

**At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER on TUESDAY, 18<sup>TH</sup> FEBRUARY, 2014 at 5.30 p.m.**

**Present:-**

Councillor Tye in the Chair

Councillors Blackburn, Copeland, Curran, Davison, Dixon, Ellis, E. Gibson, T. Martin, Price, D. Richardson, Scaplehorn, Thompson, Walker, D. Wilson and Wood.

**Declarations of Interest**

There were no declarations of interest

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Ball, Essl, Francis, Howe, Lauchlan, Padgett, Scott, Turton and P. Watson.

**Minutes of the meeting of the Committee held on 19<sup>th</sup> December, 2013.**

1. RESOLVED that the minutes of the meeting held on 19<sup>th</sup> December, 2013 be confirmed and signed as a correct record.

**Report of the Meetings of the Development Control (North Sunderland) Sub Committee held on 18<sup>th</sup> December, 2013 and 28<sup>th</sup> January, 2014**

The report of the meetings of the Development Control (North Sunderland) Sub-Committee held on 18<sup>th</sup> December, 2013 and 28<sup>th</sup> January, 2014 (copies circulated) were submitted.

(For copy report – see original minutes)

2. RESOLVED that the report be received and noted.

**Report of the Meetings of the Development Control (South Sunderland) Sub-Committee held on 17<sup>th</sup> December, 2013, 7th January and the 28<sup>th</sup> January, 2014.**

The reports of the meetings of the Development Control (South Sunderland) Sub-Committee held on 17<sup>th</sup> December, 2013, 7<sup>th</sup> January and the 28<sup>th</sup> January, 2014 (copies circulated) were submitted.

(For copy reports – see original minutes)

3. RESOLVED that the reports be received and noted.

**Report of the Meetings of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 18<sup>th</sup> December, 2013, 8<sup>th</sup> January and the 30<sup>th</sup> January, 2014.**

The reports of the meetings of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 18<sup>th</sup> December, 2013, 8<sup>th</sup> January and the 30<sup>th</sup> January, 2014 (copies circulated) were submitted.

(For copy reports – see original minutes)

4. RESOLVED that the reports be received and noted.

**Consultations from Neighbouring Councils on Planning Applications – Durham County Council. Land to the South West of Station Road, West Rainton, County Durham.**

The Deputy Chief Executive submitted a report (copy circulated) to seek the Committee's agreement to the response to be made to a consultation from a neighbouring authority regarding a planning application affecting a site within proximity to the boundary of the City of Sunderland.

(For copy report – see original minutes)

Danielle Pearson, Senior Planner presented the report and advised that as it was unlikely that the proposal would prejudice the interests of the City of Sunderland, it was recommended that Sunderland City Council advise Durham County Council that it does not have any comments or observations to make with regards to the proposal.

5. RESOLVED that the Committee agreed to the above recommendation, which would then be sent to Durham County Council in relation to application no. CMA/4/112.

**Reference from Development Control (Hetton, Houghton and Washington) Sub Committee – 13/01617/FUL**

**Erection of 63no. dwellings with associated landscaping, public open space and infrastructure.  
Land East of Gillas Lane, Houghton Le Spring.**

The Deputy Chief Executive submitted a report (copy circulated) for Members to consider the planning application 13/01617/FUL which was for the proposed erection of 63 detached dwellings, associated public open space, infrastructure and landscaping at the land east of Gillas Lane, Houghton Le Spring.

(For copy report – see original minutes)

Mrs Pearson presented the report which focussed on the following considerations:-

- Principle of the Development
- National Planning Policy
- Local Planning Policy
- Open Space
- Impact of the Development on the open space provision
- Ecology
- Flood Risk
- Risk to Controlled Waters
- Ground Conditions
- Play Space
- Proposed Section 106 Contributions

Mrs Pearson advised that the proposed figure in relation to the Section 106 financial contribution for affordable housing has been revised and increased to £386,561.

In response to Councillor T. Martins enquiry, Mrs Pearson advised that Riparian Habitat Management mentioned on Page 41 of the report would entail a cumulative response and programme by the Council in respect of the ecology in the local area. It was proposed that the developer would pay a financial contribution to this through Section 106.

The Chairman introduced Councillor Derrick Smith as ward councillor who wished to speak in objection to the proposal and he circulated photographs of the current flooding and drainage problems faced in the area.

Councillor Smith commented that the development had no local support whatsoever and the proposal was to build upon important settlement break land. The influx of people that would result from the development and the other housing developments recently approved in the area would exacerbate the flooding and drainage issues already occurring in the area and would

have a detrimental impact of local amenities including Schools and doctors surgeries.

