

PLANNING AND HIGHWAYS COMMITTEE

AGENDA

Meeting to be held in the Civic Centre (Council Chamber) on Tuesday, 24th January 2012 at 5.30 p.m.

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1.	Receipt of Declarations of Interest (if any)	
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This information can be made available on request in other languages. If you require this, please Telephone 0191 561 1044

6. **Reference from Development Control (Hetton Houghton and Washington) Sub Committee** 13
- Planning Application – 11/01980/FUL. Redevelopment of existing Household Waste and Recycling Centre, including raised access platforms, roof over Household Waste and Recycling area and erection of building to accommodate Waste Electrical and Electronic Equipment (WEEE) and provide staff facilities and associated access and infrastructure – Gateshead MBC Campground Refuse Disposal Works**
- (copy attached)
7. **Reference from Development Control (Hetton Houghton and Washington) Sub Committee** 123
- Planning Application – 11/02076/FUL. Redevelopment of Campground waste transfer station including: waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping – Campground Refuse Disposal Works**
- (copy attached)
8. **Objections to the Proposed Traffic Calming and Associated 20mph Speed Limit Zone around the Barnes Junior and Infant School, Sunderland** 244
- Report of the Executive Director of City Services (copy attached)
9. **Wearmouth Masterplan and Design Code: Supplementary Planning Document** 252
- Report of the Deputy Chief Executive (copy attached)

Elaine Waugh,
Head of Law and Governance,

Civic Centre
SUNDERLAND
16th January, 2012

At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CIVIC CENTRE on TUESDAY, 20TH DECEMBER, 2011 at 5.30 p.m.

Present:-

Councillor Tye in the Chair

Councillors Curran, Fletcher, Forbes, T. Foster, Gallagher, E. Gibson, Howe, Kay, Lauchlan, Padgett, D. Richardson, J. Scott, Tate, Thompson, Wood and A. Wright.

Declarations of Interest

There were no declarations of interest.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Ball, Charlton, Copeland, Ellis, Essl, Francis, T. Martin and P. Watson.

Minutes of the Last Meeting of the Committee held on Tuesday, 15th November, 2011

1. RESOLVED that the minutes of the last Committee held on Tuesday, 15th November, 2011 be confirmed and signed as a correct record.

Reports of the Meetings of the Development Control (North Sunderland) Sub-Committee held on 2nd November, 2011 and 22nd November, 2011

The reports of the meetings of the Development Control (North Sunderland) Sub-Committee held on 2nd November and 22nd November, 2011 (copies circulated) were submitted.

(For copy reports – see original minutes).

2. RESOLVED that the reports be received and noted.

Reports of the Meetings of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 4th October, 1st November and 29th November, 2011

The reports of the meetings of the Development Control (Hetton, Houghton and Washington) Sub-Committee held on 4th October, 1st November and 29th November, 2011 (copies circulated) were submitted.

(For copy reports – see original minutes).

3. RESOLVED that the reports be received and noted.

Reports of the Meeting and Extraordinary Meeting of the Development Control (South Sunderland) Sub-Committee held on 1st November and 29th November, 2011

The reports of the meetings of the Development Control (South Sunderland) Sub-Committee held on 1st November and 29th November, 2011 (copies circulated) were submitted.

(For copy reports – see original minutes).

4. RESOLVED that the reports be received and noted.

Consultation Response to the Environmental Report on the Revocation of the North East of England Plan

The Deputy Chief Executive submitted a report (copy circulated) to seek the Committee's approval on the observations made on the "Environmental Report" prepared into the revocation of the North East of England Plan (the Regional Spatial Strategy) and to agree the proposed response (attached as Annex 1) which would be submitted to DCLG in reply to the consultation.

(For copy report – see original minutes).

5. RESOLVED that the Committee agreed the response to the Environmental Report on the Revocation of the North East of England Plan at Annex 1 as the basis for the Council's formal response to DCLG.

The Newcastle and Gateshead One Core Strategy: Update on Sunderland City Council's Response to Consultation

The Deputy Chief Executive submitted a report (copy circulated) outlining the Council's response to two emerging planning documents jointly prepared by Newcastle City Council and Gateshead Borough Council:-

- the Newcastle and Gateshead draft Core Strategy (the One Core Strategy) which covers the whole administrative area of Newcastle and Gateshead, and
- the associated Urban Core Area Action Plan, which covers central shopping and business areas.

It was agreed at the last meeting of the Committee that further discussions should take place between Gateshead and Sunderland Councils so as to enable a fuller understanding of the background to the proposal. This report updated Members on those subsequent discussions.

(For copy report – see original minutes).

Mr. Cole presented the report and answered Members queries.

Councillor Tate commented that he supported the protection of the Green Belt and enquired if, once the available land had reached saturation point for housing, whether the Green Belt land would then have to be considered.

Mr. Cole advised that Sunderland was carrying out its own Strategic Housing Land Availability Assessment and Sunderland does have sufficient land available for housing without needing to use Green Belt land. However there was a good case for 'tidying up' what is actual Green Belt land by making sure boundaries are still fit for purpose, given that the Green Belt has not been reviewed for 25 years. Mr Cole gave the example of the abattoir site in that connection.

In addition, as set out at paragraph 3.11 of the report, Mr Cole advised that there is a need to be proactive and look at Green Belt sites to assess whether some Green Belt sites are more suitable than other sites. Consideration is being given to releasing 20 hectares of Green Belt land to the north of Nissan for employment purposes.

Councillor T. Foster commented that housing developments in Newcastle and Gateshead had been rejected due to objections and asked whether those housing numbers could instead be provided by Sunderland. .

Mr. Cole advised that the Localism Act and the new duty to co-operate was relevant, but Sunderland needed to focus on what was sustainable in our City, and to consider and converse with our neighbours.

6. RESOLVED that the Committee:-

- (i) endorsed the comments as detailed within the report;
- (ii) agreed that the City Council maintains its holding objection to the current proposals for the Leam Lane Neighbourhood Growth Area on the grounds that it will significantly impact on the Green Belt in this location; and

- (iii) authorised Officers to forward a copy of the report to Newcastle City Council and Gateshead Borough Council as constituting the City Council's formal response to the Newcastle and Gateshead One Core Strategy.

Sunderland City Council Local Development Framework: Annual Monitoring Report

The Deputy Chief Executive submitted a report (copy circulated) which informed the Committee of the Council's Local Development Framework Annual Monitoring Report (AMR) for 2010/11.

(For copy report – see original minutes).

- 7. RESOLVED that the Committee endorse the Annual Monitoring Report.

The Chairman wished everyone a Merry Christmas and closed the meeting.

(Signed) P. TYE,
Chairman.

**At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND)
SUB-COMMITTEE held in the CIVIC CENTRE on THURSDAY, 5TH JANUARY,
2012 at 4.45 p.m.**

Present:-

Councillor Copeland in the Chair

Councillors Charlton, Curran, T. Foster, Francis, E. Gibson, D. Richardson and L. Walton.

Declarations of Interest

11/03109/FUL – Land at Rockingham Road, Redhouse, Sunderland

Councillor Curran declared a personal and prejudicial interest in the application as an employee of Gentoo.

Councillor D. Richardson declared a personal and prejudicial interest in the application as a Sunderland Gentoo Board Member.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Fletcher and Tye.

Applications made under the Town and Country Planning Acts and Regulations made thereunder

The Deputy Chief Executive submitted a report (copy circulated) relating to the North Sunderland area, copies of which had also been forwarded to each Member of the Council upon applications made thereunder.

(For copy report – see original minutes).

11/03109/FUL – Erection of 14 No. 2 and 3 bed, 2 storey dwellings with incurtilage parking spaces and 4 No. visitor parking spaces – Land at Rockingham Road, Redhouse, Sunderland

Anthony Jukes, Senior Planner presented the report and advised of five additional conditions which would be included, based on the advice of Environmental Health. The conditions to be included are listed below:

1. Land Contamination 1

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions number * to number * have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number * has been complied with in relation to that contamination. To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

2. Site Characterisation

Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
human health
property (existing or proposed) including building, crops, livestock, pets,
woodland and service line pipes,
adjoining land,
groundwaters and surface waters,
ecological systems,
archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11.' To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development

can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

3. Remediation Scheme

Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that the risks from land contaminated to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

4. Implementation of approved Remediation

The remediation scheme approved under Condition number * (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS 23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimise, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN14 of the Unitary Development Plan.

5. Land Contamination 5

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk

assessment must be undertaken in accordance with the requirements of condition number * (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number * (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number * (Implementation of Approved Remediation Scheme).

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks and in accordance with policy EN14 of the Unitary Development Plan.

1. RESOLVED that the application be delegated to the Deputy Chief Executive.

Town and Country Planning Act 1990 – Appeals

The Deputy Chief Executive submitted a report (copy circulated) concerning the appeals determined for the period 1st November, 2011 to 30th November, 2011.

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) R. COPELAND,
Chairman.

At an Extraordinary meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 13th December, 2011 at 4.00 p.m.

Present:-

Councillor Fletcher in the Chair

Councillors Lauchlan, Morrissey, Padgett, D. Richardson, Tate and Thompson

Declarations of Interest

There were no declarations of interest received.

Apologies for Absence

There were no apologies for absence.

Applications made under the Town and Country Planning Acts and Regulations made thereunder

The Deputy Chief Executive submitted a report, supplementary report and circulatory report (copies circulated), which related to Hetton, Houghton and Washington areas, copies of which had also been forwarded to each Member of the Cabinet upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(for copy report – see original minutes)

11/01980/FUL – Redevelopment of existing Household Waste and Recycling Centre, including raised access platforms, roof over Household Waste and Recycling area and erection of building to accommodate Waste Electrical and Electronic Equipment (WEEE) and provide staff facilities and associated access and infrastructure. Gateshead MBC Campground Refuse Disposal Works Springwell Road Springwell Gateshead
11/02076/FUL – Redevelopment of campground waste transfer station including: waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping. Campground Refuse Disposal Workd Springwell Road Springwell Gateshead NE9 7XW

An additional report for circulation being tabled at the meeting the Chairman moved that both of these applications be deferred to a future meeting of the Committee to allow a further and comprehensive report to be brought to the Committee to enable Members to fully consider all the issues in order to be able to make an informed decision given that they had just been provided with an additional report which they had not had time to read in depth. The deferral would also allow the Officers to provide a full list of proposed conditions rather than just a list of headings which would also facilitate due consideration by Members and interested parties.

Members unanimously agreed this motion and as such it was:-

1. RESOLVED that consideration of both applications be deferred to a future meeting of the Committee.

11/03016/SUB – Erection of 30,000sq m manufacturing facility including ancillary offices, car parking/servicing, associated highway improvements and access arrangements (Resubmission) Radial 64 (Former Dunlop Tyre Factory) Birtley Road Washington

The representative of the Deputy Chief Executive, Mr Mike Mattok, presented the report. He advised that consent had previously been granted for this development in March 2011 however since then there had been some changes made to the proposals which it was considered were sufficient to warrant a new planning application to be submitted.

Mr Mattok advised that the revised proposal would see a total floorspace of 30,219sq m which was slightly above the 30,000sq m limit which had been imposed on the previous consent. The limit had been imposed for traffic control reasons however it was felt that given there were ancillary buildings to be built that there would not be any adverse impact of increasing the floorspace. The buildings were to remain the same height and design as previously approved. The access arrangements would also be unchanged.

Councillor Padgett stated that it was pleasing that Rolls Royce had carried out extensive consultation in the area; the residents in his Ward had been happy with the proposals and the level of engagement.

Councillor Thompson stated that it was excellent to see this development would be taking place. The Chairman agreed and added that it was a fantastic opportunity for Washington.

2. RESOLVED that the application be approved for the reasons set out in the supplementary report and subject to the 51 conditions set out therein.

(Signed) J. FLETCHER,
Chairman.

At a meeting of the DEVELOPMENT CONTROL (HETTON, HOUGHTON AND WASHINGTON) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 3rd JANUARY, 2012 at 4.45 p.m.

Present:-

Councillor D. Richardson in the Chair

Councillors Charlton, Lauchlan, Padgett, Scaplehorn, Tate, Thompson, Tye and Wakefield

Declarations of Interest

Councillor Tate declared a personal interest in the items for information 11/02362/OUT – Land at North Road, Hetton and the Appeals Determined 11/00008/REF – 42 Airedale Gardens, Hetton and 11/00010/REF – Post Office, Front Street, Hetton as a Member of Hetton Town Council which was a consultee on these applications.

Councillor Scaplehorn declared a personal interest on items 11/01980/FUL and 11/02076/FUL as a Member of Washington West Ward which was where the application site was located.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Fletcher, Morrissey and Scott

Applications made under the Town and Country Planning Acts and Regulations made thereunder

The Deputy Chief Executive submitted a report and circulatory report (copies circulated), which related to Hetton, Houghton and Washington areas, copies of which had also been forwarded to each Member of the Cabinet upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(for copy report – see original minutes)

11/01980/FUL – redevelopment of existing Household Waste and Recycling Centre, including raised access platforms, roof over household waste and recycling area and erection of building to accommodate Waste Electrical and

Electronic Equipment (WEEE) and provide staff facilities and associated access and infrastructure.

11/02076/FUL – Redevelopment of Campground Waste Transfer Station including: waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping.

The representative of the Deputy Chief Executive, Ms Danielle Pearson, advised that both of these applications were linked given that they were on adjoining sites, shared one access and were part of the wider waste management proposals for the area. Representations had been received made on the basis of objections to both proposals. On its own the application by Gateshead Council for the Household waste and recycling centre would not be classed as strategic however given its role as part of the wider development of the site and the need for Members in their consideration to be aware of the relationship between both developments it was felt that it needed be determined at the same meeting as the application by SITA for the waste transfer station.

It was felt that the application by SITA was of strategic importance given its role as part of the wider South Tyne and Wear Waste Management Partnership. The proposed development being intended to handle Municipal Solid Waste from the Washington and Gateshead areas as these applications were therefore deemed to be of significant strategic importance it was recommended that the applications be referred to Planning and Highways Committee for determination.

It was then:-

1. RESOLVED that applications 11/01980/FUL and 11/02076/FUL be referred to Planning and Highways Committee due to the strategic significance of the applications and the need for both to be determined at the same meeting.

Town and Country Planning Act 1990 – Appeals

The Deputy Chief Executive submitted a report (copy circulated) concerning the appeals received and determined for the period 1st to 30th November, 2011.

(for copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) D. RICHARDSON,
Chairman.

Reference No.: 11/01980/FUL Full Application

Proposal: **Redevelopment of existing Household Waste and Recycling Centre, including raised access platforms, roof over Household Waste and Recycling area and erection of building to accommodate Waste Electrical and Electronic Equipment (WEEE) and provide staff facilities and associated access and infrastructure.**

Location: Gateshead M B C Campground Refuse Disposal Works
Springwell Road Springwell Gateshead NE9 7XW

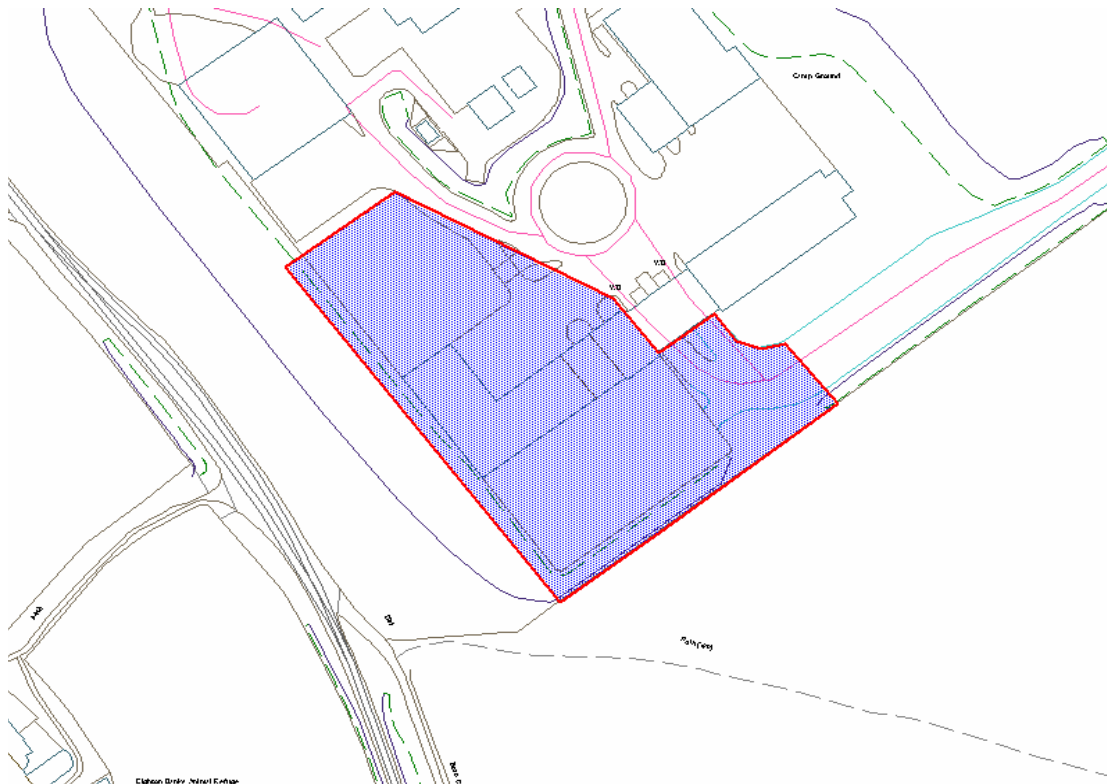
Ward: Washington West

Applicant: Gateshead Council

Date Valid: 30 June 2011

Target Date: 29 September 2011

Location Plan



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Purpose of Report

The purpose of this report is to make a recommendation to Committee in relation to a planning application submitted by Gateshead metropolitan Borough Council GMBC for the redevelopment of the existing Household Waste and Recycling Centre (HWRC), including raised access platforms, roof over Household Waste Recycling Area and erection of building to accommodate Waste Electrical and Electronic Equipment (WEEE) and provide staff facilities and associated access and infrastructure.

Description of Decision

The Committee is recommended to resolve to approve the application for the redevelopment of the existing Household Waste and Recycling Centre (HWRC), including raised access platforms, roof over Household Waste Recycling Area and erection of building to accommodate Waste Electrical and Electronic Equipment (WEEE) and provide staff facilities and associated access and infrastructure, subject to the conditions listed in the “recommendation section” of this report.

