

**At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 13 JUNE 2022 at 5.30 p.m.**

**Present:-**

Councillor Thornton in the Chair.

Councillors Doyle, Foster, G. Miller, Morrissey, Mullen, Nicholson, Scott and Warne.

**Declarations of Interest**

Item 5, Applications made under the Town and Country Planning Acts and Regulations made thereunder – Planning Application 21/02676/OU4  
Land North of Emsworth Road Carley Hill Sunderland

Councillor Doyle made an open declaration that he had met with members of the public regarding the matter but was satisfied that he was able to consider the application with an open mind.

Item 5, Applications made under the Town and Country Planning Acts and Regulations made thereunder – Planning Application 22/00355/FUL Fir Tree  
Lodge Silksworth Hall Drive Silksworth Sunderland SR3 2PG

Councillor Doyle declared a pecuniary interest in the matter and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

Item 5, Applications made under the Town and Country Planning Acts and Regulations made thereunder – Planning Application - 22/00173/FU4 Land to  
The North of Saint Marys Way City Centre Sunderland

Councillor G. Miller declared a pecuniary interest in the matter as a member of the board of Siglion LLP and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

**Apologies for Absence**

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

**Minutes of the last Ordinary meeting of the Planning and Highways (East) Committee held on 28<sup>th</sup> March 2022 and the Extraordinary meeting held on 11<sup>th</sup> April 2022**

1. RESOLVED that the minutes of the last Ordinary meeting of the Planning and Highways (East) Committee held on 28th March 2022 and the Extraordinary meeting held on 11th April 2022 be confirmed and signed as correct records.

**Minutes of the last Ordinary meeting of the Planning and Highways (West) Committee held on 29<sup>th</sup> March 2022**

2. RESOLVED that the minutes of the last Ordinary meeting of the Planning and Highways (West) Committee held on 29th March 2022 be confirmed and signed as a correct record.

**Planning Application Reference 21/02676/OU4 – Outline application for residential development – Class C3 – Up to 110 Units (All Matters Reserved) Land north of Emsworth Road Carley Hill 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 advised that following the preparation of the main agenda report, the Council has received representations in objection to the development including 10 individual objections and a petition comprising 360 signatures. The primary concerns expressed within the objections related to the loss of greenspace and greenbelt, along with the impact of the development on ecology/wildlife and habitats within the locality. 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 informing members that the application sought outline planning permission for a residential development (up to 110 units) on land to the north of Emsworth Road, Carley Hill Sunderland. All matters were reserved for subsequent approval therefore details of layout, scale, landscaping, appearance and access would all be subject to consideration at the reserved matters application stage.

The site in question comprised a 4.81-hectare parcel of open space which formed a green wedge between existing residential sites to the east and west, with Fulwell Quarry Local Nature Reserve adjoining the northern boundary and Emsworth Road abutting the south boundary. The residential properties to the east included the 3 storey flats of Earls Court, Euston Court and Edgeware Court, whilst the semi-detached properties and abutting rear gardens of Wentbridge lay to the west. The associated application

correspondence qualified that the proposal formed part of a wider programme of affordable home to be delivered throughout Sunderland with over 1,200 new homes set to be provided by 2026. The developer had outlined an intent for 100% of the housing to be affordable based on an anticipated ratio of 75% affordable rent, 10% rent to buy and 15% shared ownership.

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

- Principle of the development including land use implications
- Housing policy
- Design, layout and visual impact;
- Residential amenity;
- Health and wellbeing;
- Highways and transportation;
- Landscape and ecology;
- Flood risk;
- Land contamination and stability;
- Archaeology;
- Sustainability;
- Economic impacts; and
- Planning obligations

In conclusion Members were informed that it was considered that the principle of the residential development accorded with the development plan and there were not any material considerations that indicated a decision should be made otherwise. In terms of the residual impacts arising from the construction and operational phases of the development a view needed to be taken as to whether the benefits identified in the report outweighed the adverse impacts.

The benefits from the development were generally economic and social, arising from short term construction jobs and medium to longer term support for local facilities (economic) and the provision of affordable and accessible accommodation, although environmental benefits would arise through the developers focus on implementing low carbon housing. The adverse impacts were generally environmental, arising from a loss of biodiversity across the site including the loss of trees.