The area was still suffering from flooding issues left over from previous developments. Councillor Smith also commented that Persimmons Flood Risk Assessment stated that detailed site investigations needed to be undertaken. This had not happened and had only been a desk top study. One recommendation that surface water would be stored on site had not been followed up and there were no calculations or drawings as to how this would be done.

Councillor Smith requested that Members either refuse this application or defer the application until the developers provide a complete flood risk assessment and an environmental statement on Hetton Bogs so that all concerns are addressed. If they cannot be addressed then the development was unsustainable and should be refused.

The Chairman then introduced Councillor Wakefield who also wished to speak in objection to the proposals. Councillor Wakefield commented that this was the fifth application for housing development in this area during the last 12 months. 3,000 new homes had been approved in the Hetton/Houghton area that has long suffered from flooding and there was little mitigation to stop this from Northumbria Water.

The surface water from this development was proposed to run off into a stream which was already the root cause of the current flooding issues experienced and there was no capacity for this additional run-off. He argued that as the Council are the relevant drainage authority, Members should refuse this application to ensure that the flooding problems in the local area were not exacerbated further.

The Chairman then introduced Jim Murray, a local resident who wished to speak in objection to the proposal. Mr Murray commented that the report was very much focussed on technical issues and legal jargon, whereas he considered his objection to be based on common sense. The proposed location was on settlement break land and it should be safeguarded. The existing residential properties would be overlooked by this development which would cause an invasion of privacy.

Mr Murray commented that the development would cause disturbance and increased noise, impacting on surrounding houses and may lead to a significant impact on road safety. Nobody wanted this proposal to go ahead and it had no public support as an increase in housing would result in an increase in the flooding issues.

Those sites in the area that have already been approved would have a huge effect on the flooding problems that residents already suffer from. Mr Murray argued that this proposal would further worsen these problems. He asked that Members give some moral thought to this point when voting on this

application as this was their responsibility to represent the interests of the residents.

The Chairman introduced Pat Robson who wished to speak in opposition to the proposal. Mrs Robson raised concerns in relation to the effect this would have on the existing wildlife corridor and the water voles present. In her view the surveys had been undertaken at sub optimal times and out of season. It was vital the wildlife corridor be safeguarded and enhanced.

Mrs Robson advised that chemicals entered the Hetton burn downstream which already caused negative impacts and this development would exacerbate the situation. Mrs Robson requested that the application be refused.

The Chairman introduced Bill Little, who wished to speak in opposition to the proposal. Mr Little advised that this was the third committee meeting he had attended in relation to various housing development proposals in the local area. He commented that each application has stated that the burn would be used for drainage for each development therefore increasing the risk of flooding.

Mr Little stated that this had been acknowledged in the flood risk assessment, but there were no figures for the estimated run off. Therefore this proposal could not be classed as sustainable. Mr Little felt that a cumulative assessment of all of the development sites was required in respect of drainage due to the issues in the area already. In addition Northumbria Water have previously stated they could not accept any increased capacity into the Sedgeleth facility until 2015.

Mr Little urged Members to decline the application in its current form and vote in favour of the local residents, who knew the area better.

The Chairman introduced Rosalind Pickersgill who wished to speak in objection to the proposal. Ms Pickersgill commented that many of her friends and neighbours already had no control over what was happening to them in relation to sewage entering their homes during flooding. There was no capacity for further homes so the flooding problems would simply worsen.

The Chairman then introduced Councillor Bob Heron who wished to speak in objection to the proposal. Councillor Heron commented that due to the current government changing of the rules for planning applications through the NPPF, previously protected settlement breaks could now be considered for development, which was out of the Council's hands. However, Councillor Heron referred to the photographs circulated by Councillor D. Smith of the area and the streams that had water running continuously and felt that due to the flash flooding experienced recently it was not good enough that people had to suffer with sewage coming into their homes and until this problem was solved, this application should be rejected as there was no capacity for further development.

Councillor Ellis commented that she was horrified at the pictures of the flooding experienced in the Ward by residents and was not satisfied that this development would not worsen these problems.

Councillor Ellis referred to the adverse effect of the proposal on the wildlife and suggested that this should be protected. Councillor Ellis also commented that she was very interested to hear what Northumbria Water had to say on the proposal as she could not believe Members were being asked to accept another development in this area.