Background

The application was submitted on 24 June 2011 and was validated on 30 June 2011.

Proposal

It is proposed to redevelop and modernise the existing Household Waste Recycling Centre (HWRC) at Campground. These improvements are being undertaken to improve service for users of the site; to improve the appearance of the site within its Green Belt setting and to process waste more efficiently.

The proposed development involves demolition of all of the existing buildings on the site and redevelopment to provide a separate circulation system for the public and the service vehicles, on an enlarged site. The new site boundary includes storage buildings that are currently used by staff for segregation of wastes, and land occupied by the existing soak-away in the Waste Transfer Station site. One of the public areas will be raised approximately 1.7m above the waste containers (skips) to allow easier disposal. The raised area will be supported by a concrete retaining wall and sheltered by a roof. A new building will be constructed in the northern part of the site to provide secure storage for waste electrical and electronic equipment (WEEE) and staff facilities. It will be equivalent to two storey height. The northern loop of the public circulation route will be cut into the existing ground levels, whilst the southern and western section will be built up onto the adjacent land. The site will have new high

security perimeter fencing and replacement tree and shrub planting beyond it to replace and improve screening for the site.

The proposal includes:

- Improving access to the site, circulation within the site and traffic arrangements.
- Providing a roof to shelter users of the site.
- Construction of a raised parking area to assist in the depositing of waste into skips below.
- Provision of additional waste skips.
- Improvement in on site signage and perimeter fencing.

If the proposed redevelopment is approved the existing facilities will be closed whilst construction takes place. A temporary household waste recycling centre will be set up at another location prior to the closing in order to maintain a continuous service to users. No information regarding the location of this temporary facility has been included in this planning application.

The Application Site

The proposed development site is an existing Household Waste Recycling Centre (HWRC) located within the designated Tyne and Wear Green Belt adjacent to the settlement of Wrekenton, Gateshead (although the site lies within the administrative boundary of Sunderland). Access to the site is taken from a dedicated roadway accessed from Springwell Road.

The site is for the disposal of domestic waste only and is available for use by any member of the public regardless of the location of their home address. The site does not accept trade waste and operates a Waste Permit System to prevent the disposal of commercial waste generated by businesses.

The site currently handles around 10 000 tonnes of waste per annum with approximately 150 000 visitors per year travelling to the site in private cars to deposit domestic (usually bulky e.g. large cardboard, furniture etc.) waste, split 56% summer and 44% winter. 59% of visits to the site are made on a weekday with the remainder of visits being split evenly over Saturday and Sunday. On a weekend day the number of visits to the site generally ranges from 325 to 1420 per day.

The Planning Application

The application is accompanied by a supporting statement which supplies additional information in connection with the proposed development.

TYPE OF PUBLICITY:

Press Notice Advertised (Sunderland Echo)
Site Notice Posted (9 Notices)
Neighbour Notifications

CONSULTEES:

City Services - Network Management
County Archaeologist
Environment Agency
Northumbrian Water
Street Scene (Environmental Service)

Final Date for Receipt of Representations: **10.08.2011**

Representations

4 letters of objection have been received.

1 petition in objection has been received.

Members should note that the representations received in connection with this planning application also referred to planning application 11/02076/FUL (adjacent SITA Waste Transfer Station). For the avoidance of any doubt Members will find copies of each objection and the petition received in objection to this application at the end of this report as Appendix 1. Full consideration of the objections raised to both this planning application (11/01980/FUL) and planning application 11/02076/FUL is contained in Appendix 2.

POLICY CONTEXT

In the Unitary Development Plan the site is subject to the following policies:

EC_12_Criteria relating to potentially polluting industries
EC_13_Proposals involving hazardous substances
EC_15_Development or extension of bad neighbour uses
EN_1_Improvement of the environment
EN_2_Proposals for the production and distribution of energy
EN_3_Utilisation of renewable energy sources
EN_5_Protecting sensitive areas from new noise/vibration generating developments
EN_12_Conflicts between new development and flood risk / water resources
EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas
B_1_Priority areas for environmental improvements
B_2_Scale, massing layout and setting of new developments
B_11_Measures to protect the archaeological heritage of Sunderland (general)
CN_2_Purpose of the Green Belt in Sunderland
CN_3_Control of development within the Green Belt
CN_5_Safeguarding the visual amenity of the Green Belt
CN_7_Measures to protect/ enhance the urban fringe
CN_15_Creation of the Great North Forest
CN_16_Retention and enhancement of existing woodlands, tree belts and hedgerows
CN_18_Promotion of nature conservation (general)
CN_21_Developments affecting designated / proposed LNR's, SNCI's or RIGS
CN_22_Developments affecting protected wildlife species and habitats
CN_23_Measures to conserve/ improve wildlife corridors
M_12_Strategic requirements for development/extension of waste disposal/transfer sites
M_18_Provision of waste reclamation and recycling facilities subject to amenity etc.
M_19_Civic Amenity Sites
T_12_Major traffic flows and HGV's will be encouraged to use strategic route network
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

Principle of development

Section 38 of the Planning and Compulsory purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan in force unless other material considerations dictate otherwise.

European and national policy has been considered alongside regional (RSS) and local (UDP) policy.

It should be noted that when Local Planning Authorities make their decisions they must take into account the requirements of Section 38(6) of the Planning and Compulsory Purchase Act, 2004, which provides that:

“If regard is to be had to the Development Plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”

Based upon the above, the first test and the statutory starting point in the determination of this planning application is whether the application is “in accordance with the plan”, which is a phrase that has been the subject of debate in the High Court in the context of Section 54A of the Town and Country Planning Act, 1990. In his judgement of 31 July 2000 (R v Rochdale Metropolitan Borough Council ex parte Milne) Mr Justice Sullivan concluded as follows:

“I regard as untenable the proposition that if there is a breach of any one Policy in a development plan a proposed development cannot be said to be “in accordance with the plan”...

“For the purposes of Section 54A it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein.”

The Rochdale judgement is applicable to the interpretation of S38(6) of the 2004 Act and the Council must reach a decision, therefore, as to whether the application under consideration is in accordance with the development plan when the plan is considered as a whole.

This assessment is therefore a balancing exercise with compliance with the Development Plan considered as a whole, as opposed to each and every policy, and that lack of compliance with one, or more, individual policies does not, of itself merit a verdict of non-compliance.

Waste Policy Context

The objectives of the proposed redevelopment of the Campground HWRC by Gateshead Metropolitan Borough Council (GMBC) are to promote and enhance recycling performance and create a reduction in associated environmental and economic implications and landfilling Municipal Waste.

The scheme is also intended to contribute towards the achievement of the Waste Strategy for England 2007 and the Joint Municipal Waste Management

Strategy (JMWMS) 2007 and attainment of recycling target and LATS (Landfill Allowances and Trading Scheme) obligations.

Landfill Tax is presently levied upon GMBC by central government at £56/tonne with annual increments of £8 per year over the next three years lifting this figure to £80/tonne in 2014. In addition to this there is the cost of disposal/transfer. Hence it is more environmentally and economically advantageous to divert waste away from landfill sites and recycle it instead.

The Waste and Emissions Trading (WET) Act 2003, which is intended to help the UK meet its national targets for reducing the amount of Biodegradable Municipal Waste (BMW) disposed to landfill, provides a framework for the Landfill Allowance Trading Scheme (LATS) as a way of dealing with the European Union (EU) Landfill Directive that imposes defined target reductions in landfill that will be allowed. A fixed penalty of £150 per tonne of excess BMW landfilled is enforced for Local Authorities that exceed their LATS allowance. In addition Local Authorities will have to bear the cost of any EU penalties imposed on the UK.

The national targets for waste recycling/composting and recovery as contained in the Waste Strategy 2007 for England have been incorporated into South Tyne and Wear Waste Management Partnership (STWWMP), Joint Municipal Waste Management Strategy (JMWMS). Gateshead Council, through the Joint Municipal Waste Management Strategy (JMWMS) adopted by the Council in October 2007. GMBC has also committed to improving access to recycling services (JMWMS Policy 8).

Policy 2 of the JMWMS endeavours to:

“provide waste management services and facilities in the most user friendly and environmentally sound manner through appropriate design of services and use of the planning system”.

The proposed redevelopment scheme will reduce the current on site problems experienced in terms of on-site traffic congestion and queuing by vehicles waiting to use the site. It is also considered that the proposed redevelopment will significantly enhance user safety as well as making the site generally more user-friendly. It is anticipated that such improved site conditions will make the site more attractive to users and in turn increase recycling levels.

The applicant (GMBC) has indicated that the successful delivery of this project will contribute towards the authority achieving its Corporate Priorities and Performance targets set out in NI 191: Residual household waste per household; NI 192: Household waste reused, recycled or composted and NI 193: Municipal waste landfilled and Corporate Priorities 1, 2 and 3, therefore contributing significantly towards Vision 2030. Vision 2030 is Gateshead Council's Sustainable Communities Strategy for the future:

Corporate Priority 1 Deliver Vision 2030, focusing on economy, environment and health – addressing climate changing through carbon reduction, sustainable waste management, ensuring a cleaner, greener, safer Gateshead and improving customer service/satisfaction.

Corporate Priority 2 – to deliver efficient, joined up, high quality services which meet the specific needs of each neighbourhood, and

Corporate Priority 3 – optimising performance of existing assets to meet future demand and contribute towards organisational sustainability by ensuring leaner, more efficient day to day operations.

The South Tyne and Wear Waste Management Partnership (STWWMP) has been awarded £73.5 million Private Finance Initiative (PFI) Credits towards a contract for the treatment and disposal of residual municipal waste arising from the administrative areas of Gateshead, South Tyneside and Sunderland. Gateshead Council is the Lead Authority in this partnership.

Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management (2011).

PPS10 acknowledges the need to protect the defined Green Belt but also strongly recognises the particular locational needs of some types of waste management facility. PPS 10 further requires Local Planning Authorities to consider the locational needs of waste management facilities when defining detailed Green Belt boundaries. In determining planning applications PPS 10 requires that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission.

Green Belt

Policy CN2: Purpose of the Green Belt in Sunderland.

The policy states that:

A green belt will be maintained which will:

- i. Check the unrestricted sprawl of the built up area of Sunderland;
- ii. Assist in safeguarding the City's countryside from further encroachment;
- iii. Assist in the regeneration of the urban area of the City;
- iv. Preserve the setting and special character of Springwell Village;
- v. Prevent the merging of Sunderland with Tyneside, Washington, Houghton-le-Spring and Seaham, and the merging of Shiney Row with Washington, Chester-le-Street and Bournmoor.

The proposed development is contained within an existing site for the purposes of waste transfer, within the designated Green Belt.

It must be considered that this application does not seek permission for “new” development in the traditional sense, in that the waste transfer HWRC operation already exists on the application site. What is sought is permission to replace infrastructure with modern, fit for purpose facilities and incorporate weather protection measures for users of the facility in the form of a roof. In the event of a refusal of this planning application the on site operations would not cease, rather they would simply continue in their present outdated form. On this basis it is considered that the proposed development will:

- Not result in development sprawling into Green Belt land;
- Not result in any further encroachment into the City's countryside;

- Will assist in the regeneration of the City by improving the visual impact of the proposed development;

The proposed development is therefore considered to comply with the requirements of Policy CN2 of the adopted UDP.

Policy CN3: Control of development within the Green Belt.

This states that:

“The construction of new buildings inside the Green Belt is inappropriate unless it is for the following purposes *Inter alia*:

- iv Limited infilling in, or redevelopment of existing major developed sites identified elsewhere in the plan;...”

The proposed development site is considered to be an existing waste site within the Green Belt. The refurbishment of the obsolete facilities on the HWRC site with modern fit for purpose facilities is considered to be appropriate in this Green Belt location on this basis.

Policy CN5: Safeguarding the visual amenity of the Green Belt.

The policy states that:

“Care will be taken to ensure that the visual amenities of the Green Belt will not be injured by proposals for development within, or conspicuous from, the Green Belt.”

The visual impact of the re-grading of land and erection of weather protection roof on the site is considered to be minimal in terms of views of the site from the wider Green Belt.

It is considered that these proposals constitute an improvement to the existing on site facilities and that the impact upon visual amenity, both in terms of direct views of the site, and also views of the site within the context of the surrounding landscape, is minimal and cannot be considered to be “conspicuous”. The proposed development is therefore considered to comply with the requirements of Policy CN5 of the adopted UDP.

Policy CN7: Measures to protect/ enhance the urban fringe, states that:

“The City Council will undertake and encourage measures to enhance and protect the landscape and agricultural land on the urban fringe. Measures will include:

- i. The development of buffer uses between rural and residential areas;
- ii. The reclamation of derelict land for recreation, agriculture, habitat creation or other appropriate development;
- iii. Landscape improvement works including tree planting.”

The redevelopment of the site will result in the removal of the existing trees on the site, which were planted when the adjacent waste transfer station was built and later when the HWRC was added. They are small-medium sized deciduous trees, which partially screen and provide a setting for the site. Most of the trees are non-native Norway Maple and Sycamore, with some native

Silver Birch, Ash, Willow and Alder. The tree survey and accompanying information submitted indicates that most trees on the site have grown strongly since their planting but the Willow and Alder have not thrived and the Ash are overcrowded.

The substantial Sycamore trees located outside of the site to the west are unaffected by the works, and will contribute to the screening and setting of the new scheme.

Blocks of tree and shrub planting will be used along the western side of the site to provide substantial screening when seen from the public right of way in that location. When seen from the south and south east, this planting will provide a backdrop for the site. The planting will be of native species such as Birch, Rowan, Oak and Hawthorn, with a relatively high proportion of evergreens and shrubs such as yew and holly, because the best effect will be from dense growth 2-5m high rather than a predominance of tall clear stemmed trees. Feathered trees will be located in small groups to provide some initially larger plants.

Along the southern edge of the site a new hedge will be planted including hedgerow trees, with a narrow belt of tree and shrub planting to the north. The hedge will be predominantly densely planted hawthorn to maximise the screening effect throughout the year. The feathered hedgerow trees will include Sycamore for rapid screening because it already grows vigorously on site, and has a dense canopy that comes into leaf early in the year. The tree and shrub planting will be a native species mix without spiky species near the path.

The verges and sloping ground will be seeded with wildflower & grass species to provide an attractive rural setting for the site, and increase biodiversity. The seeding will be continuous through the planted areas.

The proposed landscaping and tree works proposed at the site are considered to be acceptable. The development is therefore considered to comply with the requirements of policy CN7 of the adopted UDP.

Other considerations:

The other key issues to consider in the determination of the application are:-

- Impact upon visual amenity/design
- Cultural Heritage
- Ecology
- Impact upon Residential Amenity
- Highway Access and Transportation (including sustainable transport)
- Noise and Vibration
- Air Quality Impacts, Dust & Litter
- Flood risk and Site Drainage
- Lighting

Impact upon visual amenity/design and residential amenity

The proposed redevelopment of the HWRC involves the demolition of the existing buildings on the site and the construction of a ramped elevated roadway (approx 1.7 above existing ground level) leading to off loading bays. 15 bulky waste containers for general waste, green waste, rubble, timber, cardboard etc. will be located on site. A building to provide welfare facilities for

workers at the site and also to accommodate Waste Electrical and Electronic Equipment (WEEE) is proposed in the northern portion of the site.

The proposed WEEE building will be constructed from blockwork, brickwork and profile metal cladding and will have an appearance in keeping with the industrial nature of the site. Should Members be minded to approve the application a condition will be added to any approval granted requiring the submission of a schedule of materials (and samples where appropriate) to be used in the construction of all buildings on site.

The proposed WEEE building is of a flat roof design to minimise the height of the structure required. The proposed WEEE building has a maximum height of 6785mm but will be partially concealed behind the elevated roadway.

A roof is proposed over the roadway and bulky waste containers to provide weather protection for those using the site. The proposed roof, which is of a very shallow pitch, is to be constructed from profile metal cladding and supported on steel columns, and will be positioned along the western boundary of the site. The roof will stand at a height of five metres at its highest point, giving it a low profile when viewed from a distance. Again the colour and final materials to be used in the construction of the proposed roof will be the subject of a condition if Members are minded to approve this application.

A small gatehouse building is also proposed at the entrance to the site to provide weather protection and office facilities for site operatives controlling access to the site and supervising the public on site.

Due to the location of the HWRC there are no residential properties immediately neighbouring the site. The nearest dwelling to the proposed development site is located approximately 117metres away to the north west of the site at Chopwell Gardens. It is not considered that the structures proposed will have any detrimental impact upon the residential amenity of residential occupiers through overlooking, overshadowing or poor outlook. Potential impacts upon residential amenity as a result of noise, vibration and odour will be assessed later in this report.

It is considered that the proposed redevelopment of the HWRC is acceptable in terms of visual amenity and it is further considered that the proposed design of the facility is acceptable and unlikely to have any detrimental impact upon views of the site from the Green Belt or dwellings located therein.

Fencing

The perimeter fencing will be of a high security welded mesh design. The fence will be 2.45m high, and coloured dark green.

It is considered that this type of fencing is appropriate to the site's Green Belt location and when viewed from a distance blends with the landscape and allows vegetation growth to penetrate and soften its appearance.

Along part of the eastern boundary of the site with the adjacent Waste Transfer Station close boarded timber fencing will be erected to visually separate the traffic on both sites where they are in close proximity and opposing flow.

Within the site lower weld mesh fencing will be used to separate the public and service areas of the site where necessary, with gates to allow staff access.

Cultural Heritage.

The Wrekendike Roman Road exists in close proximity to this site.

The County Archaeologist has been consulted regarding the proposed development and has confirmed that no further archaeological work is required regarding this site and has confirmed that the proposed development is acceptable in terms of its impact upon the cultural heritage of the surrounding area.

Ecology

An ecological report accompanied this planning application which has been considered by the Council's ecologist. The report submitted which was dated 2009 has been found to contain some discrepancies and omissions. However, the Ecologist consulted has considered the content of the 2009 report along side a later report prepared in 2010 to support planning application 11/02076/FUL which updates and corrects many of the omissions and discrepancies.

It is be noted that a number of wetlands (primarily ponds) exist within 400 to 1000 metres of the development site, some which have records of great crested newt and/or water vole; including Springwell Ponds SNCI. There is also the possibility that gardens in the residential areas immediately to the north and west have ponds with amphibian interest.