Members were advised that the proposed development, as noted within the description, would bring forward a housing scheme which would be 100% affordable, with the tenure proposed as per definition A of Annex 2 of the NPPF. In this respect, Members' attention was directed towards a recent planning appeal decision for 86no homes at Cragdale Gardens, Hetton-le-Hole, wherein the Planning Inspectorate noted the fact that all dwellings within that site would represent affordable homes, which would be maintained in perpetuity. The Inspectorate qualified in their decision that this represented a significant contribution to meeting the need for affordable housing, and subsequently carried significant weight in favour of the proposal.

The Agent in respect of the application before Members had agreed that the provision of 100% affordable housing on the site could be secured via a planning obligation. Allied to this the Council was of the view that the development would be sustainably located for local amenities, recreation and transport hubs and would provide a good standard of amenity for future occupiers.

In terms of the adverse impacts, these were generally environmental, arising from the loss of trees and a loss of biodiversity across the site. In this regard, Members' were informed that the developer had agreed to make contributions for Strategic Access and Monitoring Measures, which would be used to offset the loss through creating biodiversity improvements and ongoing maintenance of the area of the identified SANG adjacent to the site whilst an open space contribution had also been provided to ensure the improvement and enhancement of open space in Fulwell Quarry. This had been accepted by the Council's Ecological Consultant.

Therefore, the representative of the Executive Director of City Development advised that the economic and social benefits arising from the proposed development should carry greater weight in the planning balance than the environmental harm subject to the completion of a planning obligation and the recommended conditions. Accordingly, he recommended that consent was granted to the application subject to the satisfactory completion of the S106 agreement and the draft conditions set in the report.

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

Councillor Doyle referred to the conclusions in the report that the economic and social benefits arising from the proposed development should carry greater weight in the planning balance than the potential environmental harm. He asked Officers to expand on this in relation to the requirements of Policy NE2 of the Core Strategy and Development Plan regarding biodiversity.

The representative of the Executive Director of City Development replied that the site had been subject to significant ecological research and that the Council's Consultant Ecologist had raised no objection to the proposal. He was satisfied there would be no detriment across the site. The Council's Consultant Ecologist advised that the key phrase within Policy NE2 was 'significant' harm. There would be a detrimental impact on biodiversity however the main issue was to ensure that any harm was below the 'significant' threshold. He believed that the mitigations and conditions attached to any grant would ensure this.

Councillor Doyle stated that under the 3<sup>rd</sup> point of Policy NE2 a proposal that would adversely affect a Site of Special Scientific Interest, was required to demonstrate that there was a lack of an alternative solution and asked what alternatives had been considered? The representative of the Executive Director of City Development replied that he was not aware of the alternatives

considered by the applicant. The application received had been considered on its own merits and with the suggested mitigations deemed acceptable.

There being no further questions, the Chairman informed Members that requests to address the Committee had been received from Councillors, Wilson, Mordey, and Butler and also from Mrs Ruth Walker. The Chairman advised that they would be given 5 minutes to do so. Councillor Butler informed the Committee that he had received a diagnosis of dyslexia and asked that under the Equality Act 2010 reasonable adjustments were made to the Committee's 3<sup>rd</sup> Party Speakers Protocol to allow him additional speaking time. In response to an enquiry from the Committee's Solicitor, Councillor Butler asked that he was allowed 6 and a half minutes, and this was granted by the Chairman.

Each person spoke in turn in opposition to the application and the following issues were cited:-

- The North Sunderland Area Committee cared about its green spaces and had invested heavily in the site in this regard.
- The application represented a speculative punt to see if the newly established Committee was a soft touch.
- The application did not comply with Policy NE7 of the Core Strategy and Development Plan as it would result in a settlement break.
- The application did not comply with Policy NE4 in that it would fail to protect and conserve the existing greenspace.
- The application did not comply with Policy NE2 in that the development would adversely affect the ecological value of a Local Nature Reserve resulting in the loss of tree cover and 2 species of Britain's rarest butterflies.
- There was no mitigation provided for the loss of tree cover.
- The Committee needed to act in the best interests of its residents not Developers.
- 820,000 tonnes of sewage were discharged into the sea annually and a development of this size would only add to it.
- In adopting the City's Core Strategy and Development Plan, the Council had pledged to protect its green spaces. Public consultation had resulted in the number of green space areas earmarked for development being reduced from 15 to 11. The Council had only adopted the Core Strategy and Development Plan in 2020 and already developers were starting to inch into the green space that the Council had pledged to protect. The application represented a step too far in this regard, it rolled back the Council's commitment in relation to green space and should be rejected.
- The site was a valuable asset to the young people of Southwick. The quarries had been an adventure playground for generations of young people and a place where lasting memories were created, and relationships built. The young people had invested in the area planting hundreds of trees, restoring the acoustic mirror and undertaking litter

