

PLANNING AND HIGHWAYS (EAST) COMMITTEE MEETING

5th January 2022

Additional information for Members

ITEM 4 – Application 1, ref. 20/02296/LP3, Hendon Sidings

Further to the publication of the main agenda report, the additional period of public consultation undertaken following the receipt of the revised plans has now ended. One additional representation was received, from the owner of the area of land immediately adjacent to the Welcome Tavern public house. The representation cites concerns over the potential health implications of the proposed electricity substation and its effect on the value of the land.

Members should firstly note that the potential effect of a development proposal on the value of land is a private interest and is not a material planning consideration.

In relation to health concerns, the main agenda report (at page 27) explains that electricity infrastructure, such as the proposed substation, is subject to Government-set exposure limits in relation to electromagnetic fields. These limits are designed to ensure that such infrastructure does not give rise to unacceptable risks to public health. The exposure limits are regulated outside of the planning system and the Council as Local Planning Authority should therefore consider the development on the basis that all relevant health and safety requirements are being addressed and that the substation is safe in respect of public health considerations.

Given the above and for the reasons set out in the main report, it is considered that the proposed development is acceptable, subject to the conditions set out on pages 36 to 42 of the main agenda report.

RECOMMENDATION: Members **GRANT CONSENT** under Regulation 3 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the conditions set out in the main report.

ITEM 4 – Application 6, ref. 21/02748/LB3, Elephant Tea Rooms

Following the publication of this application on the Agenda a letter of support has been received from the Sunderland Civic Society. The Society consider the existing shopfront to be unsympathetic and it is their opinion that the proposal will provide a “...*dignified ground floor frontage similar in style to the original and in keeping with the upper floors*”. They also comment by expressing the hope that this proposal will act as a model for designing future new shopfronts elsewhere within the street.

The Society also noted references within the submitted Design Access and Heritage Statement to the possibility of relocating the BT feeder box on the High Street frontage. The Society noted, as stated in the Statement, that this was outside the project budget but wondered if there was any other means or budgetary source potentially available to secure its relocation.

In response, the BT feeder box is outside the scope of the consideration of this proposal and therefore immaterial to the scheme to be determined by Committee.

Nevertheless, these comments have been relayed onto the Agent and Applicant for their information.

Members should also note that the Agenda report made reference to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. However, as this area of the legislation applies the duty to the consideration of planning applications, the relevant section of the Act is 16(2). It is this section that confirms and applies a similar duty, as per section 66(1), to the consideration of listed building consents.

It is also noted that proposed Condition 1 on the Agenda report refers to the Town and Country Planning Act (1990) rather than the Planning (Listed Buildings and Conservation Areas) Act 1990. Consequently, a new Condition 1 is proposed below.

RECOMMENDATION: With regard to the above and the details provided within the main Agenda report, it is recommended that Members **GRANT LISTED BUILDING CONSENT**, subject to the conditions set out in the main report including the update to Condition 1.

Condition 1 (Three Years)

The works to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the works are carried out within a reasonable period of time.

ITEM 4 – Application 7, ref. 21/02749/LB4, Seaburn Tram Shelter

As set out in the main report, the public consultation on the application expired on the day of the report's publication (17th December 2021). The report therefore clarified that if any further representations were received following the publication of the report, they would be provided to Members ahead of the Committee meeting.

In this respect 2no further representations were received in favour of the proposal. The content of the submissions largely echoed the comments of earlier representations and thus raised no additional material matters for consideration.

Members should also note that the Agenda report made reference to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. However, as this area of the legislation applies the duty to the consideration of planning applications, the relevant section of the Act is 16(2). It is this section that confirms and applies a similar duty, as per section 66(1), to the consideration of listed building consents.

RECOMMENDATION: With regard to the above, the recommendation remains as per the conclusions set out within the main agenda report, that Members **GRANT LISTED BUILDING CONSENT** for the proposed development subject to the conditions set out in the main report.

