

At a meeting of the PLANNING AND HIGHWAYS (EAST) COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 28 MARCH 2022 at 5.30 p.m.

Present:-

Councillor Butler in the Chair.

Councillors Dixon, Foster, E. Gibson, Nicholson, Noble, Peacock, Reed, Scanlan and P. Smith.

Declarations of Interest

Item 4 Objection to The City of Sunderland (Sheepfolds Prohibition of Waiting, Loading and Other Restrictions) Amendment Order in Sheepfolds Industrial Estate, Sunderland (Southwick Ward).

Councillor Butler declared an interest in the item as the objector was known to him having discussed the matter as part of his work as a ward Councillor. Councillor Butler left the meeting at the appropriate point on the agenda taking no part in the decision thereon.

Item 5 Update on Previously Agreed CPMS Programme Following the Impact of COVID 19 and Changes to Commuter Parking.

Councillors Dixon, E. Gibson and Reed declared an interest in the item having worked closely with the presenting officer in developing the CPMS schemes described in the report. The Councillors left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

Item 6, Applications made under the Town and Country Planning Acts and Regulations made thereunder – Planning Applications 21/02676/OU4 - Land North of Emsworth Road, Carley Hill, Sunderland and 21/02679/FU4 - Land North of Emsworth Road, Sunderland.

Councillor Noble declared an interest in the Items as a member of the Gentoo Board 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 Councillors Doyle, Essl, Hodson, Stewart and Wilson.

Minutes of the last meeting of the Planning and Highways (East) Committee held on 31 January 2022

1. RESOLVED that the minutes of the last meeting of the Planning and Highways (East) Committee held on 31 January 2022 be confirmed and signed as a correct record.

Change in the Order of Business

The Chairman advised that he would take Planning Application 21/02676/OU4 - Land North of Emsworth Road, Carley Hill, Sunderland at this juncture to allow the registered speakers to leave the meeting thereafter.

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.

(for copy report – 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 1000% 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 Reed stated that under Policy NE2 paragraph 5 of the Core Strategy and Development Plan a development that would adversely affect the ecological value of a Local Nature Reserve needed to demonstrate that there were no reasonable alternatives and the case for development clearly outweighed the need to safeguard the ecology of the site. He asked what alternatives had been considered? The representative of the Executive Director of City Development replied that the site had been subject to significant ecological research and he was satisfied there was no detriment across the site. The Council's consultant Ecologist had raised no objection, believing that the proposed development was acceptable in principle, subject to a number of conditions in respect of protection and enhancement measures to ensure the ecology within and around the site was protected during the development.

In response to an enquiry from the Chair as to whether the applicant had considered a reasonable alternative, the representative of the Executive Director of City Development advised that the proposals submitted by the applicant were considered appropriate. If they had not been, they would have been referred to the Secretary of State.

Councillor Reed then referred to the site description on page 59 of the agenda papers and the reference that its northern most section lay within the extent of the Green Belt and asked how far it encroached? The representative of the Executive Director of City Development replied that there would be no actual building in the Green Belt. The Committee's attention was drawn to the plans on the powerpoint presentation. The northern most section of the site outlined in red showed the extent of this buffer zone between the rest of the Green Belt and the gable walls of the most northerly row of homes.

In response to enquiries from Councillor Dixon, the representative of the Executive Director of City Development briefed the Committee on the

contents of the proposed Section 106 agreement referred to on page 88 of the agenda, the applicability of Policy NE4 of the Core Strategy and Development Plan in reference to the application through the resulting agreement of the applicant to make a financial contribution to improve local open space provision at Fulwell Quarry, and the operation of the HRA (Habitat Regulation Assessment)

In response to a further question from Councillor Dixon, the representative of the Executive Director of City Development confirmed that she would be happy to consult with Ward Councillors in respect of the improvements to the open space provision at Fulwell Quarry.