picks. The young people used the site for football, orienteering, bush craft and nature walks and they deserved more not less.

- There were existing brownfield sites in the area that were still available for development such as Cato Street. If use was made of the brownfield site it would send a message that Southwick was worth investing in.
- Page 43 of the National Planning Policy Framework stated that inappropriate development was harmful to the green belt and should not be approved
- Page 52 of the National Planning Policy Framework stated that development on land within or outside a triple S I that would have an adverse effect on it (individually or in combination with other developments), should not be allowed. In addition to this application there were 3 other developments in proximity to the triple S I. This application alone was only 10 feet from the border of the triple S I.
- The ecological survey showed that 41 territories of 16 species of breeding birds had been found within the red line boundary of the site. Of these, four were recognised as being of conservation concern, two red listed species and two amber listed species. Since the survey a further species (Greenfinch) had been added to the list of concern.
- There would also be an impact on the habits of Red Squirrels, Hedgehogs, Great Crested Newts and Bats.
- The site included an example of rare Magnesian Limestone grassland.
- The site was not marked in the Core Strategy and Development Plan for development. Although included in the Strategic Housing Land Availability Assessment (SHLAA), it was still in draft form had not been consulted on with Councillors and therefore should carry less weight.
- Granting the application would result in an unacceptable loss of amenity for local families and did not accord with the Council's agenda to be a Clean, Green Healthy city.

The Chairman then invited questions of clarification from Committee members on what they had heard from those speaking in objection.

In response to enquiries from Cllrs Foster, Doyle, Mullen and Warne seeking clarification in respect of the contention from objectors that the application represented development in the Green Belt, the representative of the Executive Director of City Development advised that it did not. The Committee was advised that the most northern part of the redlined site as displayed on the location plan was allocated as Green Belt however there would be no building on this part of the site. The purpose of its inclusion into the site's boundary was to enable substantially improved landscaping to take place. The planting of trees, and general improvements to soft landscaping did not constitute development for planning purposes and did not require planning permission from the Council.

In response to an enquiry from Councillor Mullen, the representative of the Executive Director of City Development noted the representation from Councillor Mordey regarding the Council's commitment to protect its green space but advised that it had to be balanced against its need to provide

housing to meet its residents needs and in particular in relation to affordable housing.

Councillor Mullen referred to Councillor Butler's statement that the distance between the triple SI and the site was only 10ft whereas the report gave the distance as 40 metres. He asked for clarification. The Council's Consultant Ecologist confirmed that the distance was 40 metres. Natural England had been consultant and had concluded that subject to the mitigations there would be no harm.

There being no further questions of clarification, the Chairman welcomed and introduced Ms Sandra Mason, the Agent for the applicant advising that in the interests of fairness, given the total amount of speaking time granted to those speaking in objection, her speaking time would be extended if required.

The Committee was informed that:-

- the scheme represented part of Gentoo's affordable development programme to deliver over 1,200 new homes in Sunderland supported by Homes England grant funding.
- The plans at Fulwell quarry would create up to 110 properties providing homes for approximately 250 people, delivering a significant contribution to affordable housing in Sunderland and assisting people from all backgrounds to become homeowners by removing potential income and deposit barriers.
- It met a recognised need as the shortfall in affordable homes in Sunderland was acute.
- In addition to social benefits there would also be economic benefits to the local economy during the build period with the construction of 110 homes estimated to create around 140 temporary jobs. There would also be the annual household spend of the new residents.
- The section 106 agreement would mitigate against the lost open space.
- The scheme would provide biodiversity enhancements and provide a natural playspace.
- The element of greenbelt within the scheme was being used solely to provide a barrier and would not be built on.
- The application was supported by the result of a recent planning appeal in respect of Gragdale Gardens which the Inspector allowed, stating the application would make a significant contribution to meeting housing need and a planning obligation would mitigate the loss of green space.
- The application was policy compliant and no objections had been received from statutory consultees or officers.

