

At an extraordinary meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY 20TH SEPTEMBER, 2016 at 5.45 p.m.

Present:-

Councillor Jackson in the Chair

Councillors Beck, Bell, Foster, Francis, Mordey, Porthouse, Scaplehorn and D.Wilson.

Declarations of Interest

16/01139/FUL – 8 Mayfield Court, Sunderland, SR6 9HY.

Councillor Francis made an open declaration that he had partaken in conversations with all parties but still retained an open mind on the application.

Councillor Beck made an open declaration that she had spoken with one of the parties involved and had formed an opinion on the matter, therefore left the room when the application was decided.

Apologies for Absence

Apologies for absence were submitted by Councillor Chequer.

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

The Executive Director of Commercial Development submitted a report 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).

16/01139/FUL – Erection of a two storey side extension and single storey rear extension – 8 Mayfield Court, Sunderland, SR6 9HY

Jamie Reed, Principal Planning Officer (Major Developments) outlined the development proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

In response to an enquiry from Councillor Porthouse, Mr Reed advised that it was correct the applicant could make substantial changes to this property without planning permission through permitted development and that approval was only required for the first floor parts of the development.

Councillor Francis commented that he knew the area well and the layout of the homes and all the houses had a larger ground floor footprint than the upper floor. In respect of officers' comments in terms of loss of light, Councillor Francis enquired if light readings had been taken.

Mr Reed advised that an officer had visited the site and it was their findings that the situation would not be worsened by this development.

The Chairman introduced Mr Farline who wished to speak in objection to the proposal. Mr Farline wished to disagree with the officers' comments that there would not be an impact on the neighbours' light as the existing outlook from their kitchen window was going to reduce from 4.8m down to 2.4m which was under a sixth of the figure stated in the Supplementary Planning Document guidelines of 14m.

Mr Farline commented that they would have a brick wall facing their kitchen window and should the surrounding neighbours decide to implement a similar plan then a terracing effect would be created within the neighbourhood.

Parking was very tight in the cul-de-sac and this development would have an impact upon movements for the bin wagons and such like.

Mr Reed advised that in respect of Supplementary Planning Document Guidelines he must stress that these were just guidelines for them to act upon as and when required with each proposal having its own individual circumstances which had to be considered and the distance currently in place was already lower than the suggested guidelines. Mr Reed advised that there were a number of alterations the applicant could make to the property without planning permission required that would result in the same outcome, therefore Officers had to make a balanced decision based on the scenarios that could play out and on that basis they felt they could not give regard to distance.

In terms of terracing, Mr Reed advised that he took on board neighbours' comments and did think it was possible to alter the front of the design but this would have to be put forward to the applicant for agreement but design grounds alone would not warrant a refusal of the application.

Paul Muir, Group Engineer advised that in terms of parking, the proposal does retain a driveway with the required measurements therefore there were no grounds for Highways to object to this application.

Councillor D. Wilson clarified that should the applicant have a successful appeal if the Committee were to refuse this application, then costs could be awarded that the Council would be liable for, and the only things that this Committee were able to decide upon were the single storey alterations. This was confirmed by the Officers.

In response to Councillor Scaplehorn's enquiry, Mr Reed confirmed that if approved it could set a precedent and other residents could apply for similar alterations to their homes.

Danielle Pearson, Development Control Manager, advised that the Committee must consider the application and the details that had been submitted in front of them. The proposal would not be classed as terraced as there needed to be a gable for that to be defined, and this did not. Mrs Pearson also added that should Members refuse this proposal, the applicant did have a right of appeal which the Council would be liable for costs should the planning inspectorate rule against and Members needed to bear in mind that the issue of design was subjective.

The Chairman introduced Mr Hounslow who wished to speak in objection to the proposal. Mr Hounslow advised that numerous letters had been submitted from neighbours in the cul-de-sac objecting as they were concerned over the terracing effect that could come into the street.

Mr Hounslow commented that number 1 Mayfield Court had previously had a planning application refused due to the detrimental effects, the size and loss of light that it had proposed and was contrary to the Unitary Development Plan, much like this application.

Mr Hounslow also commented that he lived in No.6 Mayfield Court and the proposed 1.5m extension would affect the daylight his property would receive and circulated photographs highlighting the case should this application be granted.

Mr Reed advised that the previous application had been refused some time ago and that decision had been made under the circumstances that were in place at that time. In respect of the extension that would be affecting Mr Hounslow, the first storey part of the proposal was the only part that was triggering the need for planning approval and the remaining parts could be built without permission.

Councillor Bell commented that there had been changes to planning with permitted development rights and unfortunately Members' hands were tied so the Committee could only determine the application against the relevant material planning considerations.

Councillor Beck proposed that a site visit be undertaken for this application for Members to understand the proposal better.

Councillor Porthouse commented that he did not feel a site visit was necessary as the Officers had presented the report thoroughly, Councillor Bell had explained that due to changes to permitted developments the applicant was allowed to carry out these works and Members could have visited the site before the meeting.

Councillor Francis commented that if anyone was unclear in their mind, then a site visit should be had and seconded Councillor Beck's proposal.

The proposal having been seconded was put to the vote. With 4 Members in favour and 5 Members against, the motion for a site visit was rejected.

The Chairman then introduced Sean Brown who was speaking on behalf of the applicant. Mr Brown advised that he fully supported the recommendation from the officers' report and that as the architect for this development, he would not have put forward a scheme that wouldn't meet the necessary criteria.

Having been put to the vote, with 7 Members voting in favour of the Officers recommendation, and 1 Members voting against, it was:-

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

Removal of Condition 2 attached to planning application 86/0390/VI (condition states permission to use premises as guest house for unemployed shall ensure only for the benefit of the applicants). – Barclay Lodge, 58 Barclay Street, Sunderland, SR6 0AW

2. RESOLVED that the application be delegated to the Director of Commercial Development, who was minded to approve the application, subject to no representations being received by 22nd September 2016 and subject to the two conditions as set out in the main report

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

(Signed) J. JACKSON,
Chairman