

At an extraordinary meeting of the PLANNING AND HIGHWAYS (WEST) COMMITTEE held remotely on WEDNESDAY 23RD DECEMBER, 2020 at 5.30 p.m.

Present:-

Councillor Thornton in the Chair.

Councillors Armstrong, Blackett, Lauchlan and P. Walker.

Declarations of Interest

20/01182/FUL – Erection of 13 no. residential dwellings (Use Class C3) – Land West Willows Close, Columbia, Washington

Councillor P. Walker made an open declaration on the item as a former employee of Gentoo and withdrew from the meeting during consideration of the item.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Fagan, F. Miller, Rowntree and G. Walker.

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 the West area of the City, 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)

20/01182/FUL – Erection of 13 no. residential dwellings (Use Class C3) – Land West Willows Close, Columbia, Washington

The Planning Officer representing the Executive Director of City Development outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

Councillor Lauchlan commented that he knew the area very well and there wasn't a lot of open space to begin with and enquired as to what the betterment of the quality of the remaining open space would be.

The Planning Officer advised that the betterment comes from the additional planting and increase of native species to the area. 28 trees and around 2000 shrubs would be added to the remaining open space so it was a betterment in terms of the number of species that would be allowed to flourish within that piece of land.

Councillor Lauchlan enquired if the residents of Willows Close had been consulted on the planting of these trees and shrubs as some of their properties looked out onto this proposed development and could their view be obscured by these trees.

The Planning Officer advised that the planting schedule formed part of the planning application, the species had been considered and based on visits of the site it was not considered that any of the species would lead to degrees of loss of light or overshadowing from the properties to the west of the site so in summary yes the planting scheme has been considered on its merits and its potential impact.

Councillor Lauchlan referred to page 6 of the report and commented that it was obvious the Council was in disagreement with Gentoo about the green space and Criterion 4 which said that the area was low in green space quality and was therefore a localised area of deficiency. Councillor Lauchlan queried why we were allowing this area of greenspace to be taken away when there were other areas of brown space to be used in the City.

Councillor Lauchlan added that as said previously, he was not against progress but he did not feel this was the right place for this development and could not see why they needed to take away green space from Columbia and Barmston when there wasn't any more nearby.

The Planning Officer responded with regards to Policy NE4, it did point in the direction of trying to replace with lost quantity elsewhere within the Ward. Gentoo have attempted to do so but there was no alternative land that could be brought forward to replace the quantity of the land which was proposed to be removed, with that in mind, the Policy and its additional text within does allow for the improvement of the remaining quality of what they began with. Gentoo have set out in their planning application that there is no land available to bring forward that could replace the land that is being lost so in order to deliver the 13 affordable homes they were seeking to improve the quality of the remaining area of open space that is on site at this present moment in time.

The Planning Officer informed that Policy NE4 does refer to the aim to protect, conserve and enhance the quality of the community value function and accessibility of green space, so it did allow to enhance the quality of the site, the accessibility would be retained as all footpaths were inherently linked to the existing surrounding properties with additional footpath connection to the south west of the site.

It could be accepted they were losing an amount, but in terms of community value, it was fully accessible for everyone within the area and it would be visually significantly improved. Therefore it was the Local Planning Authority's opinion that based on balancing the case of the loss of the quantity with the uplift of the quality, that the provision of these 13 affordable homes and the uplift in the quality of the remaining land was sufficient to put forward the recommendation that was before Members.

Councillor Lauchlan commented that this proposal took away 75% of the greenspace and those little areas on the side of the proposal were very small so there would be very little that could be done to uplift the quality of those and as Officers have agreed, there wasn't any other green space in the area that could then be used by residents.

Councillor Lauchlan commented that he believed the Council did not agree with Gentoo on the use of this green space and whilst he loathed to go against affordable housing he did not believe this was the right place for it.

The Chairman introduced Councillor Linda Williams who wished to speak in objection to the application. Councillor Williams referred to the green space and informed the Committee that in Washington they had the vast majority of their shrubs taken out recently via work in conjunction with the Council and Gentoo as they had become litter traps so what we were saying with this particular group of houses was that we would be looking to put in something that was being removed elsewhere and she would expect these would end up being removed quite quickly also. Therefore this would erode the quality of that space.