The Chairman thanked Ms Mason for her presentation and invited questions of clarification from Members.

Councillor Doyle having requested the facts in respect of the Cragdale Gardens appeal, the representative of the Executive Director of City

Development read out the findings detailed in the Planning Inspector's decision letter, to the Committee.

In response to a further enquiry from Councillor Doyle the Committee was informed that the designation of the land at the centre of the Cragdale Gardens case was open green space.

There being no further questions, the Chairman stated that she had just been advised that Mr Peter Gibson, Chairman of the Southwick Village Green Preservation Society was present and wished to speak in objection to the application. Mr Gibson was granted 5 minutes to address the Committee informing the meeting that :-

- The Southwick Village Green Preservation Society had voted unanimously against the proposal
- It was an area comprising three distinct quarries not one and was a popular recreational area for local residents of all ages
- The litter picks showed that people cared about it. The regular use for recreation deterred the fly tipping that plagued similar areas.
- It was a regular countryside walking route and the proposal would effectively deny local residents a popular walk.
- Southwick was a deprived area. People had very little spare money to spend on leisure. The open space of the quarries allowed people some free leisure time which benefitted their physical and mental health

The Chairman thanked Mr Gibson for his attendance and invited questions of clarification from Members.

Councillor Foster having asked if it was the case that the countryside walking route referred to by Mr Gibson would disappear, the representative of the Executive Director of City Development advised that people would still be able to walk through the proposed development to access the quarries.

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

Councillor Morrissey stated that while he accepted there would be no development within the green belt, the application would result in development of an open green space. He stated that Mowbray Park, for example, was open green space rather than green belt, but no one would dream of building a housing estate on it. He informed the Committee that he would not be supporting the Officer recommendation to grant planning permission.

Councillor Doyle stated that it was a difficult application involving complex issues. He could not concur with objectors that the application constituted development within the green belt and was in tune with the developers view that the city had a desperate need for affordable homes. However, against this, he believed that the biodiversity net loss also needed to be given weight, especially given the impact of the proposal on a triple SI and that the site lay



within the impact risk zone of a number of designated sites. He could not agree with the assertion that the benefits arising from the proposed development should carry greater weight in the planning balance than the environmental harm and felt that the facts of the Cragdale Gardens case were different in that it did not concern a triple SI. As a result, he stated that he felt unable to support the recommendation.

There being no further comments the Chairman put the Officer recommendation to the Committee.

Upon being put to a named vote, the recommendation was approved with 5 Members voting in favour (Cllrs Foster, G. Miller, Scott, Thornton and Warne) and 4 members voting against (Cllrs Doyle, Morrissey, Mullen and Nicholson).

Accordingly it was:-

3. RESOLVED that the application be granted consent in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended) for the reasons set out in the report and subject to the satisfactory completion of the S106 and the draft conditions detailed in the report.

**Planning Application 22/00355/FUL Change of use from residential (C3) to residential children's home (C2) and demolition of garage - Fir Tree Lodge Silksworth Hall Drive Silksworth Sunderland SR3 2PG**

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 also the receipt of a late representation of support which was read out to the Committee.

In conclusion members were informed that the principle of the proposed development accorded with the relevant policies of the development plan and it was considered that the proposed use of the property as a children's home was acceptable in relation to the character and amenity of the locality and would provide prospective residents with an appropriate standard of accommodation. The implications of the proposals in relation to parking and highway and pedestrian safety were also considered to be acceptable. The application was therefore recommended for approval.

There being no questions for the representative of the Executive Director of City Development the Chairman welcomed and introduced Councillor Heather Fagan who had registered to speak in objection to the application advising that she would be given 5 minutes to address the Committee and that an

Officer would inform her when her time was up. Councillor Fagan addressed the Committee citing the following issues in objection.