In response to an enquiry from Councillor Foster, the representative of the Executive Director of City Development explained that while the site had no formal designation for housing in the current Core Strategy and Development Plan, it was clear that the Council's aspiration for the site was to bring it forward for this purpose. The site was included in Council's Strategic Housing Land Availability Assessment (SHLAA) which identified potential housing sites and the likely timeframe for their development. In addition, the Council's emerging Allocations and Designations Plan (A & D Plan) proposed to allocate the site for housing for housing under draft Policy H8.27.

In response to an enquiry from the Chairman, the representative of the Executive Director of City Development explained that the A&D Plan contained a range of land use allocations and designations and that ultimately it would sit alongside the Core Strategy and Development Plan as part of the Local Plan. It had recently been subjected to public consultation and the representations received were currently being logged and considered. Although the A & D Plan proposed to allocate the site for housing going forward, because it was yet to be formally adopted, only limited weight could be given to it at this time.

In response to an enquiry from Councillor Reed, the representative of the Executive Director of City Development confirmed that in granting the application the Committee would be agreeing in principle the development of the site for housing. The application before members was in outline only, all other matters such as details of layout, scale, landscaping, appearance and access would require subsequent approval.

The Chair noted that the report advised that potential impacts upon great crested newts and other aquatic species were ruled out of the assessment because of the lack of accessible aquatic habitat in the area. He asked if officers were aware that there was a watercourse between the Rolls Royce football pitches and Broomshields Avenue? This was next to an SSSI and he asked if it was possible that it was used by newts? The Chair also noted that the report made no mention of foxes.

The representative of the Executive Director of City Development advised that foxes had only limited protection in law under the Wildlife and Countryside Act 1981 and were not deemed a protected species for the purposes of planning.

With regard to the presence of newts, a thorough ecological survey had been undertaken and he would defer to the expertise of the ecologist. In response to an enquiry from the Chair as to why the ecologist was not present at the meeting, the representative of the Executive Director of City Development replied that the ecologist had not expressed any concerns about the application.

There being no further questions for the representative of the Executive Director of City Development, the Chairman welcomed and introduced Ms Sandra Mason, the Agent for the applicant advising that she would be given 5 minutes to speak in support of the application.

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.

The scheme would help to reduce anti-social behaviour in the area by cutting off the unfettered access to Fulwell Quarry for motorcycles and quad bikes. It would also support and strengthen the SARA project by planting hundreds of trees in the area. In addition to social benefits there would also be tangible 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 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. With regard to the SSSI this was located centrally within the quarry and did not comprise the whole of the quarry area.

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

Councillor Reed referred to Councillor Samuel's objections to the proposal detailed on pages 60-61 of the agenda and asked if the planned Gentoo investment would outweigh that being allocated by the North Sunderland Area Committee. Ms Mason replied that she did not view it as a competition. The funding could be used to enhance existing resources and continue to support the SARA project. The two sources of funding should be seen as complimentary rather than competing.

In response to an enquiry from the Chairman, Ms Mason advised that she did consider that the pre application consultation had been extensive. This and the formal statutory consultations had not resulted in any objections from residents.

There being no further questions for Ms Mason, the Chairman welcomed and introduced Councillor Alex Samuels who had registered to speak in objection to the application advising that she would be given 5 minutes to address the Committee.

Councillor Samuels informed the Committee that her objection was based on the following issues:-

- Removal of Green space meaning there would be no break between the existing Carley Hill estate and Witherwack. In addition, Councillor Samuels contested the claim that the application would assist in reducing ASB. The application site was not the only access to the quarry and ASB was like water and take the path of least resistance.
- The loss of amenity in the area. The SARA project over the last year had been carrying out a lot of work in the quarry including specifically the site of the application. Volunteers have been carrying out regular litter picks. The quarry was a beautiful place, and a large number of people used the area for leisure and dog walking. Previously there had been a long period of decline however the North Area Committee had designated the site for improvements to green spaces. The SARA project had already planted hundreds of trees in the area and further improvements to the green spaces for both people and wildlife were being considered with the Council. The application threatened the public's enjoyment of the quarry.
- The impact on traffic, most significantly the increased traffic flow on the Thompson Road/Carley Hill Road junction. The junction was the busiest in the city without traffic light control. It was a significant issue for residents and one that ward councillors had long campaigned for changes to be made, however Highways had advised that no further improvements could be undertaken due to the impact on the wider network and the position of the junction. Councillor Samuels contended that increased traffic at the junction would lead to further congestion at the junction exacerbating the existing problem.

