comment of the Planning Inspector that the prohibition of children playing in the front garden of the property could be secured by condition and asked why Officers had chosen not to impose that condition?

The representative of the Executive Director of City Development replied that the applicant had confirmed that it was not intended that the area to the front of the property would be used for play. In addition, the layout of the building suggested that the only area that could accommodate outside play was within the enclosed rear yard. However, if Members felt it was necessary then such a condition could be imposed.

There being no further questions for the representative of the Executive Director of City Development, the Chairman welcomed and introduced Dr Anton Lang, the Agent for the applicant, who was given 5 minutes to speak in support of the application.

There being no questions for Dr Lang, the Chairman invited the Committee to comment on and debate the application. In response to an enquiry from the Chairman, Councillor Doyle confirmed that he would not be requesting the Committee to impose a condition that prevented the use of the front of the property as a play area.

The Chairman having put the Officer recommendation to the Committee as detailed on page 38 of the agenda it was:-

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

Planning Application 22/00996/LP3 – Change of Use from C3 to C2 (Residential Institution) - Maple Cottage, Ford Avenue, Sunderland

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

(for copy report – see original minutes)

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

Members were informed that the submission was a Local Authority application and the Committee's attention was drawn to condition no. 3 which stated, "The application property shall be used as a children's home for 2 no. children and for no other purpose (including any other purpose within Class C2 of the Town and Country Planning Use Classes (Order) 1987 (as amended)), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), in the interests of residential amenity and to comply with the requirements of Policy BH1 and HS1 of the Core Strategy and Development Plan."

There being no questions or comments for the Officer, the Chairman welcomed and introduced Mr Simon Walker who had registered to speak in objection to the application. Mr Walker was given 5 minutes to do so citing the following issues:-

- Although it was recognised there was a need for such accommodation it was not felt that the proposed location was appropriate. It was a residential area with a majority of middle to old-aged residents and few school age children
- There had been no prior contact from Together for Children ('TfC') with residents prior to the submission of the planning application. It was felt that this should have been done as a matter of courtesy. There was an assumption that it was a 'done deal'.
- Its plot would be in very close proximity to its neighbours. In Mr Walker's case there was no boundary and it shared a driveway which was divided down the middle.
- There was no way of knowing the backgrounds of the children and the reason for their placement in the property
- It was believed that the change of use would result in extra parking and worsen a situation where vehicles were already parked on kerbs. It was also on a busy road that featured a complicated junction directly opposite where the road split and narrowed with the footpath disappearing on one side.
- Concern among residents that the C2 classification was wide ranging and if at such time TfC vacated the property it could ultimately end up used for the purposes of a bail hostel.

The Chairman then invited questions of clarification from Members. In response to an enquiry from Councillor Doyle, Mr Walker confirmed that he had received a notification letter from the Planning Department upon the submission of the application and had no issue with this aspect of the process. He felt however it would have been a common courtesy for TfC to speak to neighbouring residents before they bought the property.

Consideration was given to the application and the Chairman having put the Officer recommendation, as detailed on page 46 of the agenda, to the Committee, it was:-

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

Planning Application 22/01316/LP3 – Replacement public realm artwork; soft landscaping and formalisation of car park layout. - Albany Village Centre, Windlass Lane, Washington

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 and that, the officer recommendation on page 51 of the agenda was amended to grant consent under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the conditions in the report and the expiry of the site notice.

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

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

Items for information

Members gave consideration to the items for information contained within the matrix (agenda pages 52-72).

In response to an enquiry from Councillor Doyle regarding the latest position in respect of the Bay Shelter, the representative of the Executive Director of City Development advised that she would provide an update via email once she had spoken to the case officer.

6. 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) G. MILLER
(Chairman)