In light of the findings in the ecological reports, should Members be minded to approve the development it is recommended that ecological mitigation measures proposed are conditioned in full and that certain elements are detailed and agreed before works commence on site, these details will include:

- a. Updated ecological survey of the site to identify any ecological features requiring enhancement and/or mitigation.
- b. Ecological method statement for contractors to ensure compliance with wildlife legislation and best practice.
- c. A long-term management plan and maintenance schedule for ecological enhancement features.

Based upon the above and providing that conditions reflecting the above requirements are attached to any approval granted, it is considered that the proposed development is acceptable in terms of its likely impacts upon ecology,

Members should note that an objection to the proposed development was received on behalf of the occupiers of Low Mount Farm on the basis that neither the farm nor the Spring Well was not mentioned in the ecological report submitted and that no permission to access the farmland associated with the ecological report for the purposes of surveying was sought by the ecologist preparing the report. The objection also states that "Amenity Grassland" and "Poor Amenity Grassland" shown in the report submitted is in fact farmland.

It is considered that the additional ecological survey work, mitigation statements and long term management plans will provide the applicant with the opportunity to address the shortcomings of the ecological report submitted and include specific reference to both Low Mount Farm and the Spring Well, or else provide a reasoned justification of why this has not been done.

However, if Members consider that the inclusion of any specific conditions relating to the impact of the proposed development upon the ecological concerns associated with Low Mount Farm and/or the Spring Well are required then such conditions can be added to any approval granted.

Impact upon Residential Amenity.

Policy B2 of the adopted Unitary Development Plan is concerned with the relationship of new development with existing nearby buildings.

Policy B2 states that:

The scale, massing, layout and setting of new development and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality, and retain acceptable levels of privacy; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas.

In terms of noise and disturbance originating from the proposed site and the impact of this on the residential amenity of occupiers of near neighbouring dwellings the operational hours of the site are not altering from the current arrangements. The site is open 364 days of the year, and closed on Christmas Day.

From April - September the site is open to the public from 08:00-20:00 Monday to Sunday.

From October - March the site is open to the public from 08:00-17:00 Monday to Friday and 08:00-18:00 Saturday and Sunday.

In addition to the opening hours below, the site staff begin work at 7:30am each morning. They prepare the site for public usage, undertake a safety and security inspection, and may move waste containers into position as necessary.

Site staff finish work each evening at the stated public closing time.

Currently the entrance gate is closed to the public 5 minutes before the closing time, and the staff control supervise members of the public leaving the site to ensure that the site can be closed on time. The applicant has confirmed that it is intended that the new site will be operated in the same way.

When repairs and maintenance works have to be done, these works will be carried out within normal working hours, whenever possible. However, where this is unsafe or impractical, work would have to be undertaken outside of normal working hours. The type of work required may include white-lining.

Full consideration of noise issues are contained later in this report.

Highway Access and Transportation.

Policy T14 of the adopted Unitary Development Plan is concerned with traffic and new development:

Policy T14 states that:

Proposals for new development should:

- i. Be readily accessible by pedestrians and cyclists as well as users of public and private transport from the localities which they are intended to serve;
- ii. Not cause traffic congestion or highways safety problems on existing roads. Where this criterion cannot be met modifications to the highways concerned must be proposed to the satisfaction of the relevant highway authority and the cost of these must be met by the developer;
- iii. Make appropriate safe provision for access and egress by vehicles, pedestrians, cyclists and other road users, paying particular attention to the needs of people with mobility impairment;
- iv. Make provision for the loading and unloading of commercial vehicles;
- v. Indicate how parking requirements will be accommodated.

The proposed redevelopment of the HWRC involves the renewal and reconfiguration of an existing facility and, as such, is not expected to generate additional traffic. The works are required to provide an efficient and safe facility, replacing the existing arrangements where the public and service vehicles use the same yard at different times. The proposed scheme separates the public vehicles and service vehicles, allowing each of them uninterrupted access at all times.

Existing Operational Arrangements

The Campground HWRC is currently used by residents of both Sunderland and Gateshead. Approximately 30% of users of the site originate from the Sunderland area, the remaining 70% (approx.) originating from Gateshead. This split is due to the geographic location of the Campground site immediately adjacent to Sunderland's administrative boundary with Gateshead meaning that the site is nearer to many Gateshead residents and is therefore their preferred HWRC site.

A HWRC is also available at Beech Street in Sunderland.

In Gateshead an additional HWRC is available at Cowan Road in the west of the borough.

The Campground HWRC is open to the public 364 days a year (April – September 08 00 – 20 00 hours Monday to Saturday, and October to March 08 00 – 17 00 hours Monday to Friday, and 08 00 – 18 00 hours Saturday and Sunday). Vehicles servicing the site operate from 07 30 – 19 30 hours. When the service vehicles are delivering or removing waste containers, the public cannot access the site for reasons of health and safety and so are required to wait outside of the gates to the site. This arrangement leads to queuing traffic on the access road to the site.

A traffic survey of existing users of the site was conducted in March 2011. The results of this survey shows that there are approximately 150 000 visits by members of the public to the site per annum. The site is slightly busier in the summer with 56% of the visits, than in winter with 44%. Within the annual total, 59% of the visits are made on weekdays, with the rest evenly divided between Saturday and Sundays. The typical range of weekday users is between 195 – 932 per day, and at weekends 325 – 1420 visitors per day. Usage is not evenly spread throughout the day.

The site is serviced by Large Goods Vehicles (LGV's) and smaller vehicles. The general waste containers are taken to the adjacent Waste Transfer Station to be emptied, and returned to the HWRC, without using the wider road network. This amounts to 4 two way journeys per day. This waste is taken onwards by the operators of the WTS (SITA UK). Other recyclable and specialist wastes e.g. green waste, wood, cardboard, large electrical items and oil are taken directly from the HWRC for specialist processing elsewhere in the region. This amounts to 4 two way journeys per day of LGV's and less than 1 two way journey per week by other goods vehicles.

Proposed Scheme

A new roundabout junction is proposed at the entrance to the HWRC and the adjacent waste transfer station. A filter lane will separate the public users of the HWRC from the service vehicles at the HWRC and all vehicles using the WTS. It is anticipated that this arrangement will reduce queuing and assist vehicle movement and clarity of the junction arrangement.

Within the HWRC the public vehicular circulation will be by one way loop around the boundary of the site, with the service yard in the centre, thus segregating service vehicles from public vehicles. A total of 17 parking spaces are proposed to serve those depositing waste at the site. These 17 spaces are arranged in 3 lay bys adjacent to different waste streams.

Pedestrians are not encouraged to the site, which priorities bulk waste because other waste disposal facilities are provided throughout Gateshead and Sunderland and at the doorstep for recycling less bulky household waste. Waste is currently collected by staff at the gate from people who arrive on foot or by bicycle and this arrangement is proposed to continue after the proposed redevelopment of the site takes place.

There is no predicted change in the usage or resultant traffic numbers associated with the redevelopment of the HWRC site, because the customer base, opening hours and operational arrangements will remain unchanged.

The proposed HWRC and the associated new layout for vehicular traffic has been assessed by the Executive Director of City Services who has confirmed that there are no objections to the proposed redevelopment on highways grounds. As such the proposed redevelopment of the HWRC is considered to be acceptable in terms of highway access and arrangements and car parking and is considered to comply with policy T14 of the adopted Unitary Development Plan.

Sustainable Transport: The specific nature of the site, with minimal on-site employment and an overwhelming percentage of access by private car, make

the inclusion of measures to promote access by non-car modes inappropriate in this particular case.

Noise and Vibration

Policy EN5 of the adopted Unitary Development Plan is concerned with noise and vibration and states that:

Where development is likely to generate noise sufficient to increase significantly the existing ambient sound or vibration levels in residential or other noise sensitive areas, the Council will require the applicant to carry out an assessment of the nature and extent of likely problems and to incorporate suitable mitigation measures in the design of the development. Where such measures are not practical, permission will normally be refused.

Limited information has been submitted with this planning application regarding the likely noise impact upon the occupants of nearby residential properties.

It is not considered that the existing HWRC can be regarded as causing noise nuisance for occupiers of near neighbouring properties. This consideration is based upon an analysis of complaints received by both Gateshead and Sunderland Councils over the twelve month period 1 June 2010 to 31 July 2011, during which only one complaint was relating to noise was recorded by Gateshead Council (in March 2011).

However, it is acknowledged that the proposed development will result in changes to the layout of the site and the removal of a building that may currently offer some screening to the nearest residential property.

On this basis and to ensure that noise nuisance does not result from the proposed redevelopment of the HWRC, should Members be minded to approve this application a condition will be added to any approval granted requiring the applicant to undertake a noise assessment in line with British Standard 4142:1997 "Rating industrial noise affecting mixed residential and industrial areas." BS 4142 is intended to apply to noise from industrial developments in mixed residential and industrial areas, before any development commences on the proposed development site.

The noise assessment will be required to be undertaken by a suitably qualified and experienced noise control consultant who can undertake a noise assessment in line with British Standard 4142:1997 "Rating industrial noise affecting mixed residential and industrial areas."

BS 4142 is intended to apply to noise from industrial developments in mixed residential and industrial areas, this is considered appropriate in this instance.

The rating method is based on the introduction of an industrial noise source into a residential area that may or may not already be subject to noise from other industrial developments in the area.

The proposed condition (if approval is granted) will require the noise source to be measured and a background noise survey to be performed during the proposed operating hours.

Following analysis and corrections to the data in accordance with BS4142, the difference between the source existing noise level and the background level should be determined.

The comparison between the predicted noise level (L_{Aeq}) or, if corrected where necessary for undesirable characteristics, the "rating level" from a development and the existing background noise level (L_{A90}) gives an indication as to the likely acceptability of the development.

A difference of +10dB is a positive indication that complaints are likely. A difference of +5dB is said to be of marginal significance.

The inclusion of such a condition will allow the Local Planning Authority to be satisfied that the noise created by the operation of the site at the proposed hours, will not exceed the background noise (L_{A90}) by 5dB(A) as an absolute maximum, and therefore will not result in a noise nuisance, likely to result in complaints from the occupiers of near neighbouring properties.

It should be noted that a difference of -10dB is a positive indication that complaints are unlikely. It is assumed that the operation of site has been designed to preclude complaints of nuisance or disturbance.

Should the required noise assessment determine that there is a likelihood of complaints from the nearest residential property, the applicant will be required to submit details of mitigation measures for approval by the Local Planning Authority detailing how the above noise requirements will be achieved and maintained on this development.

In addition, whilst it is acknowledged that the redevelopment of the SITA Waste Transfer Station (WTS) adjacent to this application site is a separate development (see planning application reference: 11/02076/FUL) a noise barrier is proposed to be provided as part of the redevelopment of that site, and this may offer some further mitigation of any noise originating from the HWRC.

Air Quality Impacts/Odour, Dust and Litter

The site will continue to receive the waste that it currently receives and it is understood that odours or dust from the site are not the cause of complaint from local residents due to the nature of the materials accepted.

It is not envisaged that the changes to layout of the site will generate odour, dust or litter problems at nearby residential properties that can not be controlled under the conditions of the Environmental Permit regulated by the Environment Agency.

An objection has been received on behalf of the occupiers of Low Mount Farm on grounds that litter is allowed to escape from the site and land in nearby farmland and hedgerows. The control of litter from such sites is no acceptable and is a matter that is controlled by the Environment Agency as a part of the Environmental Permitting System. It is considered that the erection of the proposed roof over the waste collection area and the location of these waste containers in a sheltered position below the elevated access road will assist in the prevention of wind blown litter. In addition to this the applicant has confirmed that on site operatives are required to maintain the site and its surroundings in a clean and tidy condition, including the collection of litter from surrounding locations when necessary.

Ground Contamination

Policy EN14 of the adopted Unitary Development Plan is concerned with ground conditions and states that:

Where development is proposed on land which there is reason to believe is either:

- i. Unstable or potentially unstable;
- ii. Contaminated or potentially at risk from migrating contaminants;
- iii. Potentially at risk from migrating landfill gas or mine gas;

The Council will require the applicant to carry out adequate investigations to determine, the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of instability, contamination, or gas migration would allow development subject to preventative, remedial, or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

A Desk Top Study and Site Investigation Report have been submitted as part of the planning application for the site.

The proposed land use is considered relatively insensitive to risk from direct exposure to soil since there are no high risk receptors or activities anticipated at the site which will largely consist of hardcover or buildings.

Gas monitoring has been undertaken but is still continuing as the site investigation has highlighted that monitoring was not undertaken over a wide range of atmospheric conditions. Whilst the report states that the site currently represents a low risk from gas it is considered essential that the site investigation and risk assessment be updated when the monitoring is complete. If Members are minded to approve this application a condition requiring updated site investigation reports and risk assessments to be submitted for the written approval of the Local Planning Authority prior to development commencing on site will be attached to any approval granted.

An outline ground preparation and remediation strategy has been provided to support this planning application in which it is stated that a Validation report will be undertaken upon completion of the works.

If Members are minded to approve this application it is recommend that a condition be included requiring the submission of the following:

- an updated ground investigation report;
- site conceptual model;
- risk assessment of the site and remediation strategy.

Upon completion of the works a Verification Report must be submitted to the Local Planning Authority to confirm that remediation works were carried out in accordance with the recommendations of the site investigation remediation strategy.

For the reasons set out above, it is considered that the site is suitable for the proposed development in terms of ground conditions providing that the

suggested pre commencement conditions are attached to any approval that may be granted. On this basis the proposed development is considered to comply with the requirements of Policy EN14 of the adopted Unitary Development Plan.

Flood Risk and Site Drainage

Policies EN11 and EN12 of the adopted Unitary Development Plan are concerned with flooding and water quality.

Policy EN11 states that:

In areas subject to flooding, new development or the intensification of existing development will not normally be permitted. Where redevelopment is permitted in areas at risk, the Council will require appropriate flood protection measures to be incorporated in accordance with the advice provided by the Environment Agency.

Policy EN12 states that:

In assessing proposals for development, the Council, in conjunction with the Environment Agency and other interested parties, will seek to ensure that the proposal would:

- i. Not be likely to impede materially the flow of flood water, or increase the risk of flooding elsewhere, or increase the number of people or properties at risk from flooding; and
- ii. Not adversely affect the quality or availability of ground or surface water, including rivers and other waters, or adversely affect fisheries or other waster based wildlife habitats.

Flood Risk

The proposed HWRC development site lies within Flood Zone 1 which according to Environment Agency advice is the zone with the lowest risk of flooding at 1 in 100 years.

A flood risk assessment has been prepared to support this planning application and following consultation with the Environment Agency is considered to be appropriate and acceptable.

The risk of the proposed development site flooding is considered to be very low and as such the location of development there is considered to be acceptable and in accordance with Unitary Development Plan Policies EN11 and EN12.

Drainage

Whilst it is acknowledged that this proposed development is a separate venture to that proposed by SITA on the adjacent site and that the two planning applications stand alone it is considered critical that the drainage associated with the two sites are considered together. This because:

- The proposed drainage arrangements for the HWRC depend upon use of the foul sewer located within the adjacent SITA site.
- An objection to the proposed development has been received on grounds that the “Campground Site” in general causes flooding at Low

Mount Farm which is located to the east of both the SITA and GMBC sites (See appendix 1 of details of the objection received).

It is clear from both applications that the plans for drainage from the sites are not final. It is not unusual for developers to continue designing detailed drainage layouts during the lifetime of a planning application and post planning decision but pre commencement. Both applicants accept the need for planning conditions (in the event that a planning approval is forthcoming) to effectively control the method and systems of drainage from the site. Such conditions are not unusual and it is not considered to be unreasonable to impose such conditions in this instance if approval is granted.

The Environment Agency has been consulted regarding both planning application 11/01980/FUL and 11/02076/FUL and has not objected to either planning application.

Further the Environment Agency has confirmed that meetings between the Environment Agency and SITA and Gateshead Council representatives to discuss the proposed changes to the site and the associated drainage regimes have taken place. The Environment Agency has further confirmed that advice and guidance on the proposed drainage was given to the applicants, and that the Environment Agency were informed during these meetings, and through formal consultation from Sunderland City Council acting in its capacity as Local Planning Authority, that it is intended to discharge parts of the combined Campground site surface water to soakaway (HWRC) and parts to the foul system. The Environment Agency has advised that both activities do not require a permit from the Environment Agency and are thus to be registered by the Environment Agency as an exempt activity.

Considering the drainage proposed for each site:

SITA Waste Transfer Station:

The applicant has confirmed that the final drainage arrangements from this site remain at the design stage and are being progressed. The drainage for the site is being designed to capture, harvest and utilise surface water run-off, and retain on site for use within the proposed office and visitors centre.

The proposed development will consist of a number of different surface areas which will either be permeable or impermeable.

Permeable areas will form those parts of the facility which are non-operational e.g. the landscaped areas of the proposed site. These areas will consist of a permeable material where surface water will drain naturally to the ground.

Impermeable areas will consist of those parts of the site where commercial vehicles will access the facility and where there is loading/unloading of materials required for pollution control purposes or where external plant maintenance may be required.

Surface water run-off from impermeable areas will drain via a series of drains and gullies to a below ground attenuation tank via an interceptor before discharge to a new, adopted surface water sewer.

Although the existing surface water drainage on the site enters a soakaway, a new soakaway is not considered to be a viable surface water drainage option for the proposed SITA site due to the depth of made ground across the site.

Rainwater falling on the roof of the visitors centre will be collected, harvested and used for “grey water uses” in the offices and visitors centre. Water collected from the roof of the building will be stored in underground tanks and any surplus water will be attenuated and then drain to the main attenuation tank on site.

The foul water drainage will discharge via an interceptor to the public foul sewer.

For gully waste, a decanting system will be installed. The liquid element of the gully waste will pass through a silt trap to remove suspended material and silt and then through an interceptor to remove petrol and oils before being discharged to the foul sewer.

The applicant has considered the impact of the proposed development both at the construction phase and the operational phase upon potential receptors including controlled waters, surrounding land (including Spring Well located 470 metres north east of the site within Low Mount Farm) and Human Health. As set out above the Environment Agency has been consulted regarding the proposed developments and has offered no objection to the proposed development on grounds of impact upon potential receptors or any other grounds.

Regarding the Spring Well, located within Low Mount Farm in particular, the applicant acknowledges that this is the most significant near by surface water feature and also acknowledges that the Spring Well is a tributary of the River Don. Based upon the name of the feature “Spring Well” and as there are no apparent surface features, it is considered that the Spring Well is a pond fed by groundwater. As the Spring Well is fed by groundwater it is considered that there may be some scope for contamination of the pond via ground water. However, the applicant has supplied detailed proposed mitigation measures to ensure that such contamination does not occur. If Members are minded to approve the proposed development a condition requiring the mitigation measures set out in the documents accompanying the application can be added to any approval granted.