The Chairman thanked Councillor Samuels for her presentation and invited questions of clarification from Members.

The Chairman sought a response from the Highways Officer in respect of junction concerns raised by Councillor Samuels. The Committee was advised that in relation to the development proposal, Highways Officers had looked at how traffic would be distributed across the network and in particular on Old Mill Rd, Thompson Rd and Carley Hill Rd. Attention had been paid to the worst case scenario at peak times and there was no doubt that it would generate an increase in traffic. It wouldn't however cause a serious problem at the junction, although it would increase the number of vehicles queuing. The reason for not introducing a light controlled junction was that it would significantly worsen the queuing times on Thompson Rd. The introduction of the yellow box junction had proved to have had a positive impact.

The Chairman referred to this improvement and asked what was the evidence for it? The Highways Officer replied that all junctions were regularly monitored for accidents and it had shown that there had been no significant impact or changes to the volume of traffic.

In response to an enquiry from Councillor Peacock, Councillor Samuels confirmed that the former Play Park on the site was now defunct. In response to a further enquiry from Councillor Peacock regarding who used the site, how, and in what way would it change? Councillor Samuels advised that it was used by people who wanted to be outdoors but didn't want to undertake a long walk. In this respect it was used heavily by the elderly and dog walkers. The proposals would remove this green space and the demarcations between the wards and the hyper local areas.

Councillor Reed referred to Policy BH1 paragraph 1 of the Core Strategy and asked Councillor Samuels how she believed the character of the area would change if the proposals went ahead? Councillor Samuels replied that people often referred to Fulwell Quarry as a single entity however in reality it comprised 3 separate quarries, Fulwell, Witherwack and Carley Hill. The application would radically alter the character of one of these areas.

In response to a further a question from Councillor Reed as to whether she believed that the proposals represented a backwards step for the area, Councillor Samuels advised that she welcomed regeneration in the area but believed that the removal of green space was a huge negative.

Councillor Dixon asked what sort of response had residents given to the proposals? Councillor Samuels replied that it was not the most engaged of areas so the lack of formal objections had not come as a surprise. She believed that a lot of people had not realised that there were two separate applications and had confused it with the Gentoo application to build on the former Carley Hill School site which everyone supported.

Councillor Dixon stated that there was a clear decision to be made i.e. whether to have houses on the site or not. He asked Councillor Samuels, if the decision was to build, would she accept this? Councillor Samuels replied that as Ward Councillors no one would turn down investment in their areas however in this case, the investment was not enough to assuage the loss of green space. The only mitigation via the proposed Section 106 agreement was financial and she did not think it was possible to put a price on the loss of bio-diversity and green space.

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

Councillor Dixon stated that in his view everyone welcomed this type of housing however the issue was where it goes. He referred to the Chairman's concerns that there was no ecologist present, and he felt this had left the Committee with a lot of unanswered questions.

The Chairman concurred. He stated he understood that the Council's Ecologist had not raised any objections, but he had concerns regarding the net loss of bio-diversity. He recognised that there was a need for affordable housing but expressed concerns that there appeared to have been little investigation into potential alternative sites. He believed that there was in fact a more suitable site only 500 yards from that proposed. He also expressed concern that the proposed site was not allocated as housing growth area in the Core Strategy and Development Plan.

Councillor Reed stated that he agreed with Councillor Dixon and the Chairman that the Committee needed to hear from the Council's Ecologist in respect of the ecological issues raised.

There being no further comments the Chairman put the Officer recommendation to the Committee 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 set out in the report.

Upon being put to the vote, the recommendation was defeated with 3 Members voting in favour and 5 members voting against.

The Chairman then asked if anyone wished to move an alternative motion.

It was moved by Councillor Reed and seconded by Councillor Peacock that further consideration of the application be deferred to a future meeting of the Committee to allow for the attendance of the Council's Ecologist.

