

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 4th FEBRUARY, 2020 at 5.45 p.m.

Present:-

Councillor Thornton in the Chair

Councillors M. Dixon, Jackson, Jenkins, Lauchlan, F. Miller, Speding, Turner and P. Walker

Also in Attendance:-

Councillors Heron, Johnston, N. MacKnight and Williams

Declarations of Interest

There were no declarations of interest made.

Apologies for Absence

Apologies for absence were given on behalf of Councillors Blackett, Potts and Scaplehorn

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

The Executive Director of City Development submitted a report (copies 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 reports – see original minutes)

The representative of the Executive Director of City Development advised the Committee that the Core Strategy and Development Plan 2015-2033 had been adopted by Council at its meeting held on 29th January, 2020. The applications submitted to Committee at this meeting had been considered in light of the policies and conditions attached to them and modifications had been made if necessary to reflect the newly adopted plan.

19/00102/MAV – Variation of conditions 2 (list of approved plans), 3 (time limit for restoration of site), 10 (noise and vibration migration measures) and 21 (plant and machinery details) of planning permission ref 12/03178/FUL, to allow for a revised restoration programme for the site, an extended programme and altered phasing of works, the construction and operation of an aggregate wash plant, the re-alignment of the access road within the quarry and amendments to on-site landscaping scheme at Biffa Waste PLC, Houghton Quarry, Newbottle Street, Houghton le Spring, DH4 4AU

The representative of the Executive Director of City Development presented the application advising the Committee of the key issues to consider in determining the application, advising that the application sought to allow for a continuance of Holystone's recycling operations and the continued in-filling of the quarry void to create a revised development platform for the employment park. Members were advised that the applicant contended that current economic conditions were not conducive to the delivery of an employment park at this location at this time.

Councillor Speding commented that it was the understanding of Members that the original application had been time limited and he recalled that the Committee at that time felt that they had been given assurances that all works within the site would have reduced and duly ceased by the end of that juncture.

Councillor Lauchlan referred to the claims that the economy had not recovered from recession to support the delivery of the employment park and asked if the applicant had produced their own report to support this, and if the Council took their opinions for granted. The Officer advised that the assertion was made by the applicant that there was no demand for the employment park at this time and explained that there would not be an independent assessment of the viability of the employment park as this was not a crucial aspect of the application and was only provided as background information.

In relation to the number of vehicle movements, Councillor Miller commented that in her experience she had found that the actuality was always greater than that which was proposed and added that there were already concerns that the vehicles currently accessing the site were not using the designated routes. The Highways Officer advised that the route vehicles had to take was included within their conditions and could be enforceable if vehicles were going against them by Council Officers if complaints were received and investigated and found to be the case.

Councillor Dixon referred to the concerns of the Council's Strategic Property Manager and was advised that the Planning Officers had given the concerns due regard and having reviewed the application, taking into account those views, it was deemed that the impact would be minimal.

The Chairman advised that there were a number of speakers for the application and invited Councillor Heron to address the Committee.

Councillor Heron thanked Members for the opportunity to address them and advised that she spoke in objection to the application advising that in 2013 residents had been happy that although the application had been approved they could see the final solution to the issues they had lived with and knew when to expect works at the quarry site to cease and for the site to be developed and benefit the area.

Councillor Heron raised the following issues in objection to the application:-

- The quarry site was very near to local housing;
- There had been a number of variations to planning applications over the previous twenty years;
- The HGV's were causing a lot of problems for residents;
- The HGV's continued to use the wrong access routes and reports had been made regarding them using Newbottle Bank;
- HGV's were parking up outside of residential housing waiting to access the quarry;
- The road surface was deplorable, covered in mud, etc. regardless of the road sweeper; and
- Crushing of materials was causing dust in the neighbouring area.

In closing, Councillor Heron reiterated that residents had been looking forward to the closure of the quarry site and believed it to be five years after the consent granted in 2013 but it had now been seven years and they did not want this to continue for a further five years, dependent upon their being no further requests to extend.

The Chairman then welcomed Councillor Neil MacKnight who wished to address the Committee.

Councillor MacKnight advised that he also spoke in objection to the application advising that there had been many issues in relation to the quarry site which had caused it to become a blight on the lives of local residents when in the past there had been an overwhelming stench emitting from the site and an onslaught of flies.

He referred to the earlier application for the site which had been approved in 2013 and commented that residents were happy that on its completion the site was to be turned over for development to support retail in the area but yet seven years later, and not the five as expected, the development was not forthcoming and residents were faced with a further five year extension.