HWRC

It is anticipated that the redeveloped site will include a new soakaway to take the surface water discharge, but site investigation, analysis and design are ongoing at this stage.

The existing HWRC site, plus the junction outside which forms part of the redevelopment, contains approximately 4,130m² of hard surfacing. It is estimated that this produces a discharge volume of 57 litres/second based on a storm intensity of 50mm of rainfall per hour. This surface water is currently drained into the soakaway in the northern part of the HWRC site.

Following implementation of the scheme, it is proposed that the HWRC and junction area will contain more hard surfacing than at present. However, not all

of this will be drained to a surface water discharge because the water that drains from the service yard to go to the piped foul sewer system. (Estimated to be 1,438m², generating 20 litres/second, based on a storm intensity of 50mm rainfall per hour).

The area that will drain as surface water will be 3,630m², producing a discharge volume of around 50 litres per second, based on a storm intensity of 50mm of rainfall per hour.

If it is subsequently discovered that a new soakaway is not an acceptable solution to drainage from this site details of an alternative method of drainage will be required to be submitted prior to development commencing for the written approval of the Local Planning Authority.

The likely drainage solution for the water which is to be directed to the foul sewer is for the flow to be attenuated in an underground tank on site, then pumped to the existing foul sewer on the Waste Transfer Station site.

In addition to the above considerations Northumbrian Water have been consulted regarding this application and have not objected to either scheme.

Drainage Consideration

It is clear that the drainage proposals for both sites are not final. However it is also clear that the type of drainage systems discussed in the planning applications submitted are likely to reduce the amount of surface water run off through use of SUDS etc. It is clear that the application made by SITA for the waste transfer station has considered detailed mitigation to ensure that drainage from the site does not create issues of pollution for near neighbouring areas or controlled waters. Further, both the Environment Agency and Northumbrian Water have been consulted by the Local Planning Authority regarding these applications and neither organisation has offered any objection to the proposed schemes.

If Members are minded to approve these applications, conditions have been recommended for inclusion on any approval issued to ensure that an adequate and satisfactory drainage system serves both the HWRC and the WTS. Northumbrian Water and the Environment Agency would be consulted and involved in the discharge of any such conditions to ensure a satisfactory form of development.

Members should note that an objection to the proposed development has been received on behalf of Low Mount Farm on the following grounds:

- No information on drainage from the proposed ramped access road.
- No information on drainage from the access road to the site and lack of information regarding proposed soakaways.
- The objector considers storage ponds to be unacceptable due to their location on land at a higher level than Low Mount Farm.
- Land contamination due to leachates from the site.

It is considered that the concerns outlined will be addressed through the additional detailed drainage design work that will be required by condition in the event that planning approval is forthcoming. An additional condition requiring a method statement to show how any leachate from the site will be controlled to

ensure that surrounding land will not be contaminated can be attached to any permission granted for the development if Members consider that such a condition is required.

As such, it is considered that although drainage proposals are not finalised at this stage, a satisfactory form of drainage from both sites will be achievable through design processes. Therefore, it is considered that drainage conditions from the two sites will improve as a result of the proposed development and as such the proposal is considered to comply with the requirements of policies EN11 and EN12 of the adopted Unitary Development Plan.

Lighting

The Applicant shall ensure that any lighting associated with the proposed development is designed and installed to ensure that light as a result of the operation of the waste transfer station does not cause a statutory light nuisance to nearby residential premises

Summary

The proposed development is considered to be acceptable as set out above. The representations received in connection with this application and those received in connection with planning application 11/02076/FUL have been fully considered and are addressed in appendix 2 to this report.

It is acknowledged that waste transfer and recycling facilities are considered to be unpopular with some of those living in close proximity to them. However this is an existing waste facility which benefits from an historic planning permission. Furthermore, the applicant has demonstrated that the proposed development will improve the visual appearance of the site and has submitted information to support the application in terms of minimising any impact upon the residential amenity of occupiers of neighbouring properties. It is considered that a refusal of planning permission in this instance is highly unlikely to be sustained at appeal and that such a refusal would not remove the Household Waste Recycling Centre use from the site, rather it would continue in its current form in to the future.

Therefore for the reasons contained in this report to Members, namely that the proposal accords with national planning policy and the adopted Development Plan, and the Appendices attached, it is recommended that this application be approved subject to the conditions set out below and any other conditions deemed necessary.

RECOMMENDATION: Approve subject to the conditions relating to the following issues set out below

Conditions:

1. The development 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 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
2. Unless otherwise first agreed in writing with the Local Planning Authority,

the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Plan Nos, dates received and drawing title

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

3. Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the adopted Unitary Development
4. Before the development hereby approved is commenced details of the means of demolition shall be submitted to and approved by the Local Planning Authority. All works shall be carried out in accordance with the agreed details in order to protect the amenities of the area and to comply with policy B2 and EN1 of the Unitary Development Plan.
5. No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policies B2 and EN1 of the adopted Unitary Development Plan.
6. Before any development commences on site details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the adopted Unitary Development Plan.
7. Within three months of the date of waste transfer/recycling operations commencing at the development hereby approved a noise assessment shall be undertaken to ensure that the predicted noise levels associated with the operation of the site does not exceed the existing background noise level by more than 5dB(A). The noise levels shall be determined at the nearest noise sensitive premises, the location of which shall be agreed in writing with the Local Planning Authority prior to any noise assessment taking place. The noise assessment shall be undertaken in accordance with BS4142: 1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. The background noise

levels will be measured at a time to be first agreed in writing with the Local Planning Authority and will be at a time when the background noise level is considered to be at its lowest. A report containing the results of the assessment shall be submitted to the Local Planning Authority within three months of the assessment being completed. Where noise levels are found to exceed the existing background noise by more than 5dB(A) precise written details of noise attenuation measures to be implemented at the development shall be included in the report for the written approval of the Local Planning Authority. The approved noise attenuation scheme shall then be fully implemented to a timetable to be first agreed in writing with the Local Planning Authority and retained as such for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority. In the interest of achieving a satisfactory form of development on site and in the interest of residential amenity and to comply with the requirements of Policies EN5 and EN6 of the adopted Unitary Development Plan.

8. No development other than site preparation works shall be commenced until an updated Ground Investigation Report including remediation objectives that have been determined through risk assessment has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the updated report shall include
- updated site conceptual model
 - risk assessment of the site
 - remediation strategy, to include the following

 - Monitoring information and risk assessment of ground gas

In order to achieve a satisfactory form of development on site and to comply with the requirements of Policy EN14 of the adopted Unitary Development Plan.

9. No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the Local Planning Authority, in the interests of residential amenity and to comply with policy EN14 of the adopted Unitary Development Plan.
10. Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of residential amenity and to comply with policy EN14 of the adopted Unitary Development Plan.
11. No development shall commence on site until an updated ecological survey of the site is undertaken to identify ecological concerns (and inform the preparation of the Ecological Method Statement required by condition 12) and a report in connection with the ecological survey is submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the updated survey shall include details of ecological mitigation measures where these are required and a timetable for their implementation. Once approved, the ecological mitigation

measures contained in the report shall be fully implemented to an agreed timetable unless otherwise first agreed in writing with the Local Planning Authority. In order to protect the ecology of the site and to comply with the requirements of Policies CN18 and CN22 of the adopted Unitary Development Plan.

12. Before any development commences on site precise written details of an Ecological Method Statement for use by site contractors shall be submitted to and approved in writing by the Local Planning Authority. The approved Ecological Method Statement shall then be adhered to at all times by contractors working on the site unless any variation to the statement is first agreed in writing by the Local Planning Authority. In order to protect the ecology of the site and to comply with the requirements of Policies CN18 and CN22 of the adopted Unitary Development Plan.
13. The development shall not commence until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and the development shall not be occupied until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site and to comply with policy B24 of the adopted Unitary Development Plan.
14. The development hereby approved shall not be operated for the purposes of waste transfer, including the delivery to or export of waste from the site, outside of the following hours:

07:30 - 20:30 Monday to Saturday inclusive
07:30 – 20:30 Sunday

The development shall not operate at any time on 25 December of any year.

For the avoidance of doubt a security presence may operate at any time on any day at the site.

Unless otherwise first agreed in writing with the Local Planning Authority and in the interest of residential amenity and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.

15. The demolition and construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays unless otherwise first agreed in writing with the Local Planning Authority in order to protect the amenities of the area and to comply with policy B2 of the UDP.
16. Mobile electricity generators shall not be used on site at any time (following the construction phase of development) unless otherwise first agreed in writing with the Local Planning Authority. In the interest of noise mitigation and to ensure a satisfactory form of development on site and to comply with the requirements of Policy EN5 of the adopted Unitary Development Plan.

Appendix 1

Representations Received in Connection with planning applications 11/02076/FUL and 11/01980/FUL.

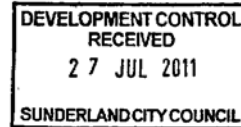
ACK 27/07/2011

Representation: Objection.

Ack
VR1

26th July 2011.

Mrs. V. Rising, Senior Planner.
Sunderland City Council.
CMC Centre,
Burdon Road,
SUNDERLAND.
SR2 7DN.



Your Ref: 11/01980/FUL.

Dear Mrs. Rising,

Application for proposed redevelopment of Campground Site, Wrekenton, Gateshead, 9. from Gateshead Council and Sita UK.

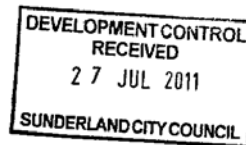
I acknowledge receipt of your letter of the 20th July, referring to the application from Gateshead Council. I have not as yet received any correspondence in respect of Sita UK's application although I do know they were submitted together on the 24th June, and our concerns, as detailed below, are in respect of both applications.

I wish to register with Sunderland City Council, the concerns of my neighbours and I with regard to certain aspects of the proposed redevelopment of the Waste Transfer Station at Campground, Wrekenton.

It is the view of residents who live in close proximity to the site, that neither Gateshead Council nor Sita UK, have given any consideration to the adverse effects the redevelopment of the site may have on our lives. This view has been reinforced at a number of meetings we have had with the applicants. It was made clear to the residents at these meetings that anything we may say, or any proposals we may offer, would not be taken into consideration, and the plans would go through in their current form, but for one minor consideration.

Before going into the detail of our concerns, may I respectfully remind the planning committee of the many problems we have had with Sita over the last few years. But rather than me going into every detail of these complaints in this letter, I have attached a copy of my complaint to the Local Government Ombudsman dated 20th October 2008(appendix 1), which goes into all aspects of our concerns. I do so because I believe it is imperative that the complaints outlined therein, will not need to be repeated on this occasion if the planning committee is made aware of all the facts.

1



Sita's Application.

The proposed new Waste Reception Building, while being more visibly attractive, leaves a lot to be desired with regard to its construction. There's not a great deal of difference between it and the present Rubb Shelter. As I've no doubt you are aware, the Rubb Shelter is a steel-framed structure with a rubberised covering.

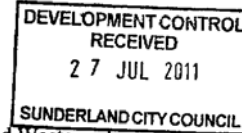
The proposed new build is a steel framed structure with a single tin-sheet skin – not the best of materials for absorbing sound and vibration, and therefore no better than the Rubb Shelter which it will be replacing and which has been the main cause of complaint from residents since 2007.

We have made a number of suggestions to Sita which we believe would improve the sound suppression qualities of the building, but unfortunately these have been rejected by Sita and Gateshead Council, and we believe for no other reason than cost.

Sita claim in their presentation that the new building will contain dust and odours – we believe that the building should also be constructed to contain noise and vibration.

We have suggested that:-

1. The building should at least have a double skin with a cavity in-fill and there are many products on the market to choose from.
2. The building will contain concrete push walls. We have received expert advice that if the push walls were extended to roof level they would provide good sound baffels. We are advised that a solid concrete wall is a better sound barrier than a brick or block built wall and most certainly better than a single sheet construction.
3. We have suggested that the proposed new build be re-sited and turned 90 degrees, (see attached drawing, Appendix 2). There are good reasons for this and they are in line with recommendations that were drawn up by Marion Dixon, Environmental Health Manager with Sunderland City Council, for presentation to the planning committee in 2008, but were never put before the planning committee. Marion Dixon put forward a number of suggestions for reducing or protecting residents from noise, and one of those suggestions was that, wherever possible, noise should be contained behind walls or buildings. Apart from the noise generated within the waste reception building, there is a great deal of traffic noise. This will be on the increase if the planning applications are accepted. (I will refer to this in detail when



dealing with the proposal from Gateshead Council for the Household Waste and Recycling Centre.)

Turning the building 90 degrees would mean that all traffic movements would be on the south side of the building, and therefore act as a sound baffel for residents north and north west of the site, which would be in keeping, not only with Marion Dixon's recommendations but also the current planning consent,

5.6.1 'All vehicle manoeuvring would be undertaken in an area to the front of the temporary transfer building.'

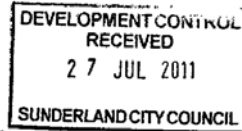
and this would act as an additional sound baffel for residents north and north west of the site.

The entrance to the proposed WRB will be at the north west corner of the site, which will also be in conflict with current planning approval.

It is proposed that the area outside of the entrance will also become an overnight parking area for Sita's 44 tonne waggons. These waggons create a great deal of noise and vibration, and I believe the noise of these waggons starting up in the early morning, will be totally unacceptable. In addition to this it is proposed that this area will also become an ad hoc storage area, which means more activity and traffic movement in an area, which only two and a half years ago Sita UK and Gateshead Council, gave an undertaking, in their joint application, that there would be no traffic movement in this area. An undertaking that Sunderland City Council, planning authority made it a condition of their approval that all aspects as set out in the joint applicants' planning supporting statement must be adhered to. If I might add, 'a condition' that Sita quite flagrantly abused and which is referred to in the attached documents.

The proposed WRB is approximately four times the size of the current Rubb Shelter and Gateshead Council and Sita have given us an assurance that they will handle no more waste then their current licence allows. Therefore simple mathematics says there should be a lot of free space! We have therefore suggested:-

4. That waggons should be garaged overnight within the confines of the WRB. This would not only help to minimise noise, but would also deter marauding vandals. Likewise, we believe that the bays for ad hoc waste be incorporated within the WRB alongside those already proposed. The current siting of the ad hoc bays are in a



much more secure south east corner of the site, protected by high walls and buildings.

To move these bays to the more isolated north west corner of the site will most certainly encourage thieves and vandals. This, together with the increased traffic movement etc., will all in all make life very unpleasant for the adjacent residents.

The reason the ad hoc waste bays and vehicular parking is being moved from the secure south east corner of the site is to provide space to build a Visitors' Centre.

While accepting the need to educate people in the need to control waste, the building itself does nothing to improve the actual day to day operation of the site, and it would be none the worse for it not being there. Therefore the cost to build it would be better used to properly soundproof the principle and most important building, which would be the Waste Reception Building.

However we believe it should not be beyond the wit of Architects to make suitable adjustments to its siting, to ensure that the ad hoc storage bays remain in the south east corner of the site, and not re-sited to the north west corner, which would be to the detriment of residents. We believe that this can be achieved if, like the proposed WRB, the Visitors' Centre is also turned 90 degrees, and the land outside of the main perimeter be included in the design.

Gateshead Council's Civic Amenities Application.

The current operation of the drop-off household waste and recycling facility is a perfect example, as recommended by Sunderland City Council's Health Inspector, Marion Dixon, of how buildings or walls can be used as sound baffels to protect residents from noise.

The current facility is outside of the main perimeter and situated at the south west corner of the site. This operation is shielded from adjacent residents by the former salt store. Although this civic amenities facility is used extensively by residents, 7days per week, with tens of thousands of vehicular movements over the year, it poses no problems for adjacent residents. All noise and vibration that is generated by the filling and movement of skips, plus the overall vehicular movement, is contained within its own area because of the low elevation of the site and protection by the aforementioned buildings.

This will change dramatically if the proposed development is accepted in its current form. The low elevation of the site will be altered because of the introduction of a ramped

roadway and the former salt building will be demolished in order to allow the roadway to be extended into the main site, and therefore much closer to adjacent properties. This means that an off-site facility, from which residents are protected from its noise and vibration, would now become an on-site operation closer to residential properties, and without the noise and vibration protection we now enjoy. This would also mean that the whole of the western boundary, when viewing both applications, would become an area of extensive activity that currently takes place either outside of the site perimeters, with the sound protection I have described, and at the south east corner of the site which is farthest away from adjacent properties.

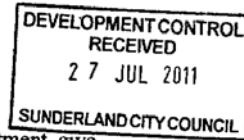
We therefore believe that it is not unreasonable for residents to expect, that if the noise and vibration barriers which I've described above, are to be removed, then the applicants should restore this protection in another form. Either by enclosing all of the civic amenities that extend into the main site, or that solid wall sound barriers be erected north and east of the civic amenities site.

With regard to the civic amenity, Gateshead Council concede that their proposal would not improve production in any way, but it would make things a little easier for residents dropping off waste.

I understand that Sunderland planning department has insisted that the ramped roadway be covered in order to protect residents dropping off waste from the rain. May I point out that residents will only visit the site once or twice a year, and on occasions it may be raining. On average it takes only 2 or 3 minutes to drop off their waste so there is no great hardship for residents who do visit the site. On the contrary, we the residents would have to live with the proposed changes 12 hours a day, 7 days a week.

We oppose Gateshead Council's proposal in its current form. We believe that we should at least be afforded the same degree of protection from the noise and vibration as we currently enjoy, and if the applicants cannot guarantee this, then their application should be rejected.

Likewise we oppose Sita's planning application in its current form, and unless they can give an undertaking that the proposed WRB will be properly made soundproof, then their application should also be rejected.



We would also respectfully request that Sunderland planning department, give consideration to the proposals we have submitted, in particular the feasibility of turning the proposed waste reception building 90 degrees, this would help to ease our concerns in other areas of the dual application, and would be in keeping with Marion Dixon's recommendation and the currently approved operating consent.

Traffic.