Councillor Williams referred to the document she had circulated previously to the Committee Members including google maps of the area. The first map referred to JFK primary school, which was a large school with around 400 pupils in attendance, this end also had a range of different shops therefore she felt this was particularly busy. Further down from this there were difficulties in turning via Wear Terrace and Councillor Williams did not believe this was safe at all.

Councillor Williams referred to the bottom end of the road, where A195 ran along, which was a very busy road with a number of shops and houses which were being converted into businesses exacerbating the whole problem with parking.

Councillor Williams referred to the unaccompanied site visits Members were offered for this application and felt that it had been a missed opportunity to attend with Officers and believed these could have taken place whilst social distancing.

Councillor Williams commented that looking at the application on the whole, the housing proposal was beautiful and just what Members would be happy to have but the access and reduction of green space was just that step too far. Some of these original properties in Washington were built in the 1930's

therefore they were very tight, very crowded and at various points in later years additional properties had been put in. At that stage residents wouldn't have had cars.

Councillor Williams advised that this was a very difficult assessment to make for the area but would like to say that Washington Central and the Barmston area were not the same. Barmston came under Washington East and this needed to be taken into account and questioned why the application was being determined so quickly and no traffic survey had been carried out. This area was saturated and planning permission had just been granted for 4 bungalows in the area so an additional 13 houses was just too much.

The Planning Officer read out the written statements received from objectors to the application, which were as follows;

A Mr Mark Lloyd submitted a written representation stating that he would like to thank the planning committee and the council for giving him the opportunity to present his views about the proposed development at the meeting. Mr Lloyd's statement was largely in relation to questioning the process that Gentoo had used to present the views of the public to the planning committee.

He feared that unless the planning committee were given the detailed information collected by the Gentoo survey then the summary of the findings that he saw in the report might seem to suggest that the strength of feeling against the development was relatively low. Mr Lloyd expressed concern that the "consultation" was conducted and reported in such a way that the planning committee may be led to believe that local residents were generally in favour of the scheme. He didn't really receive a specific answer on that or any of the questions he had asked because of only being allowed five minutes.

The first question on the original leaflet asked people to rank their agreement or disagreement to the following statement "The site is a suitable and sustainable location for residential development"

Mr Lloyd wished to ask the planning committee - Have Gentoo made them aware of how that question was answered by the 21% of respondents from the 400 leaflets delivered.

At the previous meeting there was some discussion about where the 400 leaflets had been delivered to. He raised that question as he hadn't had one. He recalled someone saying that they may have been delivered to Gentoo residents in areas not really effected by the development. Have Gentoo made the planning committee aware of where the leaflets were delivered?

Mr Lloyd thanked the members of the planning committee for deferring their decision to be able to visit the area and he hoped that during their visit they got a picture of Columbia as a vibrant urban community that welcomes visitors from all over Washington to share their local amenities, shops, businesses and take-aways.

He hoped they witnessed the area at peak times to see how even a small increase in traffic would have an impact on the quality of life for local residents. He hoped they were able to see first-hand how little green space they have, not only because they lack gardens in their predominantly terraced properties but also in comparison to other areas of Washington. Mr Lloyd hoped that they saw that sending their children to play at Teal Farm was not really practical or safe and that the conclusion of their visit was a better understanding of why they care so passionately about safeguarding their few remaining views of blue skies and undeveloped patches of land. Mr Lloyd sincerely hoped that taking those things into account they voted against this development.

A Ms Pamela Elliot submitted a written representation stating that at the last meeting there was a suggestion that the local existing residents would be able to go to Teal Farm for Green Space and so the proposed new properties could be built on their existing Green Space as affordable houses. Ms Elliott disagreed stating that she understood the requirement for affordable houses for people, but in the right environment. Their Green Space was not the right environment and she believed there were lots of other properties and other more suitable land crying out for affordable housing in Washington.