Upon being put to the vote, the motion was carried with 6 Members voting in favour and 2 Members voting against.

The Chairman also recommended that a site visit was undertaken prior to the meeting.

Accordingly it was:-

2. RESOLVED that further consideration of the application be deferred to a future meeting of the Committee to allow for the attendance of the Council's Ecologist and a site visit to be undertaken.

Appointment of Chairman

The Chairman having declared an interest in the next item of business, and in the absence of the Vice Chair, sought a nomination from the floor to Chair the meeting for the duration of that item.

Having been moved by Councillor P. Smith and seconded by Councillor Dixon that Councillor E. Gibson be appointed Chairman for the duration of the next item of business, it was:-

3. RESOLVED accordingly.

Objection to The City of Sunderland (Sheepfolds Prohibition of Waiting, Loading and Other Restrictions) Amendment Order in Sheepfolds Industrial Estate, Sunderland (Southwick Ward)

The Executive Director of City Development submitted a report (copy circulated) which advised the Committee of an objection received, by the Council, in respect of the proposed parking improvements scheme intended in the Sheepfolds Industrial Estate, and which requested the committee to not uphold the objection that could not be resolved within the constraints of the scheme, as detailed in the report.

(for copy report – see original minutes)

Mr Stephen Dixon, Group Engineer, presented the report, outlining the details of the scheme, the consultation process undertaken, and the nature of the objection received.

There being no questions for the representative of the Executive Director of City Development, the Chairman proceeded to move the recommendations as detailed in the report.

At this juncture it was brought to the Committee's attention that the objector was present in the meeting and wished to address the Committee.

Consideration having been given to the matter, the Solicitor advised that whilst in law an objector to a Traffic Regulation Order had no right to address the Committee, the right to allow speakers to address the meeting remained at the Chairman's discretion at all times together with the right of the Chairman to conduct the meeting as they saw fit.

The Chairman having advised that she wished to hear from Mr Thirkell and that she would allow him to address the Committee, Mr Thirkell was informed that he would be allowed 5 minutes to speak and that an officer would inform him when his time was up.

Mr Thirkell together with his daughter Kay addressed the Committee. Mr Thirkell informed Members that he was the General Manager of Thirkell Motors which had employed people in Sunderland since 1969 and had operated from the current premises in Stobbart Street for 17 years. It currently employed 10 people and was a very strong team. The business had large contracts with Gentoo, a proportion of the Sunderland City Council fleet and most of the city's school buses.

Ms Thirkell advised that the business was an extremely busy MOT station, work shop and car sales garage that could have up to 15-20 vehicles through the workshops daily. The business needed at least two parking bays for waiting vehicles if this was reduced to just one by the TRO then it was entirely possible that business would lose its designation as an MOT station. Each test took approximately 45 minutes to an hour and it was not feasible to have limited parking in the street.

Mr Thirkell contended that the introduction of the TRO would mean that the premises they currently rented in Stobart Street would no longer be fit for purpose in respect of the business he operated. Ms Thirkell advised that she had contacted the Council's Property Services about possible alternatives but there was nothing available that would be able to accommodate the business.

The Chairman thanked the Thirkells for their presentation and invited questions from Members. Councillor Noble stated that there had got to be a way in which the business could be accommodated within the Order for example via a permit. She felt it was beholding on the Council to find a solution that did not put the firm out of business. Mr Dixon replied that there was currently no scope to make exemptions. The Sheepfolds was a massive area of mixed businesses and there was a need to be fair to all of them.

Councillors P. Smith and Scanlan stated that there needed to be a common sense approach through the use of a permit scheme. Mr Dixon advised that the Council did not have a scheme in place and it would be difficult to operate such a scheme without being unfair on other businesses.