The residents oppose any increase whatsoever to the 75,000 tonnes per annum the site is currently licensed to handle, for the following reasons:-

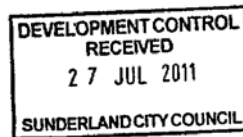
1. It is obvious that any increase would automatically increase on-site noise and disturbance.
2. The Campground site is situated between the two villages of Wrekenton and Springwell. Both villages have acute traffic problems which both Gateshead Council and Sunderland City Council, are aware of. Although Sunderland City Council, as the planning authority for determining the outcome of planning applications for the Campground, also enjoys the use of the facilities, they themselves, in the protection of their constituents, will not allow Sita's waggons to travel through Springwell Village. Likewise they will not allow the waggons that service the reclamation centre which operates within the former Springwell Quarry, to pass through Springwell Village. As a consequence these vehicles are re-routed through Wrekenton, which adds to the ever increasing and already acute traffic problems, from which the residents of Wrekenton and surrounding area are forced to endure.

For Sunderland City Council to consent to any increase above the 75,000 tonnes per annum the site is currently allowed to handle, would smack of hypocrisy if they are not prepared to share the burden.

In conclusion, before any redevelopment of the Campground site can take place, there is the matter of the demolition of the existing redundant buildings. This is of great concern to residents and in particular with regard to the protection of the children who attend Fell Dyke Infants' School, that shares a boundary with the Campground Site.

29th July 2009.

Local Government Ombudsman.
P.O. Box 4771.
COVENTRY.
CV4 0EH



A2

NOTICE OF COMPLAINT

In relation to demolition work undertaken at Campground Waste Reception Depot, Wrekenton, Gateshead, Tyne & Wear. NE9 7XW.

Dear Sir,

I wish to register with the Ombudsman, a formal complaint against Gateshead Council (the client) in relation to the above contract, which commenced 3.11.08 and was completed 4.3.09

Complaint – Gateshead Council was:-

1. In breach of the 1974 Health & Safety at Work Act, in that they failed to provide a safe system of work.
2. Operated in contravention of the CDM Regulations 2007.
3. Failed in its statutory duty to take appropriate action to safeguard the health and safety of its constituents adjacent to the site.

Note:- Similar complaints will also be lodged against the Health & Safety Executive and the contractor, Squibb Demolition Ltd. I understand these are not matters for the Local Government Ombudsman.

The Project.

Work involved the demolition of the Tipping Bays which were attached to the former Waste Reception Building, within which substantial demolition of the internal structure took place, together with asbestos removal. A full description of the operation is contained in the contractor/client's work specification documents, which are attached.

The following is a brief description of the activities that took place on site, which were of concern to my neighbours and I, all of whom share a boundary with the Campground. Our concerns also extended to the children of the adjacent infant school.

Since June 2007, we have had ongoing complaints against the joint operators of the site, Gateshead Council and Sita UK. Complaints which are currently a matter of investigation by the Local Government Ombudsman and the Parliamentary & Health Service Ombudsman. This is a separate complaint and concerns only the activities that took place between the **forementioned dates.**

COPY

On the 3rd of November 2008, Squibb Demolition Ltd., the contractor, moved onto the north section of the site, this is the boundary that separates our land. We had not been given any advance warning of any work that was to be undertaken in this area. On the contrary, I had received notification only a few days earlier from the Environment Agency, that in their discussions with Sita, the site operator – activities at the north boundary would be curtailed (see Appendix 2).

My immediate concern was in respect of the quite horrendous noise that was being generated. All types of plant and machinery descended on the site in one fell swoop – Compressors, Generators, JCB, Bobcat machine, Telescopic steel-cutting machinery, Pneumatic Drills and Hammers, Skips and Skip Transporter etc. all in all, creating a great cacophony of noise and vibration. Workmen were engaged in excavation work, widening the roadway, with a combination of JCB and Pneumatic Hammers. Trenching was also taking place, as was drilling, steel-cutting with the shearing machine and oxyacetylene burning. As I've said, my immediate concern was the noise and vibration that was being generated.

Whereas it was most annoying for my neighbours and I, it was most distressing for my wife, who was convalescing after her return from hospital, where she had undergone extensive radiotherapy and surgery, for the treatment of cancer. As my last point of contact had been the Environment Agency, I wrote to Mr. David Edwardson, Environment Management Team Leader, requesting information as to what was taking place (A 2).

As portable offices and other amenities were positioned on site, it was obvious that the contractor would be there for some considerable time. Also, not only was the work ongoing, 7 a.m. to 7 p.m. but the generators that provided lighting were left running all night. This was an intolerable situation for my wife, and I had no alternative but to make arrangements for her to be moved. This was not easy as my wife was virtually bedridden and required 24 hour attention. However, in discussions with the family, it was decided that my wife would be moved to my eldest daughter's home. Of course, this was not easy for my daughter or her husband, who had their business to run. But with a combination of rosters, involving all the family, it was manageable.

I received a response to my letter to Mr. Edwardson (A 2) and true to form, the Environment Agency proved, once again, to be unhelpful. Mr. Edwardson informed me he had no information as to what was taking place, and it did not come under the jurisdiction of the Environment Agency anyway. I have since learned that this was in fact a matter for investigation by the EA.

While waiting for Mr. Edwardson's response, I had naturally been monitoring the work in progress. And whereas initially my concern was the effect the noise was having on my wife, my concern shifted to the unsafe and potentially dangerous way in which this operation was being conducted, and hence the reason for my complaint. This work was being undertaken in such a way that I can only describe it as a 'cowboy' operation.

DEVELOPMENT CONTROL
RECEIVED
27 JUL 2011
SUNDERLAND CITY COUNCIL

2



May I just add at this point that although not an expert in these matters, I do have some knowledge of the demolition and construction industry. Also for many years I was a safety representative, a shop steward, a full time union official and a member of the Industrial Tribunals for twenty years. Furthermore, I have a good knowledge of the Campground Site, having witnessed the full construction of all the on-site buildings from foundations to completion.

I know that the buildings, in particular the former Waste Reception Building, (to which in the main my complaint refers), where most of the activities were taking place, contained large volumes of asbestos. I also know that all of the steel work is lead-based coated. Apart from the potential hazards associated with the above buildings, (a depository for many thousands of tons of waste, of all descriptions, over the years) meant that the building would be heavily contaminated. The building was also rat-infested, with no controls within its confines for a number of years, as the building was declared 'unsafe' to enter. Pigeons in their thousands have roosted within the building for almost 40 years - all of these aforementioned items being potential health and safety hazards.

All of the above is confirmed in the Client and Contractor's documentation, which was to come into my possession some months later.

The above problems were compounded by the fact that the building has been subjected to a number of fires over the years, and vandals, in their search for scrap metals, had damaged asbestos coverings.

This was a building that no workmen should have been allowed to enter, unless they had full body protection. Coveralls etc. should have been worn, and properly disposed of in the appropriate way, at the end of each working day.

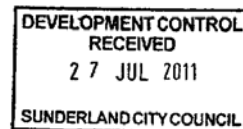
With the exception of only 2 men, wearing white coveralls, all other workmen were attired in ordinary work-clothes. Invariably men would have gone home in these clothes to their wives and children, the consequences of which may not come to light until many years hence.

All work was being carried out simultaneously, and to my mind, without due and proper care or consideration for the health and safety of the workforce, or indeed the adjacent residential properties and infant school.

With a combination of steel shearing and oxyacetylene burning, steel was being allowed to crash to the ground from a considerable height, resulting in clouds of dust rising and becoming airborne. The building had not been sealed off and there was no water or water vapour machinery in operation to suppress the dust.

Knowing the cocktail of contaminates this building housed, particularly asbestos, it was of great concern to me that the dust, spores and other contaminates, would easily be carried to the adjacent properties.

It is Gateshead Council's own assessment:-



3

'That the greater percentage of dust created on the Campground Site will fall within a 200 metres radius of the boundary.'



The infant school and a large number of residential properties fall within this radius.

I wrote again to the Environment Agency, but again they were unhelpful. However, I did receive a letter dated 13.11.08 from Mr. Tom Dixon, Principal Building Officer for Gateshead Council (A3). Mr. Dixon's letter was very vague and unhelpful – his letter states,

'I am writing to inform you of works the council is carrying out at the redundant waste transfer station buildings at Campground, Wrekenton.'

Mr. Dixon gives no details of this work whatsoever, referring only to 'works' or 'the above works'. I wrote immediately to Mr. Dixon (A2) but as I did not receive a response, I wrote to the Health & Safety Executive on the 20.12.08 (A2) expressing my concerns and asking – as I was so concerned about the way in which the demolition work etc. was being carried out – did the contractor actually have the appropriate licence for dealing with asbestos?

The HSE's response was to inform me that Mr. Martin Smith, an HSE officer, had actually visited the Campground site on the 25th of November 2008, and enclosing details of his inspection (A10 & 11)

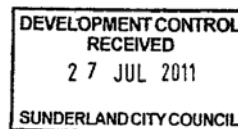
Given my own observations of the work in progress, and the fact that I was unable to obtain any proper information regarding the details of the contract, I actually found Mr. Smith's report quite alarming – so much so that I felt I had no alternative but to write with a complaint to Mr. R. Hirst, Principal Inspector with the HSE.

The details of my complaint are set out in a 9 page document, which I attach to this letter as Appendix 1 of the bundle, which I respectfully invite the Ombudsman to read in conjunction with this letter.

On the 30th December 2008, I received a response from Mr. Tom Dixon, dated 23.12.08 (A3) which was in response to my letter of 19.11.08. Once again I found Mr. Dixon extremely vague and unhelpful, but he did confirm that asbestos was being removed from the former waste reception building.

I wrote off immediately again to Mr. Dixon expressing my concerns at his lack of information etc. (A2). I did receive a brief acknowledgement to my letter from him, which was also copied to the LGO, stating he would respond to my letter in detail (A3), but to date, some 7 months later, no response has been received.

Following my complaint to the HSE (A1) there was an exchange of correspondence between us that can be found at A2 and A11 of the bundle. The outcome of which resulted in a meeting between Mr. R. Hirst, Principal Inspector and I on the 26th March 2009. This meeting was after the work was finished and the site cleared.



4

This meeting lasted for approximately five hours. Mr. Hirst was accompanied at that meeting by one of his colleagues Mr. McGill who took, if not verbatim minutes, certainly copious notes.

Mr. Hirst firstly explained that since writing to him, he had written to both Gateshead Council (the client) and Squibb Demolition Ltd (the contractor), requesting all documentation in relation to the demolition work at the Campground Site. This he had received, indicating two large bundles of documents on his desk. He had also met with both Gateshead Council and Squibb Demolition Ltd., and there had been an exchange of correspondence.

Towards the end of the meeting, I did make a request to be sent copies of all documentation. Mr. Hirst explained that this would have to be done through the appropriate channels, and he would require more time in any case to study the documents. Mr. Hirst, from then on, proceeded to go through my letter of complaint which took up the major part of the proceedings.

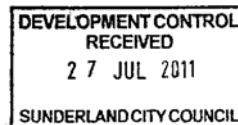
As my complaint against the HSE is a matter for the Parliamentary and Health Service Ombudsman, it is not my intention to go into any great detail regarding the meeting, other than to say that I quickly formed the opinion that Mr. Hirst's primary objective was the protection of his officer, Mr. Martin Smith, whose actions I believe are indefensible, and I believe my opinion is endorsed by the documentation of Gateshead Council and Squibb Demolition, which I was to receive some months later. All of which forms part of the attached bundle of documents, and which I will be making reference to throughout.

At the end of the meeting I requested a copy of Mr. McGill's notes. Mr. McGill showed me his notes, indicating I might have some difficulty deciphering them. I said I would be grateful if his notes could be typed for me. Mr. McGill said he would do this, but it would take about two weeks, as he was required in court the following week. As I did not receive the notes, I sent Mr. Hirst a reminder (A2). Mr. Hirst responded by saying that the typed notes had not been promised within two weeks, but they would be sent when it was convenient. He did however send me a copy of the hand-written notes, which I am unable to decipher in full, so I will refrain from quoting from them. To date, I'm still not in receipt of the typed version.

Although the LGO will not be considering my complaints against the HSE or the contractor, I trust the Ombudsman will appreciate that I need to make reference to all participants in this matter, as I feel the failings of all three parties are closely interlinked, and any one of them, acting in the appropriate manner and governed by current legislation, could have rendered any complaint from me totally unnecessary.

You will note in my letter of complaint to Mr. Hirst, which can be compared with Mr. Martin's notes of his inspection visit to the site on 25.11.08 (A10) makes a number of observations regarding the activities which are taking place, which are in clear contravention of Health & Safety legislation, the CDM regulations and the codes of practice for dealing with dangerous substances. All of these matters should have been dealt with prior to the work commencing, in compliance with the CDM regulations and

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the 1974 Health & Safety at Work Act. Neither the contractor nor the client provided a safe system of work, which continued for the duration of the contract.

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Prior to the HSE visit, a great deal of demolition work had already been undertaken. This work had been in progress for 22 days. It was a 7 day week operation with men working in excess of 12 hours per day. The following is a quote from the client's pre-tender documentation, showing the hours that should have actually been worked.

170A WORKING HOURS

Shall be normal working hours as defined below:

Where the works are to be executed adjacent to an occupied residential building work must not commence any earlier or later than as stated below.

Monday to Friday 8:00am to 6:00pm

Saturdays 8:00am to 1:00pm

Work will NOT be permitted on the following:-

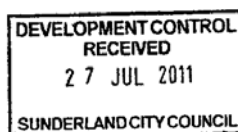
Sundays and Bank Holidays

Note: Christmas holiday period falls within the programme of this contract. Contractor to confirm to CA last day of working before break & date for restart of work after this period. Contractor to advise CA of actions to be provided for security of compound, cabins, skips, plant, machines, etc. & work areas for this "close-down" period.

In addition to the hazards associated with the burning of lead-coated steel and working in confined spaces, the work generated a great deal of dust – with steel being allowed to fall uncontrolled. The dust, in all probability, contained a cocktail of hazardous substances from all of the known and unknown contaminants within the building. If no dust sampling of any description had taken place, which appears to be the case, then it was incumbent upon both the client and the contractor, in accordance with the appropriate codes of practice to, *presume* that the dust contained dangerous asbestos and spores. Men working in close proximity to these operations did not wear protective clothing for dealing with these hazards, and the men who were actually engaged in the burning, had been supplied with the wrong type of respirator.

There is no evidence that the work-force ever received a proper induction before the work commenced. On the contrary, it is a fact that the men were given false information. It is the contractor's own evidence, supported by the client, that they believed the paintwork was lead-free, and would have conveyed this false information to the workforce, when in fact, according to the contract analyst,

'Samples contained significant levels of lead.'



6

I believe both the client and the contractor were aware of this before the samples were taken, before the work commenced, as the attached documents will show. Furthermore, the analyst paid regular visits to the site as a consultant, and the workplace risk assessment sheets No. SD021 states,

Hazards Identified.



Exposure to Lead.

Page 2 states,

'Ensure a survey has been carried out prior to any works commencing so as to ensure no operatives are exposed to asbestos based products or lead.'

The sheets are dated 03.11.08 (A5)

In addition to the above. Work-place risk assessment sheets No. SD007 state on page 1, under the heading:-

Hazards Identified,

'Exposure to lead-based paint'

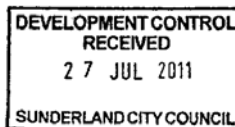
Page 2,

*'An assessment of the steel to be cut is to be made before any cutting work commences. This will allow the correct selection of RPE to be made (i.e. air-fed masks etc.)'
'Ensure ongoing health surveillance is carried out on all operatives from this task.'*

These sheets are also dated 03.11.08 which of course the client would have had in their possession before the work started. But both client and contractor ignored their own evidence.

I also draw the Ombudsman's attention to Squibb's, Health & Safety Action Plan, which is dated 26.11.08, which means that this certificate was made out, the day before paint samples were sent for analysis, and two days before the analyst actually sent off the result of the sample paint tests. How could Squibb do that if they didn't know if the paint contained lead?

Whereas the contractor claims they were not aware that the steel paintwork was lead-based, Squibb Demolition, according to their own literature, have over 40 years experience in the demolition industry, and therefore, with all the expertise at their disposal, would be aware of their lawful responsibilities under the various acts covering their industry. They would be conversant with all codes of practice covering hazardous substances. They would know that unless a substance is declared safe, they should *presume* it to be unsafe and act accordingly.



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There is no excuse for this company, they would know full well that what they were doing was wrong, and they knowingly allowed their employees to continue working in dangerous and hazardous conditions without protective clothing.

The contractor also knew, as did the client, that they had a statutory duty under the Health & Safety at Work Act, to make sure that people not in their employment, who may be affected by their activities, are provided with information and not exposed to risks to their health and safety.

Squibb Demolition, state in pages 9 & 10 of their 'Squibb Safety Plan Construction Phase:-



Works will inevitably impact on the adjacent properties, though this will be effectively minimized or obviated by means of the following:-

- *Dust Control.*
- *Noise Limitation.*
- *Traffic Management to adjacent roadways*
- **LLAISING WITH NEIGHBOURING PROPERTIES BY MANAGEMENT.**

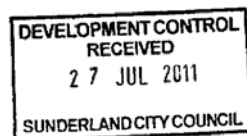
The process of notification shall be via site visits from Squibb Demolition Site managers, letter drops, as required, advising of the planned work activities.

No contact of any description was made to the adjacent residents, either by the contractor or the client, even though every attempt was made by the residents to obtain information. There was no dust control. There was no noise control.

At my meeting with Mr. Hirst of the HSE, he informed me that Mr. Martin Smith had stopped the hot-burn work because of what he had witnessed. I put it to Mr. Hirst that this had not been my observation and Mr. Smith made no reference to this in his report. Mr. Hirst said it was not necessary for him to do that. Mr. A.P. Bowen, head of property services for Gateshead Council in his letter to Mr. Hirst dated 6.3.09 makes the same claim and he states,

'When the error was pointed out by Mr. Smith as part of his inspection of the works; work ceased immediately.'

As I've said above, this did not concur with my observations, but more importantly for the Ombudsman is the recorded evidence of the contractors themselves. I refer the Ombudsman to A9 of the bundle, which are copies of the hot-burn certificate to work sheets which show quite clearly that on the 25th of November 2008; the day of Mr. Smith's inspection, work commenced at 7.am. and was not signed off until 6.30 pm. The following three days, the 26th, 27th and 28th of November followed the same pattern – there was no cessation of hot-burn work. The result of the paint sample tests was not sent off by the analyst until the 28th of November, after receiving samples on the 27th.



8

Mr. Bowen makes other statements in his letter which are not supported by the recorded facts, he states:-

'The structural stability of the former incinerator building has never been in question.'