- The property was accessed by a private unadopted road which was narrow with no passing places or turning circles. This would have serious implications for the Tyne and Wear Fire and Rescue Service in the event of a fire.
- Of particular concern was the gate to the property which did not meet building control regulations and was not wide enough to admit a fire engine.
- There would be a highway safety issue for pedestrians on the access road during the dark nights
- The change of use would generate an increase in levels of traffic in the way a private residence wouldn't eg from carers, parents, family visitors, health care professionals, social workers, deliveries and transport for residents.
- The resident children would be likely to attend a number of different schools resulting in more school run journeys than a normal family home.
- The proposed demolition of the garage would remove a boundary wall between two properties.
- The proposal was not in line with the Conservation Plan for the area.

The Chairman thanked Councillor Fagan for her address to the Committee and invited questions of clarification from Members.

Councillor Miller stated that Councillor Fagan had raised an important point in respect of the width of the gate and the restriction it placed on the Fire Service. He had attended the site visit prior to the meeting but had not noticed the width of the gate at the time. Councillors Nicholson and Mullen having raised similar concerns, the Chairman asked Officers to comment.

The representative of the Executive Director of City Development replied that the Tyne and Wear Fire Service had not objected to the application in planning terms. The issue of the width of the gate to provide access for the fire service was governed by separate Building Control Regulations which stood outside of the Planning process. At this junction Ms Sally Bishop for the applicant, advised that the home would also be regulated by Ofsted and as part of the regulation process would need to meet the appropriate fire safety regulations. The Fire Service would inspect the property and the applicant would undertake any alterations required as a result.

There being no further questions, the Chairman invited the Committee to comment on and debate the application. Councillor Foster stated that he welcomed the application. He believed that it was the perfect place for the young people, and he was pleased to see that the neighbours were supportive.

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

4. RESOLVED that the application be granted consent, subject to the recommended schedule of conditions listed in the report.

**Planning Application 21/01566/FUL – Agricultural land improvement and remediation of sink holes, utilising imported soil materials and creation of temporary works access - Land South of Low Haining Farm Stoneygate Houghton-le-Spring**

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.

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

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

**Planning Application 21/01645/FUL – Proposed conversion of first, second floors and erection of third floor extension to facilitate 13no residential apartments, including new rear fenestration and street fronting access - 59 Fawcett Street 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.

There being no questions for the Officer, the Chairman asked Members to comment on the application. Councillor Doyle stated that he was really appreciative of the fact that the applicant had engaged with Northumbria Police's Designing Out Crime Officer, however he also wished to place on record his disappointment that the applicant had chosen not to adopt the Highways Officer's recommendation to provide secure cycle storage. The representative of the Executive Director of City Development advised that although the provision of the storage was desirable, it was not materially significant. He reassured Councillor Doyle that it was the applicant's intention to provide secure cycle storage at a future point in time.

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

6. RESOLVED that the application be approved subject to the completion of the Section 106 agreement and the imposition of the draft conditions, as detailed in the report.

**Planning Application 21/02546/LP3 – Installation of additional fire escape doors to main school and creation of access ramps. Alteration of Garage Teaching Block to form 2 new classrooms and Building Construction Tech Block to provide internal meeting spaces, toilet and kitchenette. Additional parking and new fence between existing yard and allotments: Harry Watts Academy Firtree Avenue Harraton Washington NE38 9BA**

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.

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

7. 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 set out in the report.

**Planning Application 22/00173/FU4 - Detailed planning application comprising 16 no. residential units with associated landscaping and access - Land to the North of Saint Mary's Way City Centre 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.

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

There being no question of clarification for Ms Thompson, the Chairman invited the Committee to comment on and debate the application. Councillor Doyle stated that it was an excellent application particularly in terms of its aesthetics and densities. There being no further comments, the Chairman put the Officer recommendation to the Committee and it was:-

8. RESOLVED that the application be granted consent, in accordance with Regulation 4 of the Town and Country Planning General Regulations subject to the completion of the Section 106 Agreement and draft conditions set out in the report.

**Planning Application 22/00204/FUL – Change of use of building (and associated curtilage) from B2 general Industrial and amenity greenspace to the north, to B8 distribution, including installation and alteration of shutters and doors, additional lighting, construction of new yard, parking areas and landscaping. - SNOP UK Limited Rainhill Road Stephenson Washington NE37 3HP**

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.