Ms Elliott stated that as a single woman she would not be comfortable walking by herself any time of the day to Teal Farm, some of the way was quite a lonely track and there's the A195 road to contend with. Also if she had children she wouldn't like to think of them going off to Teal Farm by themselves for green space.

Their Green Space was important to existing residents and they needed their own space. Ms Elliott understood affordable houses were important, but their Green Space was just as important to the existing residents especially for both their physical and mental health.

Ms Elliott commented that personally speaking it was nice to just be able to walk a few yards from her home to the Green Space and see some greenery, wildlife and have chance to meet other residents (albeit at these times briefly at a safe distance) even if it was just to say "hello" as they are walking by.

Since the last meeting she had noticed there was even more traffic, some quite noisy using Station Road on a regular daily basis. And every day without fail there were vehicles of all descriptions using Willow's Close and Station Road to park up (at times blocking the junctions) to use the businesses on Station Road. They didn't need any more regular traffic which is what these properties would bring.

During the last meeting it was mentioned some residents didn't receive any literature which informed existing residents what was happening and giving people the opportunity to have their say regarding these proposed 13 new properties.

Ms Elliott informed that on Friday 28th August 2020 a young man was delivering leaflets with information regarding the proposed 13 properties. She opened the door thinking it was a sales leaflet, so only got to have a quick chat with the young man accidentally after he'd just walked out of my garden gate, and all of a sudden a man who lives over the road from me rushed out and quickly pulled some leaflets out of his neighbours doors and rushed in and slammed the door.

Whilst this was happening the young man who was delivering the leaflets advising residents to act now, told me the man over the road has done this before taking some leaflets out of a few of his neighbours letterboxes and that he isn't happy to see the young man. On Friday 28th August, there were at least 2 houses that didn't receive information regarding this matter.

The young man delivering the leaflets told me existing residents only have until early September 2020 to register objections. I had already registered mine weeks before.

I strongly object to the proposed new builds being built on our Green Space and request the new builds be built on a more suitable area in Washington or take the opportunity to utilise some of the existing housing stock again in a more suitable area in Washington which would really benefit from refurbishment.

A Mr Keith Bartlett submitted a written representation stating that he was very pleased and grateful that the committee decided to defer a decision until members could actually visit the site and see first hand what the development entailed. The Committee was to be commended for taking this action and it gave him hope as a resident that his concerns and that of his neighbours was being considered seriously.

Mr Bartlett hoped that they arrived at the same conclusion as him concerning safety, loss of green space (the quality of green space improvements as gentoo are arguing is of no use to us if we cannot walk amongst it).

One point he had not raised earlier which can be checked was that Northern Bus used to run Mini link services through every village in Washington before withdrawing them all they actually stopped the service in Columbia first due to the accessibility along Derwent Terrace, Wear Terrace and Lowthian Terrace and hold up of service as buses were continuously delayed because of access, he witnessed one of these buses collide with a car outside the Take Away opposite his house. This was stopped some years ago and the traffic now was greater than what it was then.

Mr Bartlett wondered if this overdevelopment was going to affect house prices in the area, He was due to retire shortly and not in a position to purchase a new home with access to a green space within short walking distance to exercise and walk his dog especially late at night before bed.

Mr Bartlett urged members to take note of local residents concerns and support this community and not destroy it by allowing this development to go ahead.

The Planning Officer wished to respond to the submissions advising for clarity that safeguarding views of skies and green spaces was not a material consideration in determining this planning application. Local residents did not have a right to a view over this land. Also to reemphasise that there was unhindered access to the green space improvements, these improvements were not just for the new residents but would be for all the surrounding residents and wider areas.

The mention of house prices in the area was also not material in the consideration of this planning application and with reference to the bus deregulations the Planning Officer wished to defer to Highways Officers on this as he believed the bus companies was totally out of the control of the planning authority.

The Highways Officer commented that it was acknowledged that these were busy streets and this was clear. It was important to note that in terms of the scale of development, this housing site would generate a very minimal amount of trips in terms of impact, as such they tended to look at peak hour trips (worst case situation) and they were looking at 6-7 two way trips per hour, which equated to a car every 10 minutes. Therefore in terms of scale it was very minimal.