The Environment Agency in a letter to me states,

'The building is unsafe to enter.' (A2)



Squibb Demolition Ltd., state in their SAFETY PLAN CONSTRUCTION PHASE:-

'The majority of buildings on site are deemed to be unsafe to access due to the ingress of weather and the degrading of the structural elements.' (A8)

Squibb's workplace risk assessment sheet SD07 states – under the heading of,

HAZARD IDENTIFIED

'Unsafe building structure.'

Mr. Bowen's letter goes on:-

'The Council's Environmental Health (Pest Control) Officer has had no reports of rat infestation from any of the adjoining properties.'

I wrote to Gateshead Environmental Health, informing them, that in addition to other matters, rat activities were on the increase.(A2)

Gateshead EH was to inform me that the matter of rats and odours did not come under their control, and they referred the matter to the Environment Agency.

The EA responded by saying that whereas rodent control did take place in and around the temporary RubbShelter, no control took place within the former waste reception building as *'THE BUILDING WAS UNSAFE TO ENTER.'*

Squibb Demolition's Risk Assessment Sheet No. SD005 states under:-

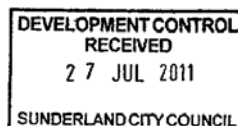
HAZARDS IDENTIFIED

LEPTOSPIROSIS – working in areas that are frequented by rats.

I also draw the Ombudsman's attention to the documentation attached to Mr. Bowen's letter (A3) which states, under the heading,

Sita Waste Transfer Station Type 3

Site walk through 30.5.08



9

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Main Site Risks –

Pigeon Droppings / Disease.

Rat Droppings /Disease.

Etc. etc. The document goes on: a lot of pigeon faeces and dead birds “there is also a possible rat population.”

You will also note in the documentation attached to Mr. Bowen’s letter there is an email which also makes reference to a complaint about rats, by an individual whose name has been blanked out. It is also clear from this email that the site operators leave a lot to be desired regarding their records of rodent control – the same applies to their general recording of on-site activities.

You will also note, apart from their other failings, that Squibb claim,

‘Pre-construction information received was inadequate regarding lead paint.’

‘Client potentially in breach of CDM Regulations 10 para. 2a.’ (A5)

You will further note that Mr. Smith sent an undated letter to Squibb (A11), which they said they received on the 1st of December 2008, but did not respond until the 22nd of December, in a letter dated the 12th December. Clearly another demonstration that Squibb do not think that the health, safety and welfare of its employees should be treated with any great urgency.

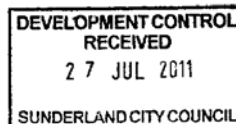
You will also notice in the bundle of documents (A3) a letter dated 19.2.09 from Mr. Bowen, apologizing for not responding to Mr. Smith’s letter of 28.11.08. It would appear that Mr. Bowen does not attach any great urgency to the matter of health and safety either.

It is also apparent that Mr. Martin Smith would not have received any response at all, if it had not been for my intervention, and letter of complaint, which prompted Mr. Hirst to make contact and meet with both the client and the contractor on the 18th of February.

What is also apparent from Squibb’s letter, received by Smith on the 22nd December and Gateshead Council’s letter of 19.2.09, is that Mr. Smith, who has sent off letters that one would expect required immediate responses, seems unperturbed by the fact that it’s almost a month before he gets a response from Squibb Demolition, and he does nothing at all when Gateshead Council do not even bother to send him an acknowledgement to his letter.

Mr. Bowen, in his letter of 19.2.09 states,

‘I refer to your letter dated 28 November 2008.’



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I apologise for the failure to respond to that letter as whilst the items you raised regarding site operations were dealt with immediately the letter had been filed without the necessary response having been made.'

How would Mr. Smith know that "matters were dealt with immediately"? Mr. Smith never visited the site again, this was confirmed by Mr. Hirst at my meeting with him. Mr. Smith didn't even bother to send Mr. Bowen a reminder. Mr. Bowen's letter of 19.2.09 is sent when work is almost completed. He writes again the 6th of March, after the work is completely finished, which I believe was always the intention.

I have already dealt with this letter previously, and I believe I have demonstrated, using a combination of the client's and contractor's own documentation, that virtually everything Mr. Bowen says in his letter is wrong, and not supported by client/contractor documentation.

When reading Mr. Smith's report of his site visit (A10), I don't think it was unreasonable of me to assume that he had actually witnessed work in progress. It appears that this is not the case. Following my meeting with Mr. Hirst and our exchange of correspondence, I received a statement from Mr. Smith. The sort of statement one would prepare for a court hearing (A11). What is evident from this statement is that Mr. Smith never witnessed any of the men working. He arrived on site during a tea-break and he spoke to the men in the canteen. As he never saw any men working, he must have left the site before the men's break finished.

Mr. Smith, as he freely admits, had no previous knowledge of the contractors, and he didn't know if this was a good or a bad company.

Mr. Smith says he did make a couple of 'phone calls, advising the recipients of his findings and making certain recommendations. Although there is no written record, it is claimed he prohibited the hot-burn work from continuing. If he did, then according to the site records, his instructions were ignored by the contractor and also by the client, who had an on-site clerk of the works.

Mr. Smith never saw the haphazard and unsafe way the contractor had been carrying out the demolition work on the previous 22 days before he visited the site – he never witnessed the operation in progress on the day of his visit. He never re-visited the site to ensure that the contractor was conforming to his instructions – or to the various health and safety regulations – or codes of practice governing the campground operation.

Even when both the contractor and the client failed to respond to his letters, it did not prompt Mr. Smith to consider a return visit.

According to Mr. Hirst, Mr. Smith's actions are perfectly acceptable and in keeping with the principles of a HSE Officer. If this is so, then I believe it warrants a thorough investigation into the HSE in general.

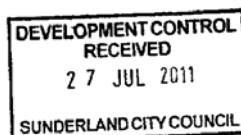
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Summary.

- 1) I believe my concerns and complaint, as set out in my letter to the Principal Inspector of the HSE, is both a fair and accurate account of the happenings at the Campground Site.
- 2) The building was dangerously contaminated throughout with all surfaces covered by a combination of:-
 - a) Pigeon faeces and dead birds.
 - b) Rat faeces and urine.
 - c) Asbestos in identified and unidentified areas.
 - d) Waste contaminates of all descriptions, some unidentified as a result of the building being used as a waste depository for many years.
 - e) All of the above combined into a dust cocktail, spread inches deep throughout the building, as a result of time, vandalism and weather ingress.
 - f) All water in pipes and pits contaminated.
 - g) The building was unsafe to enter because of all of the above, and according to the contractor, structurally unsafe.
- 3) All workmen entering the former Waste Reception Building, should have been supplied with full body-protection, disposable coveralls, including masks or respirators, gloves should have also been worn at all times.
- 4) Welfare facilities were inadequate. Men were changing and washing where they were eating. Rats identified at canteen area.
- 5) Lighting was inadequate in a building that was dark and dangerous, with walkways slippery with contaminated debris.
- 6) Project drawings were inadequate and not in keeping with current legislation.
- 7) There was no dousing safety shower unit to enable men to flush all contaminates from their coveralls and protective equipment before they stripped.
- 8) There were no dust preventative measures in operation. Because of steel-burning and traffic movement in and out of the building, dust was allowed to rise in clouds and be carried on the wind, thereby putting not only the site operatives at risk, but also the adjacent residents and school children.
- 9) There was no noise protection for adjacent residents – workmen did wear ear protectors.
- 10) Steel was allowed to fall in a dangerous manner. Apart from the dust that was raised, steel would miss the skips and ricochet in all directions which was a threat to those on the ground, and also those in the Cherry-picker, as a tyre could have been burst by the steel, causing the Cherry-picker to tip.



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- 11) As the documents show, the contractor did not conform to working hours, as stipulated by the client. The contractor worked 7 days per week, sometimes in excess of 12 hours per day, including Saturdays and Sundays.
- 12) Neither the contractor nor the client liaised with the adjacent residents as stipulated in their documentation.
- 13) The client refused to supply the residents with any information at all with regard to the details of the job or the working hours.
- 14) The Environment Agency refused to give any information or check the complaints of the residents, which was their statutory responsibility as this was an environment problem.
- 15) The contractor and the client, after being informed that the hot-burn operatives were working in an unsafe manner, without the appropriate respirators, allowed the work to continue after the HSE Officer left the site.
- 16) The contractor took almost a month to respond to the HSE Officer's letter, and only offered to send their safety officer sometime in the future for a site visit.
- 17) Gateshead Council did not respond to the letter they were sent at all. There was eventually a response dated the 6th of March, this was after all the work was finished and only because of my complaint, which had brought about a meeting with the Principal Officer of the HSE and Gateshead Council on the 18.2.09
- 18) Although the contractor now blames the client for potentially being in breach of the CDM Regulations, I believe both parties are equally at fault with regard to the CDM Regulations, also equally at fault and in contravention of the 1974 Health and Safety at Work Act, in that they failed to provide a safe system of work and they both compounded their failings by allowing the men to continue to work, even after they have been informed of the potential hazards. Furthermore I believe, and the contractor's own documentation shows, that they had already identified the hazards of lead before work commenced, and they had provided the client with this information in documents dated 3.11.08.
- 19) If the employees were inducted, then it was done so under false pretences. The men would have been informed by the contractor that the steel work was not lead-based.

In conclusion, I believe both the client and the contractor – with every expertise at their command to guide them – have acted with total disregard for the health and safety of the workforce/adjacent residents and the infant school children.
I believe the Health & Safety Officer, Mr. Martin Smith, may have touched on the reason for this, when he states that Gateshead Council have a number of duties as the client:-

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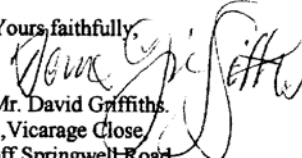
'A) To provide information necessary to allow contractors to tender realistically for the contract. The presence of lead may have a significant impact on the costing and timing of the work, the precautions necessary and the selection of operatives if flame-cutting is required.'

My observations were that this was a job that was being carried out with undue haste, with little or no consideration for health and safety regulations. Were the contractor and the client operating in such a manner just to avoid costs, or were they hell-bent on clearing the site as quickly as possible – because once the site is cleared, it is difficult to substantiate any complaints?

I also believe that the HSE officer, Mr. Martin Smith, failed to properly investigate and monitor the site. There were far more problems on this site than those proposed by lead or asbestos. However, these are matters for the appropriate authorities to investigate, but if I may just say in closing, if Mr. Smith had taken the time to examine the on-site risk assessment documents, he would have seen that both the client and contractor were aware that the steelwork was covered with lead-based paint.

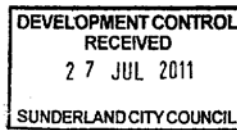
In the interest of public concern in these matters, I trust the Ombudsman will consider this a complaint for investigation.

Yours, faithfully,


Mr. David Griffiths
1, Vicarage Close
off Springwell Road,
Wrekenton,
Gateshead,
NE9 7AA.

Tel. 0191 4821920.

Enc.



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20th October 2008.

The Local Government Ombudsman.
P.O. Box. 4771.
COVENTRY, CV4 0EH.

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Dear Sirs,

Re. Waste Transfer Station, Campground, Wrekenton, Gateshead, 9.

I wish to register a formal complaint against the operators and associate authorities, in relation to the above waste transfer facility.

You will note from the attached bundle of documents that I list various complaints against the following:-

Sita UK. - Gateshead Council. - Gateshead Environmental Health Department. - Sunderland City Council. - The Environment Agency.

(1) **Site Location.** The site is located at the far north-west boundary of Sunderland City Council, and adjoins the south boundary of Gateshead Council. The north boundary of the site is actually situated on the aforesaid boundary, and also forms the boundary between my land and the waste transfer station (see site plan and Google ariel-view, pages 70 & 71 of bundle)) The plant is situated on green-field land, and is some ten miles from Sunderland and Durham.

(2) **History.** In 1968 Gateshead Council (a smokeless zone authority), applied for, and was granted, permission from Durham County Council to build an incinerator on the above site to deal with the disposal of refuse. The land in question, through constituency border changes, later came under the jurisdiction of Sunderland City Council. Gateshead's application to build the Incinerator created an anomaly whereby, as the owners, applicants, builders and users of the site, they were not obliged, under normal planning regulations, to inform their constituents of their intention to build the Incinerator, as the plant was situated within the Sunderland Boundary, they claimed then, as they do now, and I quote from the Leader of the Council's letter dated 19.8.08,

'The site is not in Gateshead Council's administrative boundary therefore Gateshead, as a local planning authority, has no jurisdiction in respect of the waste transfer station. Sunderland City Council is the planning authority responsible in this case, and they are therefore the appropriate enforcing body for any planning related matters involving the site.'

All very convenient for Gateshead Council! They have been able to operate the Incinerator and the site for over 35 years, without it seems, any controls or responsibilities placed upon them; even though the Incinerator poured out thousands of tons of noxious fumes onto Gateshead's constituents, over an area which they, the council, had declared a smokeless zone.



Sunderland City Council have adopted a similar policy as far as the residents of Wrekenton are concerned. And they too, like Gateshead Council, take advantage of the above anomaly, stating in the letter from Sunderland's head of planning and environment, coincidentally, also dated the 19.8.08,

'Your concerns about the effect upon your quality of life due to noise, vermin and odours are appreciated. However, although the site is within Sunderland, you, as the receptor of these effects, are a resident of Gateshead.'

From the beginning of its operation in 1973, the residents of Wrekenton and the surrounding area were concerned about the emissions from the Incinerator, and the effect they believed the emissions were having on their health and that of their children. This is a well documented episode in the life of the plant, and not the nature of my current complaint. Suffice to say the Incinerator ceased to operate in 1988; Gateshead council claiming it had reached the end of its operational life, the truth being it was shut down because of the unacceptable emissions.

The residents of Wrekenton hoped this was the end of the site altogether, but this was not to be. Without the submission of a planning application for change of use, Sunderland Council, in collaboration with Gateshead Council, agreed to operate a baling and waste transfer station.

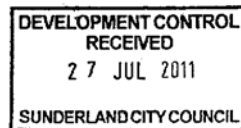
In March 2004, one of many fires over the years, destroyed the baling plant.

In December 2004 Gateshead Council and Sita UK, made a joint application for a temporary licence to operate a Rubb Shelter. This was granted in February 2005; the actual operation commencing sometime later.

The Complaint.

Early in 2007 it was noticeable that firstly, there was a gradual increase in both activity and noise coming from the site, particularly in close proximity to the north boundary of the site which is adjacent to our land; then after a while an increase in unpleasant odours. In the past we have experienced unpleasant smells from the plant, particularly if the wind was blowing in our direction. Now however, the stench was more or less permanent, regardless of which way the wind was blowing, and more so as the weather became warmer.

There was also a noticeable increase in rat activity, and daily sightings became the norm. Our observations, over a period of time, confirmed that household waste was being deposited on the roadway at the north boundary of the site; in front of the former waste reception building. This seemed to take place mainly at weekends. A clean-up operation would take place during the following week, and could take up to 2 or 3 days to clear, depending on the volume of rubbish that had been deposited. During one period in particular, the waste was allowed to build up over a 2/3 weeks period, which amounted to many tons, covering virtually all of the roadway to the north of the former waste reception building, which now stands derelict. At this point in time I was not conversant with the terms and conditions of the operator's licence or site working plan; but what was



happening now with regards to excessive noise etc. was far worse than anything else we had experienced in the past.



After two months or so of these activities – it was obvious that what was taking place on site was not just a short-term operation, brought about by some emergency, but this new practice had become part of the daily operation. The noise being generated was by much larger vehicles, which had not been used on site before, driving up to the north boundary which is the boundary between the site and residential properties; to deposit their load. To reach the north boundary, the wagons have to climb an incline which results in more noise and vibration being generated.

The clean-up operation involves the use of a driver-operated mechanical shovel; which creates a deafening racket when performing the clean-up. The operator will drop the bucket of the machine some 20 feet or more from the pile of debris with the most deafening thud which actually shakes our houses. The bucket is then scraped along the ground into the rubbish. The driver then lifts the bucket and reverses his machine, making a u-turn in order to line up with the skip. The nature of this operation during the clean-up process, means that the machine spends as much time in reverse as it does in forward gear. This brings the reverse warning signal into play, which was so loud it could be heard some 200 metres away, and is virtually constant throughout the whole operation. When depositing the rubbish into the skip, the driver will crash the bucket onto the rim of the skip a number of times, in order to clear the bucket. This is steel crashing onto steel, making the most horrendous noise. The driver will then reverse his machine and repeat the process again until the rubbish is cleared, but soon to be replaced by more rubbish.

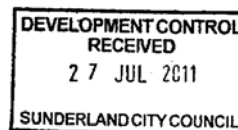
I might add that all of this activity takes place in front of the former, and now derelict, waste reception building which is of steel construction with tin sheet covering. This building acts as a sounding board which both magnifies and reflects the sound in the direction of residential properties.

If the above activities were to take place at the south side of the building (which I've suggested to site management), the building would act as a sound baffle and protect residents from excessive noise and vibration; which has the most profound effect on our quality of life and well-being, and indeed our health.

As I've said earlier, I was not aware at the time of the conditions of the licence or site operation plan, but I assumed at the time that the purpose-built Rubb Shelter was unable to contend with the volume of waste that was coming on site, hence the dumping of waste everywhere and anywhere on site.

With regard to the Rubb Shelter itself, whereas within its confines it is accepted that dust and odours could be effectively controlled, the same cannot be said of noise. The shelter is of canvas construction and affords no sound insulation; therefore noise generated within the shelter is not contained, as would be the case if the shelter had been constructed in line with Sunderland City Council's own guidelines, and constructed with brick or cement breeze blocks, with cavity walls and insulation.

What I and my neighbours did not know then, but have subsequently learned since raising our complaint, is that the shelter is designed to store some 400 tons of waste



which is constantly turned over, and then re-loaded onto larger vehicles for transport to land-fill sites. The mechanical shovel used for this operation is much larger than the one described above. As I've described in correspondence to the various participants, when this machine drops its bucket, it's like a bomb going off, that shakes the house, this is accompanied by the usual scraping and banging. During its operation, the machine also gives off a low rumbling sound which is rather like distant thunder.