Councillor Dixon commented that all of the speakers had spoken very eloquently and he had great sympathy for their current problems with regard to the flooding in the area. However he noted on page 42 of the officer's report that there was a drainage solution and it would be a condition of any approval that a suitable surface water drainage scheme must be approved by the Local Authority and installed before the development could commence.

The Chairman introduced Les Holt of Northumbria Water who spoke to clarify the situation with the sewerage treatment works and the capacity at Sedgeleth. It had been clarified in 2013 during the course of the previous applications for the Broom Hill sites that the facility has the capacity for over 2000 properties therefore there was certainly the capacity for this proposed development and many others like it.

Mr Holt advised that the main issue was surface water, with three sites on Rough Dene Burn. The taking out of the combined system from the other two development sites would actually have a positive impact on the area and wished to stress that this development would not increase the existing problems or cause an adverse flooding risk.

Councillor Ellis queried how it was stated in 2008 that Sedgeleth did not have the capacity for additional developments, and yet now it did have the capacity. She asked NWL what had changed.

Mr Holt advised that investment was carried out between 2005 – 2011 to improve the capacity.

Councillor D. Wilson asked the applicant's representative if they could confirm that there would be no flooding caused by the development. The Representative for Persimmon Homes advised that the development would be designed with its drainage features so as to not increase the flooding issues in the area.

Councillor Curran referred to the photographs circulated and commented that he knew the area and the extreme weather it had experienced and had reservations that this area would be suitable for additional development given the current problems and the risks surrounding the surface water run-off and capacity..

The Chairman introduced the applicant's representative, Dominic Smith of Persimmon Homes who advised the Committee that in terms of flood risk, National Planning Policy Framework stated that a development must not increase the risk of flooding, which this proposal would not. The Environment Agency, Northumbria Water and the Council's officers have all been consulted and agree that the proposal would not increase the risk of flooding.

In terms of Ecology, Mr Smith advised that the wildlife corridor was around the burn itself and not the development therefore the scheme would be designed as a buffer and act as ecological benefit to the area. Section 106 contributions had been agreed in respect of ecology in the local area.

Mr Smith also commented that there was evidence of a local shortage for housing needs and stated that this application meets all the policy criteria and was in accordance with the National Planning Policy Framework.

In response to Councillor Ellis' query, Mr Smith advised that this application did not require an environmental impact assessment. Mrs Pearson advised that the application had been screened for EIA against the national guidance and it has been concluded that an EIA was not required. Mrs Pearson also commented that all the relevant impacts of the application proposal have been thoroughly assessed and are summarised in the committee report. .

In response to Councillor Ellis enquiry on if the screening of EIA was a subjective decision, Mrs Pearson advised that there were thresholds and criteria set out in national guidance that were applied when considering screening for EIA..

Councillor Wood commented that the Ward Councillors of this area had all spoken against this proposal and it was very clear what their views were and he was concerned over the loss of the settlement break land but it was true that we had a need for more housing. The issue here was if the proposal was a sustainable development or not and whilst requests had been made to defer or reject this application then there had to be specific planning reasons given to do so.

Councillor Wood commented that at this stage he did not feel the officer's report contained a detailed assessment of the flooding risks that had been raised by the objectors.

The Chairman commented that the Committee had received professional advice from both council officers and NWL that the development proposal would not increase the risk of flooding. The current problems were very unfortunate but the sole issue in respect of this application was the impact of this development proposal, not the current flooding problems in the area. Deferring the application would not change the expert advice given already and the Chairman queried what further information Members would expect to come back to a future meeting.

Councillor Ellis referred to page 40 of the report which stated there remained a major concern that needed to be addressed in relation to the cumulative impact of developments across the Houghton – Hetton area and therefore she felt there was no reason why this application could not be deferred until this was addressed.

The Chairman advised that should the application be deferred then the developer could apply for non determination and there was a risk of costs if the deferral of the application was not held to be reasonable.

Councillor D. Wilson commented that he was uncomfortable in making a decision based on the current information available and further detailed clarification of the flood risk assessment was needed.

Councillor Ellis then moved that the application should be deferred, which was seconded by Councillor Wood.

The Chairman requested Members to provide the grounds for the motion to defer the application.

Councillor Ellis advised that the application should be deferred for further information to be provided on the following issues:-

Detailed Flood Risk Assessment given current flooding problems  
Impact on Ecology  
The Section 106 proposals for ecology  
The detail of the proposed planning conditions

Having been put to the vote, with 11 Members voting in favour and 5 Members against the motion to defer, it was

6. RESOLVED that the application be deferred.

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

(Signed) P. TYE  
(Chairman)