Councillor MacKnight advised that his objections related in the main to noise, dust and the disturbance to wildlife and raised the following issues and concerns:-

- Houghton was 'on the up' with more investment into the area being made;
- The Houghton Colliery site was earmarked for retail development and was over the road to the quarry;
- It was expected the Houghton Colliery site would create approximately 400 jobs and bring in almost £14 million in investment;
- The development of the Colliery site would be much less attractive and put investors at jeopardy, which the Council's Strategic Property Manager expressed concerns over;

- The Council investing into the IAMP proves that the comments around employment sustainability were false;
- Biffa had not been good neighbours in the past, e.g. HGV's using wrong access routes and working outside of contracted hours;
- Highways advise that there are no issues but this would not be the case if and when the Colliery site is developed; and
- There had been numerous complaints made by residents, with no sanctions by the Council.

In closing, Councillor MacKnight commented that the proposal was an abomination and that to ask residents to live with another five year extension of works being undertaken at the quarry site was unacceptable. Houghton was an area for investment and development and he asked the Committee to refuse the application.

The Chairman invited Councillor Johnston to address the Committee and he thanked Members for the opportunity advising that he was strongly against the application. Councillor Johnston explained that residents continue to express concerns to him over the site and its future. They felt it was detrimental to the area and a backward step for Houghton, with the continuance in works having a detrimental impact on the further development of the Houghton Colliery site and its expected retail use.

Councillor Johnston stated that any continued operations at the site would only extend the disruption suffered by residents, to the transport links and in the creation of more dust in the local area. These issues had been ongoing since the mid 1990's and residents had suffered enough. The continuance of the work at the quarry site showed a lack of ambition and disrespect in the ability for the area to thrive.

He claimed that there were no facts provided to evidence that the employment park was not viable and commented that there was nothing unique that the quarry site offered that could not be located in other sites around the city.

In relation to the road surfaces, Members were informed that it was in a disgraceful state; with mud everywhere, issues which would be shared by the entrance to the Houghton Colliery site once developed. He advised that they had met with the Manager of the quarry site would advised he would look into and ensure that this was rectified but nothing had happened and he felt that it was only 'lip service'.

Councillor Johnston advised that they had been told that the quarry would cease operations on 1st August and that residents were looking forward to this. He commented that Councillors must push ahead for the residents of the Houghton and wider areas and that to approve the application would go against the fundamentals of community engagement. He urged the Committee to refuse the application.

The Chairman thanked the Councillors for their representations and invited Mr. James Cook of Sirius to address the Committee on behalf of the applicant.

Mr. Cook advised that Holystone were a local civil engineering firm who proposed to continue current operations on the site which would safeguard existing jobs and create a further four posts. He advised that there would be an investment of £2million made at the site and into the local economy and the ongoing works would

help to improve the recycling rates for the area and therefore help Sunderland City Council in meeting their targets. Ongoing use of, and works at the site, would ensure that it was not left vacant, where it could possibly become a target for anti-social behaviour.

He referred to the independent viability study which had been undertaken for the employment park and advised that it had found that it was only marginally viable to create the park at this time and therefore it could not be in place for a number of years as it would not make economic sense in the short term to develop the site for employment park purposes.

The continued works at the site would see that the site was being used in the most economic way possible until such a time that the employment park was viable and provide a high quality inert waste recycling facility. The development platform could then be provided once the works were finished. Delaying the development of the site and continuing with the current work would give the best economical use of the site at this time.

In response to comments from Councillor Miller regarding an alternative site that Biffa have in the Washington area, Mr. Cook advised that they were two separate facilities and that Biffa were only the landowners of this site and that Holystone were the operators. The quarry site was not a crushing site and materials were placed in water the clean dirty stone and sand so that dirty soils were physically washed and cleaned for recycle.

Councillor Lauchlan commented on the economical viability of the employment park and stated that they had heard otherwise from the Council's Strategic Property Manager, and added that £14million investment through the retail development was more beneficial than £2million proposed through the extension of works at the quarry site. Mr. Cook explained that £2million would be new money being invested into the current site, which would in turn ensure that the employment park could be developed. If the works were not to continue then the site would sit vacant as the independent advisors had set out that there was no current interest in the development of an employment park at this current time.

Member having discussed the issues raised by the representatives felt that it was necessary to visit the site to gather a full understanding of the concerns that had been shared in relation to the highways and vehicles using undesignated routes, etc, and having been agreed unanimously, it was:-

1. RESOLVED that the application be deferred to allow a site visit to be undertaken.

19/00783/FUL – Erection of single storey extension to front and side to form restaurant, flue to the side elevation and four additional parking spaces, (amended description) (amended plans received 30.7.19) at Sky Lounge Sports Pub, The Sky Lounge, Oxclose Road, Washington, NE38 7NL

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

The Officer advised the Committee that there had been ninety one representations received in support of the application and sixty-five objections received. In relation to the objections the Officer informed Members that it was apparent that many of the issues raised in objection to the application related to the management and operation of the premises and as such should be reported to the relevant authorities for action to be taken.

The Chairman invited Ms. Quinn to address the Committee, who provided Members with images from around the building in relation to her property and advised that she was speaking in objection to the application.