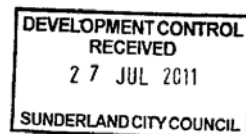
This can be very disturbing, and I have learned from others, more educated than I in these matters, that this is referred to as 'Infrasound Vibrations' that can come from a number of sources, including the machine which I've described. All in all the noise and disturbance that now emanates from the site is far greater than anything we have experienced before. When the site operated as an Incinerator, any noise generated by the overhead crane feeding the furnace was contained within the waste reception building. Likewise, when the Incinerator was closed down and the baling station commenced its operation, we were not disturbed by any excessive noise. The baling plant was situated at the south east corner of the former waste reception building, therefore if any noise was generated by the baling plant, then the operation was out of both sight and sound; the residents being shielded by the waste reception building.

I wrote to Gateshead Environmental Health Department on the 14th June 2007, outlining my complaint against excessive noise, odours and rat infestation coming from the campground site. Although I have lived in Wrekenton virtually all of my life, and have owned the land on which I now live before the Incinerator was built; my letter of the 14th June 2007, was the first complaint I have made against the plant. I believe this fact goes some way to demonstrate that there must have been a dramatic change in the plant's activities to warrant me having to register a formal complaint.

An officer from Gateshead Environmental Health visited me on receipt of my letter, informing me first of all that she didn't even know that the plant existed. However, she informed me that she had visited the site that morning and, although rats and odour complaints did not come under her jurisdiction, she had raised the matter with management, and it was admitted that waste had been dumped at the north boundary; and she would refer the matter to the Environment Agency. She also said she had raised the question of noise, which did form part of her responsibilities, and management had agreed to substitute the reverse warning bleeper with a White Noise Box, which is less intrusive.

I then received a letter dated 3rd July 2007 (page (1) of bundle), from Ms. Alys Evans, Environment Agency Officer, advising me that my letter of the 14th June to Environmental Health had been referred to them. She explained the role of the Environment Agency, and what should be taking place on site with regard to dust and odour controls etc. However she advised me that,

'With regard to the noise problems you have described, this issue falls under the remit of the local council, i.e. Gateshead Council Environmental Health.'



As I was not happy with the contents of Ms. Evans' letter, I wrote back to her on the 12th July 2007, outlining my disagreements and also requesting a copy of the operator's licence (see page (3) of bundle).

I received a response to this letter from Ms. Evans dated 19.7.07, together with copies of the licence/working plan, site plans, existing and proposed (pages (76/77) of bundle) which in the main, tend to contradict, and are in conflict with the statements Ms. Evans makes in her letter. By way of example she states,

COPY

'The site is allowed to store road sweepings at the top bay, and have just begun to do so again after re-opening.'

The licence states,

'4.13.6 Gully emptying and road sweepings waste will be de-watered, by discharge into the sewer connection, prior to the solids being deposited directly into the waste transfer station main storage area.'

There are a number of Ms. Evans' statements which I challenge, and these are set out in my response to her in my letter dated 6.8.07 (page (7) of bundle).

I also wrote simultaneously to Ms. Louise Bilcliffe of Gateshead Environmental Health, on the 6.8.07 (page (8) of bundle), enclosing copy correspondence to date, and informing her that nothing had been done with regard to my complaint.

Ms. Bilcliffe responded on the 9th of August by enclosing a pamphlet entitled, '**Neighbour Noise Problems**', this was the last time I heard from Gateshead Environmental Health Department.

I responded to Ms. Bilcliffe's letter of the 9th August, once again going over the problems (page (11) of bundle). There was no response.

I wrote to Ms. Bilcliffe again on the 5th October (page (12) of bundle) expressing our concerns that nothing had changed, and requesting to learn if she had had any further discussions on the matter. Once again, there was no response.

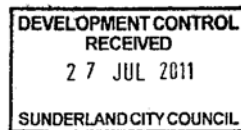
I received a letter dated the 20th August from Mr. Graham Siddle, Team Leader of Environment Agency Management (pages (13/15) of bundle), which was in response to my letter of the 6.8.07, addressed to Ms. Evans. Mr. Siddle responds to the points I raised in that letter, stating,

'I can confirm you are correct in your statement that the working plan states that road sweepings must be deposited within the transfer building.'

This of course contradicts the statement of Ms. Evans that,

'Road sweepings can be stored at the north boundary.'

Mr. Siddle goes on,



'The noise control at this site can be regulated by the agency or council (or both) depending on the circumstances surrounding the noise source.'

This also conflicts with the statement of Ms. Evans when she claims that noise is the remit of Gateshead Environmental Health.

Mr. Siddle's statement concurs with that of the operator's licence which states,

COPY

'63 Control of Noise.'

'63.1 Although the transfer station is located close to properties, to date, concerns about noise have not been raised as being an environmental nuisance issue. In the event that this situation should change in the future, then appropriate control measure will be agreed with the Environment Agency and the local Environmental Health Department, and will be implemented and maintained throughout the operational life of the site.'

In the first place with regard to the above, which is a quote from the April 2008 licence approved by the Environment Agency, it is simply not true to say there were no noise complaints from residents. Our complaints were registered on the 14th June 2007, and are still ongoing some 16 months later. When 63.1 was drafted, all parties, as the enclosed correspondence will endorse, were aware of our complaints – SitaUK, Sunderland City Council, The Environment Agency, Gateshead Council and Gateshead Environmental Health Department.

In addition to the above, the Environment Agency withheld this information from Sunderland Planning department when they submitted their comments on the 19th January 2008, with reference to the planning application for the extension of licence by Gateshead Council and Sita.

Secondly, with regard to 63.1 of the licence, both the Environment Agency and Gateshead Environmental Health, would be fully aware that they had an obligation to jointly deal with the complaints immediately. This they have failed to do, either as a result of gross negligence or, as subsequent events have led me to believe, a deliberately contrived act on behalf of all parties, in order to thwart the complainants in their attempts to obtain a satisfactory resolution to their problems.

I responded to Mr. Siddles's letter on the 28th of August, signed p.p. accepting his invitation to meet with him on site (page (16) of bundle). I wrote again to Mr. Siddle in October, clarifying a point he raised in his letter of the 20th August, and once again informing him I was agreeable to a site meeting (page (17) of bundle).

There was no response to my October letter. No date was offered for the proposed site meeting, in fact I never heard from Mr. Siddle again. I did write to him on the 9th of May 2008, but as the enclosed documentation will show, my letter of the 9th May was answered by Ms. Alys Evans.

Following my letter in October 2007, and in particular the weeks in the run-up to Christmas, there was a marked decrease in the activities at the north boundary of the site. Certainly during the Christmas period, running into January and February, activities had ceased altogether, and the noise from the Rubb Shelter was much reduced. I believed at the time that at long last the Environment Agency was having some effect on the

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operators, and they had persuaded them to operate within the confines of their licence conditions. However, as subsequent events and the bundle of documents will prove, this was not the case, and what was subsequently to take place gave us even greater cause for concern.

COPY

Notice was received from Sunderland Planning department, dated 29.1.08 that a joint application had been made to them by Gateshead Council/SitaUK, for an extension of the current operators licence at Campground, Wrekenton (Page (19) of bundle).

In my absence, a response objecting to the proposed extension was sent by my son, on my behalf and signed by my immediate neighbours (page (20) of bundle). There was no response to this letter.

On the 21st February, I wrote again to Miss Danielle Scott, Senior Planner at the Sunderland Planning department (Development & Regeneration Services) giving further and better particulars regarding our objections, as promised in my letter of the 11.2.08 (page (21) of bundle). This received a standard response.

I wrote to Miss Scott again on the 9th of May 2008, (page (22) of bundle), putting forward a number of suggestions that would minimize the problems we were having with the plant, should Sita be successful with their application. I concluded by saying,

'I would appreciate your acknowledgement to this letter.'

There was no response.

I wrote to Miss Scott again on the 23rd May (page (27) of bundle) stating,

'Further to my letter of the 9th of May which unfortunately has not been acknowledged, I enclose for your perusal copy correspondence and photographs which I have sent to the Environment Agency which I trust you find self explanatory.'

Once again there was no response.

In my letter to Mr. Siddle, also dated the 9th of May (page (23) of bundle), I describe that Sita have re-commenced their noisy activities – giving both times and dates, also enclosing photographs of these activities. I state in my letter,

'I have no doubt that once a new licence has been granted (if it hasn't already) Sita will very soon revert back to its original bad practices, etc. etc.'

I close by asking Mr. Siddle again, to arrange the site meeting.

I was not aware at this time that Sita were granted the extension to the licence in March, and did not learn of this until I met with Sita management on the 12th June 2008. I was also not aware, and did not learn until I received a letter dated 3.7.08 from Sue

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Longstone, North East Area Manager of the Environment Agency, that although I had complained about the unlicensed activities for over a year, the Environment Agency's solution was not to find ways and means of minimizing the problem, as the licence they approved stipulates, but to licence the unlicensed activity, then claim that the operators were operating within the terms and conditions of their licence and working plan. This is a ploy that the Environment Agency, as subsequent events and correspondence will show, employed on at least 3 occasions. A bit like the government declaring that burglary and drug smuggling are no longer criminal offences, then taking credit for reducing the crime rate, but the victims still have to suffer the consequences.



My letter to Mr. Siddle of the 9th of May, was not answered by him, but by Ms. Alys Evans in a letter dated 15.5.08 (page (24) of bundle).
Ms. Evans opens her letter by stating,

'I hope the council have responded to your concerns of noise on the above site.'

This statement immediately tells me that contrary to 63.1 of the licence, and Mr. Siddles's letter of 29.8.07 – later to be confirmed by Mr. Haswell, Site Manager for Sita, on the 12th June 2008, that the Environment Agency had done absolutely nothing about our complaints.
Ms. Evans goes on,

'Since our last letter we have been inspecting the site periodically and have not noted any licence contraventions.'

This is partly true, because, as I've mentioned previously, there was a lull in the activities at the north boundary, when indeed activities stopped altogether leading up to, and after Christmas. This, as I've also said earlier, I mistakenly believed was because of the intervention of the E.A. But as Ms. Evans' letter shows, and Mr. Haswell confirmed at the meeting of the 12th of June, the improvement was nothing to do with the E.A. Mr. Haswell had an ulterior motive, he had ceased the activities to ensure he would obtain the extension to the licence.

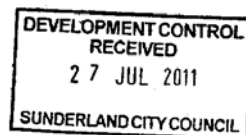
Ms. Evans' letter goes on,

'I understand that some rubble was temporarily stored in skips along the north boundary which I have asked them not to do.'

When Ms. Evans states,

'I understand some rubble etc.'

This confirms to me that she had not visited the site to check out my complaints, but had relied on what the operators told her – which was totally false.
Ms. Evans' letter goes on that she asked the operators not to store rubble at the north boundary, which I believed was in keeping with the operator's licence, but unfortunately,



as the attached correspondence will show, there was a complete reversal of this statement at the site meeting which took place on the 12th June 2008.

On the morning of this meeting, from 7 a.m. up until the commencement of the meeting at 10 a.m. the mechanical shovel had been busy clearing up the debris at the north boundary.

At the meeting, I raised this point immediately with the assembled personnel, and I was quite taken aback when the yard foreman, who was in attendance with Mr. Haswell, Sita's site manager, denied that any such activity had been taking place. I put it to the assembly, and in particular the yard foreman, that I had been observing their activity for over two hours prior to the meeting. But he vehemently continued with his denial, so much so that I'm sorry to say that I had no alternative but to call the man a liar. Mr. Haswell interjected, instructing his yard foreman to remain silent.

COPY

Ms. Alys Evans, for the Environment Agency, who was accompanied by a male colleague, informed the meeting that Ms. Louise Bilciffe, Gateshead Environmental Health Officer, would not be putting in an appearance. She, Ms. Evans, would therefore not be discussing the question of my noise complaints. This was the main reason I was present, I had waited for some twelve months for this meeting and I'm informed it is not on the agenda. I put it to Ms. Evans that the E.A. had an obligation under the operating licence to investigate noise and this had been confirmed in Mr. Siddle's letter of the 20th August, 2007. Ms. Evans however, would not be moved from her position. Following this the discussion centred on the application for the extension of the operator's licence. Mr. Haswell informed me that Sita now had the licence, which he then produced for my inspection. I was really taken aback by this - I had been writing to both the E.A. and Sunderland planning department, as it had now turned out, after the extension to the licence was granted in March 2008. It was clear from my letters that I was not aware that the licence extension had been granted (see pages (22-28) of bundle).

Not only was I not informed that the extension to the licence had already been granted, but neither the E.A. nor Sunderland City Council, had even bothered to respond to my letters. I informed the meeting that I was not aware that the licence extension had been granted, and Mr. Steve France, principal planning officer for Sunderland City Council, replied by saying that I was sent a letter in April informing me that the licence extension had been granted in March. I refuted this, and I believe my unanswered letters, as mentioned above, support my claim that no letter was sent to me. I believe my claim was further substantiated when I received a letter from Sunderland's head of planning and environment, (with reference to the letter that was allegedly claimed by Mr. France, to have been sent to me in April) which states,

'However since that time the department's postal records have been examined and it is not certain that the letter was definitely sent out.'

I wrote to Mr. France after the meeting (page (31) of bundle), giving my reasons why I believed the letter he had referred to was never sent out to me. Mr. France did not reply to my letter. I wrote again on the 19th June 2008, there was no reply,

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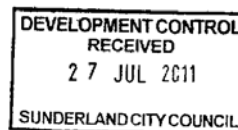
When Mr. Haswell showed me the new licence, he said that as he now had the licence, he would be resuming his activities at the north boundary – tipping anything and everything. Ms. Evans said Sita always had the right to tip at the north boundary, including road sweepings. This statement not only conflicts with her letter of 15/5/08 (page (24) of bundle) but also contradicts the statement of her team leader in his letter to me dated 20/8/07 (page (13) of bundle).

I asked Ms. Evans, if what she was saying was true, why had she asked Sita to stop tipping activities at the north boundary in her letter of the 15th, and why had the noisy activities, of which I'd complained, ceased for approximately three months? Mr. Haswell said this had nothing to do with the E.A. He had curtailed the activities, of which I'd complained, during the preparation and presentation of Sita's/Gateshead Council's extension application, in order to ensure the licence would be granted. This statement was made with total frankness, and one which I expected the E.A. and the planning officer to respond to, but none of them said a word. What Mr. Haswell had said, meant that any officer from planning or from the E.A. or indeed a noise assessment expert, would be given a totally false impression of activities or noise pollution that normally took place on site. Now that Sita had their licence, normal service had been resumed. Mr. Haswell had made his statement without fear of any repercussions, and none was forthcoming, certainly not from those officers sitting around the table. It appears from the reaction, or more correctly, lack of reaction, from these officers, that it's quite acceptable for Sita to cheat. On reflection, I'm at a loss to understand why Mr. Haswell bothered to curtail his activities at all – because on the evidence of my own eyes and ears, these people would have raised no objections at all to whatever Sita did on site, and the conditions of the licence/working plan appear to be totally meaningless to them.

While in discussion, I noticed that Ms. Evans had in her file photographs and rough sketches I'd sent to both the E.A. and Gateshead Environmental Health Authority. I asked if they were some of the photos. I had sent and was told they were. I took them and showed them to Mr. Haswell. From his expression, it was clear that he had not seen the photos before – so I asked him if he had seen any of the photos. I'd sent to the E.A., or my letters, and he said 'No'.

I asked Ms. Evans why the evidence I had been sending to the E.A. had not been put before Sita. She said it was to preserve my anonymity. I've said in my formal complaint against Ms. Evans, that I believe this was a pathetic excuse, in view of the fact that I was at a meeting with the company against whom I've been complaining for over a year. What I believe her statement did convey to me, taking on board her statements, both verbal and written:-

- 1.) Asking me in her letter of the 15th May, 'Has Gateshead EHA done anything about your noise complaint?'
- 2.) Informing me at the meeting, that noise did not come under her jurisdiction.
- 3.) Mr. Haswell's statement that the reduction in noisy activities was nothing to do with the E.A., but something he had introduced in order to assist him in obtaining the licence.



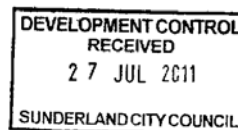
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- 2.) Informing me at the meeting, that noise did not come under her jurisdiction.
- 3.) Mr. Haswell's statement that the reduction in noisy activities was nothing to do with the E.A., but something he had introduced in order to assist him in obtaining the licence.



4.) Concealing from Sita the photographs etc. I had provided as evidence.

was that the E.A. and Gateshead EHA, had done nothing whatsoever regarding my complaints. My beliefs were reinforced when we left the meeting for a tour of the site.

Our first stop on the site tour was outside the former baling plant. It was explained that the baling plant was non-operational as it had been destroyed by fire. Tyres of various sizes were now being stored in this vicinity. On checking the site plan on my return home, the various depositories were clearly identified. The tyre depository was shown as the south east corner of the site, hidden from view by buildings to the south, and a 20ft. high wall to the east. Where the tyres were now being stored was in full view of potential vandals, and a potential fire hazard. The operators express in their licence at 4.12.1,

'Fires should not occur at the site unless deliberately started by trespassers.'

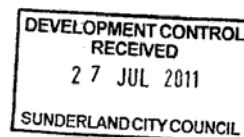
The site has a history of fires over the years. The former waste reception building is a burnt-out hulk, and condemned on health and safety grounds, as a result of those fires. The baling plant, which was incorporated as part of this building, is now non-operational because it was destroyed by fire. The site has always been an attraction for scavengers and vandals, as the debris that is discarded on the former mineral line and the surrounding area, after their excursion over the fence, will testify. It has always been my understanding that the best way to deal with fires, is to prevent them starting in the first place. Here you have the bonfire already prepared, and in full view of vandals – who are known on occasions to have set fire to stolen cars on the adjacent east field, and whom I'm sure will not require much encouragement to put a match to the tyres. Apart from the fact that the storing of tyres in this area is a flagrant breach of the licence, it appears to go unnoticed by the E.A.

Although I know as fact that this practice has been ongoing for at least 18 months, prior to the site visit on the 12th June 2008, Ms. Evans states in her letter of the 15th May 2008,

'Since our last letter we have been inspecting the site periodically and have not noted any licence contraventions.'

I did mention the above licence violation in my formal complaint against Ms. Evans, which resulted some months later, in the E.A., not as one would expect, instructing Sita to comply with its licence conditions and ensuring that the tyres are stored in the secure depository, as shown on the site plan – but granting permission for Sita to continue storing the tyres in an area, which I believe most reasonable people would regard as unsafe.