Councillor Scanlan stated that no one other than Mr Thirkell had objected to the Order as they were all happy with the 1 hour waiting time however Mr Thirkell wasn't and the Council couldn't be responsible for putting him out of business. Mr Dixon replied that there was a duty to set boundaries in respect of the order. The Council had worked with Mr Thirkell to amend the plan as much as was physically possible in order to try and find a suitable compromise. Councillor Scanlan asked what alternatives had been offered? Mr Dixon advised that an agreement was made to reduce the amount of Paid by phone bays within Stobart Street and replace them with limited waiting bays as the business felt that limited waiting would be of more benefit to them. An offer was also made to look at increasing the limited waiting time within some bays, however the business felt that anything longer than 1 hour would result in commuters or visitors to the City Centre using them and reducing their accessibility.

In response to an enquiry from Councillor Peacock, Mr Therkell advised that the business could accommodate 5 vehicles in the workshop at any one time (1 in the pit and 4 on the ramps).

Councillor Reed stated that there was a great deal of development going on in the Sheepfolds and asked would it not be worse for the business if people were free to park in front of the business without any restrictions. Ms Therkell replied that she was not saying that should be no restrictions just that vehicles

in the care of the business were allowed were allowed to use a bay while waiting under a permit system that would exempt them from the requirement to move after one hour.

Mr Dixon advised the meeting that the Highway is not there to be used as a storage facility for any business and whilst the Council would try and accommodate the running of any business, its primary duty was to ensure that the highway was safe and user friendly for all highway users. The issue of permits would dilute the Council's control of the highway and restrict its ability to undertake this duty.

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

Upon being put to the vote the recommendation was approved with 3 Members voting in favour, 0 Members voting against and 5 abstentions.

Accordingly it was:-

4. RESOLVED that that the Executive Director of City Development be advised that:-

- The objection to The City of Sunderland (Sheepfolds Prohibition of Waiting, Loading and Other Restrictions) Amendment Order, not be upheld;
- The objector is notified accordingly of the decision;
- The Executive Director of City Development instruct the Assistant Director of Law and Governance to take all necessary steps to bring into effect the associated parking improvements order and;
- The Executive Director of City Development take all necessary action to implement the physical works associated with The City of Sunderland (Sheepfolds Prohibition of Waiting, Loading and other Restrictions) Amendment Order.

Councillor Butler then re-joined the meeting and took the Chair for the remaining items of business.

Update on Previously Agreed CPMS Programme Following the Impact of COVID 19 and Changes to Commuter Parking

The Executive Director of City Development submitted a report (copy circulated) which updated the Committee on the Community Parking Management Scheme (CPMS) Programme which was presented to the Planning and Highways Committee on 7th November 2018 following delays through Covid 19 and changes to potential schemes through the reduction in long term commuters. .

(for copy report – see original minutes)

Mr Stephen Dixon, Group Engineer, presented the report providing members with a position statement in relation to the following CPMS schemes:-

- Doxford International (Moorside / East Herrington)
- Doxford International (East Herrington)
- Doxford International (Moorside)
- Seaburn Metro Phase 2
- Queen Alexandra Road
- Hendon Ward (East Area)
- Royal Hospital Phase 5
- Stadium of Light / Event Phase 3

Members having placed on record their thanks to Mr Dixon and his Team for their work undertaken in respect of the schemes, it was:-

5. RESOLVED to:-

i) continue to progress schemes in areas which continue to experience long term commuter parking.

ii) continue to work with members in Doxford (Moorside), Royal Hospital Phase 5 and Stadium of Light Phase 3 areas to develop / implement a CPMS where required.

iii) continue to work with members from Queen Alexandra Road to look at an alternative option to a CPMS given that the long-term commuter parking problem will be resolved when the Eye Infirmary moves. Include agreement to re visit area once an announcement is made regarding the plans for the Eye Infirmary site if it is due to be developed into anything which may draw commuters back to the area.

iv) include Hendon Ward (East End) in a future programme of CPMS.

v) begin more detailed development of the next programme of CPMS as the current programme draws to a close and feedback that new programme through Planning and Highways Committees.

