

Item 3

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 31ST OCTOBER 2022 at 5.30 p.m.

Present:-

Councillor Thornton in the Chair.

Councillors Doyle, Foster, Herron, G. Miller, Mullen, Scott and Warne.

Declarations of Interest

Planning Application 22/01466/SUB – Change of use to coffee/sandwich shop including associated car parking. School House, Offerton Village, Sunderland, SR4 9JP

Councillor Doyle made an open declaration that his employer had some previous involvement with the application site prior to submission of the application, which had now ceased and there had been no involvement with the applicant or in relation to the application at any stage. As a consequence he had an open mind on the merits of the application.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Morrissey and Nicholson.

Minutes of the meeting of the Planning and Highways Committee held on 22nd September 2022

1. RESOLVED that the minutes of the meeting of the Planning and Highways Committee held on 22nd September 2022 be confirmed and signed as a correct record.

Minutes of the last ordinary meeting of the Planning and Highways Committee held on 3rd October 2022

2. RESOLVED that the minutes of the last ordinary meeting of the Planning and Highways Committee held on 3rd October 2022 be confirmed and signed as a correct record.

Planning Application 21/02898/FU4 – Extra care Housing Development incorporating the erection of a three-storey building to provide 84no extra care units (Use Class C2) and 13no. bungalow dwellings (Use Class C3), ancillary support services, associated parking, drainage and landscaping and two new pedestrian/vehicular accesses onto Moorway. Land West of Moorway and South of Havannah Road

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

(for copy reports – 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.

The Chairman introduced Mr Fraser Tinsley who wished to speak in support of the application. Mr Tinsley commented that the application had been covered comprehensively by the Planning Officer and that significant consultation had been carried out. The proposal addressed a key identified need and would be a positive for the area. The scheme complied with the Core Strategy and would deliver extra care apartments.

Mr Tinsley informed that any issues around drainage or ecology had been addressed and Highways had identified no impacts upon the area so all conditions had been accepted by the applicant. The scheme was designed to integrate with the local community and he believed it addressed the key needs for the future of the area.

In response to a query from Councillor Warne, the Planning Officer confirmed that the additional condition included in the circulatory report would be included in the recommendation.

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

3. RESOLVED that Consent be granted under Regulation 4 of the Town and Country Planning (General Regulations) 1992, subject to
 - i) The draft conditions contained within the report (as published, 21 October 22);
 - ii) A legal agreement for the provision of affordable housing (15%), the undertaking of the works described in the submitted Woodland Report (including submission and approval of a detailed landscape plan, particularly for the land to the south) and the maintenance thereafter.; and
 - iii) The draft condition for localised highway improvements (as stated in the circulatory report)

Planning Application 22/01466/SUB – Change of use to coffee/sandwich shop including associated car parking. School House, Offerton Village, Sunderland, SR4 9JP

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Councillor G. Miller referred to pages 52 and 53 of the agenda in which it stated “The essential characteristics of green belts are their openness and permanence. As the term 'openness' is not defined within the NPPF, the concept has long been the subject of interpretation and discussion. The recent Supreme Court decision in Samuel Smith Old Brewery (Tadcaster) v North Yorkshire County Council and Dorrington Quarries [2020] concluded that "matters relevant to openness in any particular case are a matter of planning judgement, not law". Councillor Miller commented that whilst this was a matter of planning judgement rather than law, he was struggling to see why the proposal should be refused.

The Development Control Manager advised that the protection of Green belt land was very restrictive but acknowledged the issue of openness was subjective and that consideration had been given not just to the development but of the parked cars that would be located outside. The amount of cars expected was limited to 10 cars and the building proposal was appropriate.

Councillor G. Miller commented that he was loathe to disagree with Officers recommendations however the use of the premises was acceptable and it was the car park that was making it not so, and we had to be careful not to lose the use of a building. Councillor Miller added that if there was clear damage to the Greenbelt then he would accept the Officers recommendation without question but he was struggling to see that in this instance

The Chairman introduced Mr Scott Richards, the applicant, who was given 5 minutes to speak in support of the application. Mr Richards advised that he appreciated all the comments made by the Planning Department and he had followed due process, working with the Officer and carried out every survey requested.