Ms. Quinn thanked Members for the opportunity to address them and raised the following points in objection to the application:-

- The venue was a glorified nightclub, with neighbouring residents having to deal with issues from the venue on an ongoing basis;
- The approval of the extension would only escalate the number of incidents residents currently lived with;
- Neighbours had seen drug taking on the premises, people urinating in the area and taking part in sexual activities;
- They currently had to listen to the shutters being lowered every evening, due to the siting of their bedroom, and the extension would exacerbate this;
- There is noise from 11:00am – 11:00pm but the premises do not close until 12:30am so they continue to hear noise until that time;
- Prior to the Sky Lounge the area was a quiet little community and residential area;
- Due to parking the area was completely inaccessible and footpaths could not be used;
- The original proposal was refused due to parking and there should be more required for this application;
- Vehicles could not see the road clearly due to excessive parking and it was an accident waiting to happen; and
- It was in close proximity to an old people's care home.

The Chairman thanked Ms. Quinn for her representations and invited Ms. Bennett to address the Committee. Ms. Bennett advised that she spoke in objection to the application and raised the following points:-

- Looking at the side view of the property the extension was too big for the vacant space if adhering to the dimensions in the plans;

- The planning application set out that there was no need from the applicant to get rid of trade waste but residents had been blocked in due to delivery and refuse vehicles so there was an error made in the application;
- The site notice on 6 August, 2019 was missing information and not clear;
- The siting of the flue for the extension was covered by shrubs and trees and therefore could not go where proposed;
- The images clearly showed the extent of the traffic congestion in the area and residents could not park in front of their homes anymore;
- Of the ninety one representations in support of the application many of them did not live in the area and therefore the application had no direct impact on their life; and
- There were a lot of comments in the report as to how the garden should not have been included in the original application and the report felt very biased.

The Chairman thanked Ms. Bennett for her representations and welcomed Councillor Williams to the Committee. Councillor Williams thanked Members for the opportunity to address them and advised that she spoke on behalf of her constituents in objection to the application and raised the following issues and concerns:-

- Sixty five representations against the application showed how much local people had their lives disrupted by the venue;
- The spaces proposed for car parking were not new spaces and were already being used in an unofficial capacity;
- There will naturally be more noise if more people can use the venue;
- Highway safety was an issue in the area and there needed to be parking restrictions introduced;
- The extension would not enhance the view for residents in the neighbouring area;
- Residents in the area were nervous about the application being approved and some had already sold their properties because of ongoing issues;
- There was uncertainty and it was unpredictable for residents to know what each night was going to be like and if there were going to be any incidents;
- The venue had previously had temporary events licenses granted; meaning it was open until 5:00am on those occasions; and
- It would have an adverse impact on the lives of neighbouring residents.

In closing, Councillor Williams asked Members of the Committee to refuse the application, or invited them to have a site visit to the area on a weekend evening to see for themselves the issues residents had to experience.

The Chairman thanked Councillor Williams for her representations and welcomed Ms. Nicola Allan to the Committee who had requested to speak on behalf of the applicant and to answer any questions or queries Members may have.

Ms. Allan spoke in support of the application and requested a copy of the images that had been circulated as she not had sight of them. Ms. Allan commented that the application before Members was for a moderate extension only to allow the venue to offer food for users of the Sky Lounge and explained that this would not increase the number of tables or the size of the bar.

There had been no comments received from technical experts and in relation to noise complaints she advised Members that over the past three years there had been two complaints received which had been deemed as nothing substantial. The back wall and roof of the property had been soundproofed and the owner was very responsible having worked with environmental health officers and he was a member of pub watch. The area had also been monitored by CCTV for nine months and there had been no incidents recorded.

The property was surrounded by other commercial uses and was not surrounded just by residential properties. There had been no evidence shown for any of the allegations made and there was nothing to state that any issues experienced by residents were directly linked to these premises.

Ms. Allan advised that there were distinct advantages to approving the extension in that the kitchen would move to the side of the property, be noise compliant and remove any odour issues with the new flue system. She advised that the new car parking spaces were as requested and would be provided in line with the new extension and the application would see investment in the area, in a popular local pool club.

In closing, Ms. Allan commented that a lot of the issues raised by representatives should be dealt with through licensing and/or environmental health and if they were found to be of concern they would be dealt with in the correct manner.

Members having fully considered the representations, with all Members being in agreement, it was:-

2. RESOLVED that the application be deferred to allow Members to undertake a site visit on a future weekend evening.

19/01583/MAV – Variation of conditions 4 (operating hours) and 5 (delivery times) of planning approval 12/02218/FUL (as amended by planning permission refs. 13/02411/MAW and 13/03158MAW) to allow operation of the recycling facility on bank holidays for reasons as outlined in the planning statement at 1 Monument Park, Washington, NE38 8QU

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

The Chairman then put the Officer's recommendation to the Committee and with all Members being in agreement, it was:-

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

Items for Information

Members having fully considered the items for information contained within the matrix, it was:-

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

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

(Signed) M. THORNTON,
Chairman.