Planning Application 21/02835/LP3 - Demolition of buildings at 275, 278-284 High Street West, an area of seating at Keel Square and an area of hardstanding currently hoarded off and used for storage. Erection of a landmark library building (Use Class F1(d)) with an indoor city square (Use Class F1(e)), creative spaces (Use Class F1(b)), event space (Use Class sui generis), a cafe (Use Class E(b)), space for business entrepreneurs (Class E)/retail (Use Class E), and faith space (Use Class F1(f)), known as "Culture House", including stopping up of public highway at Middle Street and High Street West

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 amendments to draft conditions 7,8 and 9 regarding ground contamination and condition 15 regarding the Travel Plan.

He also referred to reference on page 39 of an additional objection received from the agent acting for the owners of the Bridges regarding a highways matter and confirmed that the matter had now been satisfactorily resolved and the objection had been removed.

In conclusion members were informed that the principle of the proposed development accorded with the relevant policies of the development plan and the relevant material considerations are also supportive. The application was therefore recommended for approval.

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

Councillor Reed referred to point 1 of paragraph VC5 of the Core Strategy regarding resisting the loss of Community facilities and asked how the application accorded with this Policy particularly in respect of the current facility on Fawcett Street? The representative of the Executive Director of City Development replied that the application provided a new facility that would enable the provision of a greater amount of cultural activity compared to that which would be lost.

Councillor Peacock highlighted the reference in the report to the loss of a restaurant on site. He stated that the Council were in effect evicting the business and asked what were the Council's responsibilities in this regard and what would be done to help the business? The Chairman advised that the issue was not materially relevant to the application before the Committee. Councillor Peacock replied that he had raised the issue because the loss of an established restaurant was listed in the report as a potentially negative aspect of the application. The representative of the Executive Director of City Development advised that it was important to split the issue. The Council may be the landlord but in planning terms, no account could be taken of the matter of ownership. In planning terms the issue revolved around balancing gain against loss and assessing which would be the greater. The relationship between landlord and tenant was not a material planning issue and was a matter for the relevant Council department.

Councillor Dixon referred to a couple of fairly negative comments from the Sunderland Civic Society regarding the design of the building detailed on page 33 of the agenda and asked the representative of the Executive Director of City Development to comment. The Committee was informed that in planning, some issues were objective such as drainage while others such as

design were more subjective. The design had been looked at the Council's Heritage Officer who was very supportive of the application.

In response to a further enquiry from Councillor Dixon the representative of the Executive Director of City Development confirmed that condition 12 would include the provision of Swift boxes.

Councillor Reed asked if the primary function of the building was to be a library? The representative of the Executive Director of City Development replied that in planning terms it would be described as mixed use. It would include a library and other facilities such as an events space, creative spaces, a faith space, space for business entrepreneurs and a café. It would provide a fantastic facility for all ages to use and enjoy. Councillor Smith advised that in talking to young people as Chair of the Children Education and Skills Scrutiny Committee this was exactly the type of facility they were looking to the Council to provide.

There being no further questions for the representative of the Executive Director of City Development the Chairman welcomed and introduced Mr Kevin Johnson who had registered to speak in objection to the application advising that he would be given 5 minutes to address the Committee and that an Officer would inform him when his time was up.

Mr Johnson addressed the Committee stating that he was a former Principal Landscape Architect at the Council and had led the Council design team in the creation of Keel Square. He cited the following issues in objection to the application:-

- Whilst he welcomed the addition of Culture House on Keel Square, he was surprised at the footprint of the building
- The northern elevation of the building displayed a complete disregard for the line of the existing buildings and paid no respect to the medieval street plan which had been well trodden for over 1,100 years
- The design was jarring. The proposed frontage jutted into the Square creating a discordant angle when approached from the east. He cited the Primark building frontage as an example of how an innovative design could be accommodated within the existing street layout.
- The building would drive a wedge across the existing views. The frontage of the building faced the new hotel rather than Square blocking the views of the Hays Travel head office from Marks and Spencer, and the line of sight towards Mackie's Corner from the south west of Keel Square. is also blocked. It was these long views that helped orientate a visitor to the city.

In conclusion Mr Johnson asked the Committee to consider the irretrievable damage the application in its current form would do to Sunderland's cityscape.