Mr Richards informed the Committee that the parking would only be for a maximum of 10 spaces as the real driver of the business was to service the walkers in the area and would not attract hundreds of cars. Mr Richards advised that there was currently nowhere to use any toilet facilities in this area, which this proposal would provide and he did not need a massive turnover for the business as he lived on site with his family therefore he had

invested significantly into the building and wanted to attract people into the area and for them to stay there.

Mr Richards summed up by commenting that there would be no excavating or digging required and he had offered to erect fencing or the planting of additional fern trees if required. He had invested a lot of time and money to bring this building back into life and felt it would be a real shame if it were to go to ruin.

The business was aimed for people to enjoy and all public sentiment had shown that the majority of people wanted this proposal to go ahead.

Councillor Mullen agreed with Councillor G. Millers' earlier comments and advised that he was minded to go against the Officers recommendation for refusal on this occasion.

Councillor Doyle commented that he had every sympathy for the applicant and agreed that it was ridiculous to refuse based on the limited visual impact, however he did find it hard to disagree with the Officers report on the urbanised encroaching effect and that this wasn't a problem with the Officer's interpretation of the greenbelt policy but was an issue with the Policy itself and needed to be looked at further.

Councillor Foster commented that he felt the report was very good however there were parts that he disagreed with. Councillor Foster advised that it had been beneficial to visit the site and gave a greater perspective of the area. Councillor Foster also referred to the proposal to remove three trees and have them replaced with a further six trees which he felt would make the area more enclosed and suggested that the special circumstances involved in this case, with the opportunity to bring employment to the area meant that he was minded to go against Officers recommendation in this instance.

Councillor Warne commented that he did not wish to see any relaxation of the green belt policies and that the issues were best solved at Committee, but that being said he was minded to go against Officer recommendation.

Councillor Scott also indicated that he was in agreeing with colleagues on this matter.

The Chairman commented that she agreed with the majority of the committee and stressed the importance of Members attending the site visits when they were arranged as this had brought the application to life. The Chairman commented that she felt the application was a good one which would give a purpose to a building which had been empty for decades and would be positive for the Community if it were to be brought back into use.

Councillor G. Miller commented that they tried to allow developments where there was generally no negative impacts upon the greenbelt and he could not see where the negative impact was in this case as it was a family business bringing a building back into use and he therefore proposed an alternative

recommendation to approve the application. The motion was seconded by the Chairman.

The Chairman therefore put the alternative recommendation to the vote, that Members delegate the decision to the Executive Director of City Development to approve the application, subject to the drafting of the relevant conditions. With 7 Members voting in favour and 1 Member voting against, it was:-

4. RESOLVED that Members delegate the decision to the Executive Director of City Development to approve the application, subject to the drafting of the relevant conditions.

Planning Application 22/01576/FUL – Full planning permission for installation of mezzanine floor, alterations to shopfronts to create single entrance/unit, rear canopy and plant, car parking, landscaping and engineering works. Units 4,5 and 6 Galleries Retail Park, 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

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 Conditions listed in the report.

Planning Application 22/01790/PSI – Erection of Eye Infirmary (Class E(e)) with energy centre buildings, cycle hub building, site access, parking, landscaping and utilities / infrastructure provision, with associated engineering operations including work to the existing retaining wall along Galley's Gill. Former Vaux Site, Land North of Saint Mary's Boulevard, 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 or comments, the Chairman put the Officer recommendation to the Committee and it was:-

6. RESOLVED that Consent be GRANTED in accordance with Regulations 3 of the Town and Country Planning General Regulations and subject to the draft conditions listed in the report.

Planning Application 22/02074/LB3 – Infill existing openings on boundary wall. Land at Penshaw House, Station Road, Penshaw, 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:-

7. RESOLVED that LISTED BUILDING CONSENT BE GRANTED, under Regulation 3 of the Town and Country Planning (General Regulations) 1992, subject to the conditions listed in the report.

Items for information

Members gave consideration to the items for information contained within the matrix (agenda pages 104-120) and site visits were requested to the following applications: -

21/01001/FU4 – Land East of Primate Road, Sunderland; and

22/00781/FU4 – Former Farrington Hall Police Station, Primate Road, Sunderland, SR3 1TQ

8. RESOLVED that the items for information as set out in the matrix be received and noted and that site visits be undertaken in respect of the Applications listed above.

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

(Signed) M. THORNTON
(Chairman)