There being no questions for the Officer, the Chairman asked Members to comment on the application. Councillor Scott stated that he believed it was a glowing endorsement for the City that such a business had chosen to locate there.

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

9. RESOLVED that the application be approved subject to the draft conditions, as detailed in the report.

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

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

(for copy report – see original minutes)

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

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

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

- a petition in objection had been submitted signed by 90 residents of Hillview Road
- the area already suffered from parking problems. The application would add to this.
- The increased traffic would be detrimental to highway safety
- The proposed smokers area was too close to neighbouring properties and gardens where children would be playing resulting in noise disturbance, overlooking and the smell of smoke.
- She wanted to see the business succeed but believed that the proposal was out of character for a conservation area.

There being no questions of clarification from Members, the Chairman welcomed and introduced the applicant Mrs Helen Cooper who had registered to speak in support of her application. The Chairman advised that she would be given 5 minutes to address the Committee and that an Officer would inform her when her time was up. Mrs Cooper addressed the Committee citing the following issues in support:-

- The application would utilise current dead open space. It would not remove a parking space as it too small an area to allow any vehicle to park
- It would not remove a service area as all deliveries came through the front of the property.
- The business employed 18 members of staff and the application would provide a staff room, shower room and secure storage area for the staff.
- The main reason for the application was the kitchen extension to allow the business to cater for people with specific dietary requirements which the current cramped space did not allow.

- The dining area was not being extended so there would be no increase in patrons and therefore no increase in the numbers parking
- The smoking shelter would be used smokers who would formerly congregate around the front door. The smoker's area would be completely private and screened by a smoked glass balustrade. It would enhance the amenity of neighbours who had previously had to look out onto a brick wall and extractor fan.
- The smokers' area would not result in an increase in litter or vermin
- A large percentage of the letters of objection were submitted by friends of local residents who did not live in the area.

The Chairman invited the Committee to comment on and debate the application. In response to an enquiry from Councillor Mullen the representative of the Executive Director of City Development advised that issue of overlooking stemmed from the proximity of the external elevated area to the neighbouring properties.

In response to an enquiry from Councillor Morrissey, the representative of the Executive Director of City Development advised that Officers had no concerns regarding the emission of cooking smells as it was not a material reason for refusal.

Councillor Miller referred to the statement in the report that the separation distances were inadequate and asked if this was a serious reason for refusal? The representative of the Executive Director of City Development replied that it was. The separation distances did not meet the required standard to protect the amenity of neighbours.

Councillor Foster stated that he was still unclear regarding the issue and moved that further consideration of the application was deferred for a site visit. The motion was seconded by Councillor Mullen.

Councillor Doyle believed that the Committee had enough information before them and stated that with respect to the Applicant, the Committee needed to recognise that there was a clear conflict between the proposals and the Council's planning policies.

The Chairman then put Councillor Foster's motion to the Committee, that further consideration of the application was deferred for a site visit.

Upon a vote being taken, the motion was passed with 8 members voting in favour and 1 member voting against.

Accordingly it was:-

10. RESOLVED that further consideration of the application pending the undertaking of a site visit.

**Planning Application 222/00602/VAR – Variation of conditions 2 (approved plans) and 16 (landscaping) attached to planning permission 19/01484/FU4 - amendments to earlier grant of planning permission including variation of finished floor levels and provision of retaining wall to north western boundary of site. - Land at former Ayton School Goldcrest Road Ayton Washington NE38 0DL**

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.

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

11. RESOLVED that the application be granted consent subject to the conditions set out in the report

**Items for information**

Members gave consideration to the items for information contained within the matrix (agenda pages 199-215).

In response to an enquiry from Councillor Mullen regard planning application 22/00293/FUL (Proposed change of use from C3 to C4 21 Hawarden Crescent Sunderland), the Development Manager advised that the application had been withdrawn following the publication of the agenda papers.

Councillor Doyle highlighted the importance of site visits being requested at the matrix stage to minimise the number of deferrals being made at Committee for this reason.

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

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

(Signed) M. THORNTON  
(Chairman)