The Chairman thanked Mr Johnson for his presentation and invited questions of clarification from Members. In response to enquiries from Councillor Reed and the Chairman, Mr Johnson explained his duties when employed by the Council and how the current views of the street lay outs would be lost.

The Chairman then welcomed and introduced Jo Robertson the agent of the applicant who had registered to speak in support of the application. The Chairman advised her that she would have 5 minutes to do so and that an Officer would inform her when her time was up.

Ms Robertson addressed the Committee citing the following points in support of the application.

- Culture House represented a milestone project falling within the city's conservation area and was central to the future of High Street West.
- It formed part of a £25m funding application made to the Future High Streets Fund and was one of only 3 schemes selected by Communities Minister Robert Jenrick to receive the full amount of funding requested.
- Culture House would help further define Keel Square and the City Centre.
- The application would help diversify the City's economy
- When completed it was expected to attract over 0.5 million visitors every year together with an associated spend
- The Council's Let's Talk consultation had identified that residents were unhappy with the type of venues available in the City. Culture house would help address this.
- The Community engagement undertaken in respect of the application had been overwhelmingly positive
- The scheme respected the surrounding buildings and was supported by the Council's Conservation Officer

The Chairman thanked Ms Robertson for her presentation and invited questions of clarification from the Committee.

In response to an enquiry from the Chairman as to whether the support from the Future High Streets Fund was dependent on the application receiving Planning Permission, the Committee was informed that the £25m was awarded in respect of various projects within the City Centre however the percentage allocated in respect of this scheme would be lost if the planning application was refused.

There being no further questions, the Chairman invited the Committee to comment on and debate the application.

Councillor Noble stated that she was very supportive of the application. Councillor Dixon stated that he had attended a seminar on the proposals some months previously and he was very much in favour of the application. Councillor Reed stated that he would also be supporting the application but had reservations regarding the impact the proposal had for restaurant currently occupying part of the site.

There being no further comments the Chairman moved the Officer recommendation as detailed on page 44 of the agenda papers and it was:-

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

Planning Application 22/00244/VA3 – Variation of condition 2 (approved plans) attached to planning permission 21/00112/LP3 - new external wrap facade to previously approved multi-storey car park. - Land Bounded by Farrington Row to the West and the A1231 to the South, 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 namely the impacts upon design, drainage, ecology and heritage.

The Committee was advised that the outstanding issue regarding ecology had now been resolved to the satisfaction of the Council's Ecology Consultant and that only left the point raised by the Environmental Health Officer regarding the reflectivity of the proposed materials to be resolved

The proposed development accorded with the development plan and there were not any material considerations that indicated a decision should be made otherwise. The application was therefore recommended for approval subject to the satisfactory resolution of the points raised by the Environmental Health Officer and the draft conditions detailed in the report

There being no questions of clarification for the Officer and no further comments from Members, the Chairman moved the Officer recommendation as detailed on page 55 of the agenda papers and it was:-

7. RESOLVED that consent be granted to the application under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), for the reasons set out in the report and subject to the satisfactory resolution of the points raised by the Environmental Health Officer and the draft conditions listed in the report.

Planning Application 21/02679/FU4 – Erection of 115no residential dwellings (Class C3) (Amended Plan received 02.03.2022 illustrating repositioning of plots 14 to 15 and 16 to 21 and 74 to 77). Land north of Emsworth 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 informing members that the application sought full planning permission for the residential development of 115 dwellings on land comprising the site of the former Carley Hill School, Emsworth Road, Sunderland. The site comprised approximately 4.2 hectares of land which previously housed Carley Hill Educational centre. The school was vacated in the mid 2000's with the centre demolished in 2012. The site had become more naturalised since that time although sporadic areas of hardstanding associated with the previous use were still evident throughout.

The site was bound by residential development immediately to the north by Eversley Crescent whilst areas of vegetation and open space bound the eastern curtilage. Emsworth Road lay to the south and a two-storey office building with associated parking lay to the south-east. Residential development continued to the south and west across Emsworth road and beyond this, Fulwell Quarry Nature Reserve lay to the north/north-east.