The Highways Officer advised that for these reasons the Highways Team had supported the application in terms of traffic and parking provision which was also satisfactory. In terms of the scale of the development, a traffic survey was not required in this instance.

The Highways Officer advised that the stopping up order issues, was a separate process that was managed by the Secretary of State and not by the Council in this case, this was to seek approval to stop up and remove the footpaths. Alternatives were to be provided as part of the development.

The Highways Officer also advised that in terms of the bus services, unfortunately these were commercially operated services and the Council were often at the whim of the operators as to where they could run their routes and where they choose to remove them.

The Chairman introduced Ms Sandra Manson, the Agent on behalf of the applicant who wished to address the Committee to inform of the benefits of the development.

Ms Manson thanked the Members for the opportunity to present to the Committee and commended the Planning Officer for their report and presentation. Ms Manson advised that the delivery of the Gentoo affordable development programme was a significant opportunity for Sunderland to

deliver around 900 new affordable homes across the City, supported by Homes England grant funding.

Willows Close scheme was one of a series of those sites to consider, the programme to be delivered by Gentoo Group was a commitment to deliver a meaningful range of sites with a programme that supported job creation, social, economic and environmental benefits. This needed to be considered in the context that Sunderland had a continuing significant affordable home deficit as identified in the Authority's own Strategic Housing Market Assessment of 2187 dwellings with a net imbalance of 542 per annum. The SHLAA goes on to identify the importance of the Gentoo Affordable Housing Programme in meeting that affordable need.

Ms Manson commented that it was easy to lose sight of what that may mean in terms of people. At present Gentoo had over 15,000 people on the waiting list for a Gentoo home and whilst that would include a significant proportion of tenants already on the books looking to move to a bigger house or a house in a different area it was nevertheless a compelling figure of need being expressed. In terms of demands, Gentoo got on average 134 expressions of interest in every property that was advertised. This was based on older stock and where new build stock was advertised, demand was significantly higher.

This need was likely to be exacerbated through the impact of the current Covid crisis that we continued to face with a sharp rise in the number of people claiming universal credit and job seekers allowance.

The number of claimants within Sunderland had significantly increased by over 5600 people between March and August 2020 which meant that more people were likely to be experiencing financial pressures which then in turn led to pressure on an affordable housing need in Sunderland.

Ms Manson commented that the need for good quality affordable housing was significant and was a significant material consideration which was recognised in the draft Sunderland Allocations and Designations plan 2020 (which was out for consultation, having been approved by the Council). This plan identified potential housing sites to meet market and affordable need and the site at Willows Close being identified as a potential housing site under draft allocations policy H8.9 for 13 dwellings.

Ms Manson informed that the scheme proposed at Willows Close was of the highest quality design with homes that met the Nationally described space standards, higher than policy standard parking provision so that there was no issue of exacerbating existing parking considerations in the locality and high quality builds that were energy efficient.

Ms Manson referred to the local concerns raised and that these had been noted and addressed in detail by Officers and the consultees and the scheme responded to the specifics of the site so as such, there were no objections received by the statutory consultees to the application.

In relation to comments on the community consultation, the application within its documents has a statement of community involvement which was prepared and documented how the consultation, pre submission, was undertaken. This included how 600 leaflets were hand delivered within the locality, the plan appended to this identified the area it pertained to. Whilst instances referred to by the written objector was unfortunate, this was beyond the control of Gentoo but nevertheless the statutory consultation processes had still been undertaken and as referenced in the Committee report there were a relatively low number of objections to the application.

The site was identified in the SHLAA to support the delivery of affordable homes through the gentoo affordable homes programme, the need for affordable housing was critical as demonstrated and was a significant material consideration. The scheme did not ignore the local context and over provides on car parking to ensure it does not create any issues on existing problems.

Considerable investment in planting and landscaping on site through a £47,000 investment. Planting of 28 trees to compensate for the loss of 2 trees and over a thousand shrub and hedge plants as well as other biodiversity measures. The scheme seeks to meet the needs of new and existing residents and as such they asked that Members concur with Officers recommendation and approve the scheme that was before them.