The 115 dwelling scheme would to comprise the following:-

- o 17no two bed bungalows
- o 38no two bed houses
- o 48no three bed houses
- o 8no four bed houses
- o 4no three bed apartments

The representative of the Executive Director of City Development then briefed the Committee on the key issues to consider in determining the application namely:-

- i). Principle of the development including land use implications
- ii). Housing policy
- iii). Design, layout and visual impact;
- iv). Residential amenity;
- v). Health and wellbeing;
- vi). Highways and transportation
- vii). Landscape and ecology;
- viii). Flood risk;
- ix). Land contamination and stability;
- x). Archaeology;
- xi). Sustainability;
- xii). Economic impacts; and
- xiii). Planning obligations
- xiv). Planning Balance

The Chairman thanked the representative of the Executive Director of City Development for the presentation and invited questions of clarification from

Members. The Chairman noted that in terms of ecology, the application would result in a net loss and asked if there were any mitigations that would be put in place. The representative of the Executive Director of City Development replied that the proposed landscaping scheme was deemed to be of a high quality and that mitigations would be made as part of the Section 106 agreement. The Committee was also advised that there was currently no legal requirement for a scheme to demonstrate a net biodiversity gain of 10% and that application met Council policies as they currently stood.

At the invitation of the Chairman, Ms Sandra Mason, the Agent for the applicant addressed the Committee speaking in support of the application, following which the Chairman invited questions for clarification.

Councillor Dixon queried the reference to '10% Right to Buy' on page 129 of the agenda and Ms Mason advised that it must be a typo and it that should read '10% Rent to Buy'

In response to a further enquiry from Councillor Dixon, Ms Mason explained the benefits of shared ownership from the point of view of someone who otherwise would be unable to get a foot on the property ladder. She believed there was a place for it in the market as otherwise it wouldn't be offered as an option.

The Chairman suggested that going forward Gentoo continued its engagement with the SARA project and that it shared details of any future consultation documents with ward councillors prior to any wider circulation.

There being no further comments from Members, the Chairman moved the Officer recommendation as detailed on page 161 of the agenda papers and it was:-

8. RESOLVED that consent be granted to the application 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 Section 106 and the draft conditions set out in the report.

Planning Application 22/00140/LP3 – Conversion, restoration and re-purposing of existing 'Engine Shed' structure and construction of link building and hybrid structure to create a 'workshop' with an internal floor area of 6,028sqm for proposed Housing, Innovation and Construction Skills Academy Land south of Millennium Way/ Hay 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, informing the Committee that the site was located on the corner of Hay Street and Millennium Way opposite The Stadium of Light, to the north. Although the site was currently bound by industrial uses and buildings, the Riverside Sunderland Masterplan sought to develop and regenerate the local area and proposed residential development to the west and south of the application site. There was a railway line running north/south on the east of the site.

In terms of functionality, the proposed building aimed to create double-height workshops and a social hub, a variety of learning and breakout spaces of differing scales for students and staff, along with restaurant and kitchen area. In terms of staffing, it was anticipated that the facility would employ 15 full time members of staff and have an intake of up to 400 full time students and 200 part time students.

The Chairman welcomed the application which he believed would bring much needed skills to the city and there being no questions or comments, moved the Officer recommendation as detailed on page 123 of the agenda papers.

Accordingly it was:-

9. RESOLVED that consent be granted to the application under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the draft conditions detailed in the report.

Given that the duration of the meeting was now approaching 4 hours it was moved by Councillor Forster and seconded by Councillor Dixon that consideration of the remaining 2 items of business be deferred to the next meeting of the Committee.

Upon being put to the vote with 7 Members voting in favour and 1 Member voting against, the motion was carried and it was:-

10. RESOLVED that consideration of the remaining items of business (Planning Application 21/02550/FUL - Former Site of Coutts and Findlater Ltd, Hudson Road Sunderland and Planning Application 22/00161/LP3 - Land at Blandford Street, Sunderland) be deferred to the next meeting of the Committee.

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

(Signed) M. BUTLER,
E. GIBSON
(Chairmen)