Councillor Lauchlan enquired as to why Gentoo had suggested that residents could exercise at Teal Farm when there was no green space there also. Ms Manson advised that she was not aware of where this reference had come from so she was unable to respond to this.

Councillor Lauchlan commented that it was very worrying that Gentoo were suggesting this and also claiming there was 2.15 hectares of amenity greenspace close to the site when there clearly was not. Claims were being made about footpaths to Ovingham and Post Offices in the area and he felt this whole report was rather a shambles and he urged Members to have another look at this.

Councillor Lauchlan also enquired why a site visit wasn't arranged under the rule of 6 with regards to Covid guidelines. The City Solicitor advised that the reason group visits weren't arranged was due to the fact that at start of the coronavirus pandemic a format of site visit was agreed for the safety of Members and Officers whereby Members were to visit the sites unaccompanied. This was perfectly in line with the Councils procedures at the moment and was to safeguard Members and Officers alike.

Councillor Lauchlan commented that he did not see why it could not have been arranged under the rule of 6 as it was an outside venue that social distancing could have been maintained and it just felt that a lot of this had been rushed through for Gentoo and the nature of the affordable housing aspect. There are other places where this housing could be built and he did not think Willows Close was the right place.

Councillor Armstrong wished to comment that based on the presentations given, it appeared to him that a lot of the residents were against this, Ward Members on behalf of their constituents were not happy with the proposal. One of the last pieces of green space was being taken away from the area and whilst it may look nice, it would be inaccessible for people.

Councillor Armstrong queried where the children would be able to play and the thought of them having to travel to Teal Farm was a worry due to the number of roads they would be required to cross. It was heartening to hear other Members express such concerns as this decision was not an easy one because we were all in favour of affordable housing but it was the sites they were proposed for that was the issue.

Councillor Armstrong also commented that people were really appreciative of the green spaces available to them, especially at this moment in time with COVID. Whilst he loathed to go against developers such as Gentoo who were honourable in their desire to create more affordable homes, a message had to be sent to developers that green space could not be taken away whilst there was brownfield sites still available to be built upon and he would be voting against this proposal.

The Planning Officer advised that the recommendation was made on balance that the uplift in the remaining space and the provision of 13 affordable units would tip the planning balance towards a recommendation for approval.

The Chairman wished to address the numbers of Members in attendance for the meeting and felt that if there was such strong feeling about a development of this nature then they should be in attendance to vote. This has then left the remaining Members in a very difficult situation. The Chairman advised that she had similar concerns to those expressed by Councillors Armstrong and Lauchlan about the use of green space for development whilst on the other hand she was a very strong supporter of social housing which these 13 properties would be.

The Chairman advised that she visited the site independently on a number of occasions to view traffic and spoke with a number of residents and requested the Planning Officers advise the Committee of the implications of a potential contrary decision proposed.

The City Solicitor commented that if the Committee intended to propose a contrary decision then he suggested a closed session in which to exclude the press and public so that he could provide some confidential legal advice under Section 100A (2) and schedule 12A paragraph 5 of the Local Government Act 1972.

On the Chairman putting the matter to members, the committee unanimously agreed to go into a closed session. At this juncture, there was a short recess for the City Solicitor to consult with the Members of the Committee in private. At this point the live streaming was stopped.

Upon the reopening of the meeting, the live stream recommenced and the Chairman enquired if any Members wished to propose an alternative recommendation and if so, to state the grounds on which this was requested.

Councillor Lauchlan proposed that the application be refused on the grounds that Policy NE4 Criterion 4 had not been satisfied and the loss of green space and lack of other alternatives in the area. Councillor Armstrong seconded the motion.

Having been put to a vote, it was unanimously agreed that

3. RESOLVED that the application be refused for the following reason:-

The application proposal was unacceptable in principle as it would have an adverse effect on the amenity, recreational and community function value of the site as greenspace, which was within an area of the City identified as having a deficient quantity of amenity greenspace, contrary to CSDP policy NE4.

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

(Signed) M. THORNTON,
(Chairman)