Our continued tour of the site took us to the north boundary and the remnants of the clear-up operation which had taken place that morning, and which the yard foreman had denied, were still in place. The pile of rubbish of approximately one ton, contained



bricks and mortar, sanitary ware and the remnants of plastic bags. None of which was ever seen by the E.A. 'Inspections'.

We then moved on to the Rubb Shelter, where the larger of the two mechanical shovels was in operation. As the shelter affords no sound protection, the noise was deafening, normal conversation was not possible because of the noise and vibration generated by the machine. I did lean towards the E.A. officer and asked her, in a raised voice,

'How would you like this outside your bedroom window every morning?'



Ms. Evans made no response.

On the site plan shown to the Sunderland planning committee, it shows the entrance and exit to the Rubb Shelter, using just the one road which is on the western side of the site (pages 68/69 of bundle), this is false. Entrance to the Shelter is actually gained by using the roadway on the eastern side of the site, then swinging west across unmade ground to enter the Shelter – the vehicles then exit via the western roadway. To use the unmade ground, as both a roadway and tipping area, is a further violation of the operator's licence/working plan, which states,

'2.1 Site surface and drainage systems.'

'To reduce the risk of any pollution of surface water, the working areas of the facility will be surfaced with concrete or tarmacadam. The operational areas will be separated from the adjoining landscaped area by kerbs, as a means of directing rainwater towards the surface water drainage system. The surfaced area will have suitable gradients to promote run-off towards the drainage gullies.'

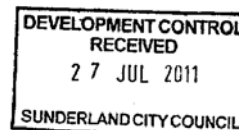
None of the above applies to the unmade ground. The applications that went before the Sunderland planning committees in 2005 and 2008, never gave any indication that the unmade ground would be incorporated into the working system. The applications were therefore false, as the applicants had deliberately concealed their intentions.

Apart from the wagons trundling over this ground and tearing it up, which results in the mechanical shovel having to level the land on a regular basis, tipping also takes place in this area. The operators state in their licence application,

'4.3.2 It is not reasonably practical for a visual inspection of each load to be carried out by the weighbridge attendant, and the main inspection will take place at the time of deposit.'

It therefore follows, that should any load be deposited onto the unmade ground, that should happen to contain contaminants, then these contaminants will not be dealt with as described under the **Site Surface and Drainage System**, but will leach into the ground. The same can be said of any leakages from the wagons, as they pass over the ground.

I assume that the surface and drainage system is written into the licence and working plan, for good reason. If the licence applicants intended to utilize the unmade ground



into their operational system, then I believe it was incumbent upon them to declare their intentions. I believe it was also incumbent upon both Sunderland City Council and the Environment Agency, to ensure that before the licence be granted, that the applicants are directed to make good the unmade ground so that it conforms to 2 - 2.1.5 of the Site Engineering for Pollution Prevention, and the operation to cease until the above had been complied with.

As it happens, the above has not been complied with for a number of years, therefore any contaminates will have been leaching into the ground all this time.

COPY

What is not mentioned in any of the documentation dealing with planning applications for the Campground Site, is that this site is part of the catchment area for the River Don, (page (72) of bundle), which rises in close proximity to the Campground Site. It therefore follows that any contaminates that leach into the ground at the above site, will in all probability, percolate their way to the Don. The River Don is a tributary of the River Tyne, and is graded as grossly polluted. The Don joins other tributaries to the Tyne and it's not unreasonable to assume that it contaminates these also on its journey to the Tyne. The above activity as described, is a further contravention of the licence which has been ongoing since 2005, but unfortunately quite unnoticed by the Environment Agency.

I put it to Mr. Haswell that as they were now incorporating this land into their working practice, why did they (Sita) not properly prepare it? I put it to him that the two small dilapidated buildings, identified on the site plan as former gas bottle store and boiler house, be demolished - as they were unused and in a poor state of repair. This would provide additional space to store skips etc. which would dispense with the need to store them at the north boundary, and also dispense with the need to have rubbish deposited there, which is then loaded onto the skips with all the accompanying noise. My suggestion, if considered, would also have been in keeping with the recommendations of Ms. Marion Dixon, of Sunderland Council's Environmental Health, which states at pages (34/35) of bundle,

'Siting of machinery e.g. the use of available shielding such as walls or buildings, the judicious placing of materials stores and distance from noise sensitive premises.'

This suggestion, and others, were sent by Ms. Dixon to Sunderland Planning Department on request, but never put before the planning committee. Mr. Haswell's response to my suggestion was to ask,

'Do you have £20,000?'

I put it to Mr. Haswell that it was not for me to finance Sita's work, that should have been done prior to them using the unmade ground. I then asked Mr. Haswell about the reversing bleeper on the mechanical shovel, surely it would have been a simple matter to exchange this for something more acceptable. Mr. Haswell said he would look into it. Although I did not ask him the question directly, it was obvious from his expression that he had not had this put to him before.

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I subsequently received a letter informing me that the bleeper would be replaced at the machine's next service, which it was, four weeks later.

I believe the above demonstrates that the Environment Agency and Gateshead Council's Environmental Health Department, in a twelve months period, had done absolutely nothing regarding my complaints. My asking about the bleeper concluded the site tour. Although it was obvious to me that contraventions of the licence were visible and ongoing, not one word was said by the Environment officers, or the officer from Sunderland Planning Department, as we toured the site. When leaving, I informed Ms. Evans that it was my intention to formally complain about her conduct.

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This I did, setting out my complaints to her in a letter dated 18th June 2008, giving her the opportunity to respond to my criticisms. A copy of the letter and a covering letter were sent to Mr. Graham Siddle, Team Leader of the Environment Agency (page (30) of bundle), copies were also sent to Mr. Haswell and Mr. France. Neither Ms. Evans nor Mr. Siddle responded to my letter, but I did receive a reply from Ms. Sue Longstone, North East Area Manager for the E.A. (page (39) of bundle).

I responded to Ms. Longstone's letter on the 11/7/08 (page (40) of bundle). You will note from my letter that I found her excuses for not responding to my letters to be simply that, excuses; and not very good ones at that. Her letter is also contradictory with that of Ms. Evans, and which she appears not to have read. Ms. Evans gives entirely different reasons why she did not reply to me. Also Ms. Evans says that she asked Sita to stop storing rubble at the north boundary. Ms. Longstone says,

'However we should have also explained that the latest working plan that was approved in December 2007 does allow for rubble or aggregates to be stored at this location.'

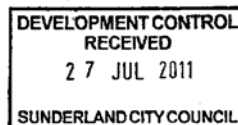
Not only is this a contradiction of Ms. Evans letter of the 15th May, but it also brings to light a further deception perpetrated by the Environment Agency.

It would seem that although I was complaining against the activities at the north boundary, and that complaint was ongoing, the E.A. had given permission for Sita to continue tipping without informing the residents. If, as Ms. Longstone states, the E.A. were giving permission to deposit in December 2007, this would confirm that the activities of which I had complained since June 2007, were in contravention of the licence. Of course Ms. Longstone's statement contradicts that of Ms. Evans in her letter of the 15th May, when she states,

'I understand that some rubble was temporarily stored in skips along the boundary which I have asked them not to do.'

Her letter goes on,

'I will remind Sita that it is not acceptable to store waste in this area.'



As I've said earlier in my statement, this changed again at the meeting of the 12th June, when Ms. Evans stated that,

'Sita always had permission to store rubbish at the north boundary, including road sweepings.'

As I've said above, we were never informed of the alleged licence change by Ms. Longstone, nor does it appear in the licence dated 29th April, 2008. Nor was it mentioned by the E.A. Officers at the meeting of the 12th of June. It seems to me that there is no continuity between the various E.A. Officers, and they appear to make up rules or licence changes 'on the hoof' and I believe subsequent correspondence from the E.A. confirms this.



I did not receive a response from Ms. Longstone, to my letter to her dated 11th July 2008 but instead received a letter from a Mr. Toby Willison, Regional Director of the Environment Agency, who informed me that my letter of the 11th had been lodged as a formal complaint and a Mr. John Hogger, Environment Manager, was looking into my complaint and stating,

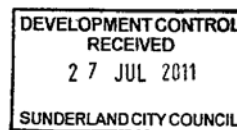
'Once our investigations are completed we will write to you further. You can expect a response by 31st July 2008.'

I did receive a response from Mr. Willison, on the 2nd of August, informing me that the matter would take longer than expected and a Mr. Mike McNulty, Project Manager, would now be handling the investigation, instead of Mr. Hogger, and I could expect 'a substantive response' by August 8th.

I did receive a letter dated 8th August from Mr. McNulty, far from substantive, but explaining

'We will provide you with our findings and position on these matters by 5th Sept. 2008.'

As Mr. McNulty's findings were incomplete, I did not respond, but awaited his letter of the 5th of September. However, I would just like to comment at this point, on the difficulty in dealing with the Environment Agency. It is difficult to pin down just one individual officer. When I write to one officer, I get a response from another. By way of example, when I write to Alys Evans, I get a response from Graham Siddle, I reply to Graham Siddle and I get a response from Alys Evans – sometimes no response at all. I write to both Evans and Siddle simultaneously – and get a response from Sue Longstone. I write to Sue Longstone and I get a response from Toby Willison, informing me that a Mr. John Hogger will be looking into my complaint. I get another letter from Toby Willison, informing me that Mike McNulty is now handling the matter, and I will receive a substantive report by the 8th of August. Mr. McNulty writes to inform me that he needs more time. Added to all of this is the fact that my complaint is also referred to two more offices, out of the area completely, namely Leeds and Stockton on Tees.



The Environment Agency are not alone, both Gateshead and Sunderland Councils have adopted a similar strategy. I did receive Mr. McNulty's second letter on the 7th of September which appears at page (46) of bundle, with my response at page (47).

COPY

Following the Campground site meeting on the 12th of June, I wrote to both Gateshead and Sunderland Council's Leaders, and there has been an exchange of correspondence between us for some four months, and these letters appear in the bundle for your perusal (pages (36-38 & 48-55 & 80-81).

The general theme of all concerned is to claim absolution, which they have all maintained since I first registered our complaints in June 2007.

Gateshead Council claiming, that although they are recorded as users, landlord, joint applicants and joint operators of the site, they are not responsible for the site operation, as it is outside of its jurisdiction, and therefore a matter for Sunderland City Council and the Environment Agency

Sunderland Council claiming, that I have no say in the matter as I do not reside in the Sunderland Borough, and my complaints are a matter for Gateshead Environment Health Department and the Environment Agency.

The Environment Agency claiming, that neither noise nor planning complaints are matters for them, but for Gateshead Environmental Health and Sunderland Council.

Gateshead Environmental Health Department absolved themselves from all responsibility from June 2007, and have been incommunicado ever since.

Since first registering my complaints of noise etc. in June 2007, against what have proven to be unlicensed and unacceptable activities, it has been shown that Sita operates with total impunity, without any fear of reprisals from either Gateshead or Sunderland Councils, and they are afforded every protection from Gateshead Environmental Health, and in particular from the Environment Agency.

The Ombudsman will glean from the bundle of documents, that the E.A. have claimed for over sixteen months now, that they never notice any licence contraventions on their periodic visits. This is simply a lie. I use the word lie without any apology, as I've said so in my correspondence, and the E.A. are not the only ones who have been prepared to stoop to such tactics.

When Sita started dumping large quantities of waste at the north boundary in or around April 2007, this, as subsequent correspondence was to prove, was in contravention of the licence. Sita never denied the unlicensed dumping, and confirmed it was taking place to an officer of Gateshead Environmental Health. The E.A. repeatedly informed me that they had officers on call 24/7, and to keep them informed. This I did, keeping them informed of dates and times, sending them photographs and rough sketches. But contrary to their claims of 24/7 cover, it appears that no visit took place at all, and they would rely on what they were told by the operators - and if they did put in an appearance,

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it was always after the rubbish had been cleared. As the Ombudsman will note from correspondence, a visit from the E.A. could be many days after a complaint was lodged.

As I've already described, on the day of the site visit, tyres were being stored, not in one of the three secure depositories, as shown on the site plan, but outside of the baling plant, in view of vandals – and an obvious fire hazard. This had been going on since before the new licence was issued in March 2008, and quite clearly in contravention of Sita's licence. The E.A. reported no licence contravention.

COPY

The wagons, contrary to the planning application, and in contravention of 2.1.1 of the licence, gained access to the Rubb Shelter over unmade ground. This also had been taking place prior to the March licence, and in all probability, since the inception of the Rubb Shelter, but the Environment Agency have not noted any licence contravention.

The E.A.'s response when I report the unlicensed tipping of waste, the unlicensed storing of tyres, and violation of 2.1.1 of the licence, was to retrospectively grant licence to the unlicensed activities – Ms. Longstone's letter of 3rd July, 2008 (Page (39) of bundle). Mr. McNulty's letter of the 5th September 2008 (Page (46) of bundle).

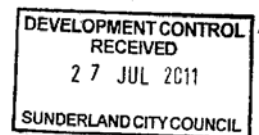
The licence, in reality, is not worth the paper it is written on.

What has been demonstrated by the E.A. over the last 16 months, and the facts are indisputable, is that E.A. officers turn a blind eye to any violations of Sita's licence and working plan, and are prepared to falsely claim that no contraventions of the licence have been noted. If these contraventions are reported by a third party, then the ploy is to grant licence to Sita's unlicensed activities – in order to nullify the genuine complaints of a resident – and also to provide some sort of cover for the gross negligence and false reporting of their officers.

My experience over the past 16 months is that the operators pay very little, if indeed any, observance to the conditions of the licence – and those entrusted with the authority of policing the activities of the site operators, are either grossly incompetent, or for reasons best known to themselves, deliberately prepared to cover Sita's licence contraventions, and are themselves guilty of licence contraventions as documentary evidence confirms. The Environment Agency is either unwilling or incapable of conducting a proper investigation into the complaints against its officers, and I refer to the regional Director's statement in his letter of the 31st July 2008,

'Again, I am sorry for this further delay but trust you will understand that we would prefer to make a thorough response rather than leave issues unresolved.'

If Mr. McNulty's letters of the 8th of August and the 5th of September constitute a **thorough response**, then quite clearly it is not the result of a **thorough investigation**. More like 'Inspector Clouseau' than 'Sherlock Holmes', and it does no credit to either Mr. McNulty or the Environment Agency, and quite clearly, as this letter demonstrates,



'issues are far from resolved.' Mr. McNulty's letters are pages (45/46) of bundle, with my response at page (47).

COPY

As I've informed the Ombudsman, following my site meeting on the 12th June, I wrote to all those involved in the meeting, in addition I wrote directly to both leaders of Gateshead Council and Sunderland City Council. All letters form part of the attached bundle. Throughout these exchanges, Gateshead Council has always maintained that, contrary to their joint planning application particulars, they are not joint operators of the plant, it is outside their jurisdiction and my concerns are not a matter for Gateshead Council, but should be referred to Sunderland City Council and the Environment Agency. However, what has been confirmed, is the fact that they are land owners and landlords of the Campground Site. This being so, I did request in my letter to Councillor Mick Henry, Leader, permission to view the Lease Agreement. Councillor Henry confirmed by letter 19.8.08 that my request was covered by the freedom of information regulations and stated,

'The process may take a short while but we will respond to your request in a separate reply by the relevant officer to update you on progress.'

I did receive a letter from Tanya Rossington of Gateshead Council, informing me,

'We are extending the time limit in which to respond to 40 working days. We have been unable to consider whether or not the information requested can be released. We will respond by 16th of October at the latest.'

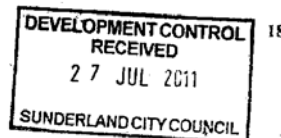
At the time of writing, 55 working days have lapsed, 75 days in total have gone by since my request.

Turning to my letters to Mr. Paul Watson, the leader of Sunderland City Council, these can be found at pages (36,80 & 81) of the bundle for your perusal.

You will note in my correspondence that I call for the planning committee to rescind the extension of the licence that was granted in March 2008, as I believe it was obtained under false pretences.

I deal with my objections to the licence in some detail in my response (page (63) of bundle) dated the 11th of September, to a letter from Mr. M. Mattock head of Planning and Environment for Sunderland C.C. (Page (62)

Over the years I have had some dealings with planning authorities, and it is my experience that planning departments are extremely thorough when assessing an application. My experience is that planning departments will meticulously scrutinize application documents, ensuring that planning regulations are adhered to. If plans contain any inaccuracies, these inaccuracies are questioned and if necessary, plans and documents are returned to the applicants for corrections, and they will not accept an application for presentation to the planning committee until such time as they are satisfied that all the details in the application are correct.



At least that is the position as far as ordinary citizens are concerned, but not, it seems, if the applicant is the council, or the council are beneficiaries of a successful application. Added to this of course, is the fact that the planning department personnel are employed by the council.



The joint application of Sita/Gateshead Council, that went before Sunderland planning committee on the 26th February 2008, is riddled with inaccuracies, untruths and deliberate omissions of facts, any one of which, in normal circumstances, would have compelled the planning department to propose rejection. I draw the Ombudsman's attention to the following:-

1.

The proposal states in the first paragraph that the building is situated at the south-west corner of the site. This is not true, the Rubb Shelter is situated in the north-west corner of the site, which of course is nearer to residential properties.

2.

The Rubb Shelter is referred to as 'a building', this is misleading. The shelter comprises of a frame with fabric covering.

3.

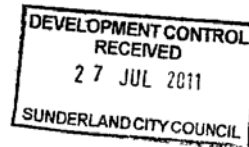
Sunderland City Council stipulates that planning applications will only be considered within the guidelines of its Unitary Development Plan. This was a stipulation with reference to Sita/Gateshead Council's, January 2008 application for an extension of licence. The Rubb Shelter does not conform to the Building Regulations requirement for sound insulation, chapter 9.4.

4.

The site plan of the January 2008 proposal, shows the shaded access and egress to the Rubb Shelter. This is false, the shaded area is only the exit from the shelter. Access to the shelter is via the road to the right of the site plan, with a left-hand turn across unmade ground. This land, which I've etched in blue (page (69) of bundle), is on the south side of the former waste reception area. This ground, over which wagons now travel, is also used for storage of waste materials. As it is unmade ground, it does not conform to the requirements of section 2 of the licence which states, 'to reduce the risk of any pollution to surface water, the working areas of the facility will be surfaced with concrete or tarmacadam.' and is therefore in contravention of the licence. The applicants should have declared their intentions to incorporate this area into their working plan. Failure to do so is in further contravention of 1.8 of the licence, 'Notification of site development works 1.8.1 the Environment Agency will be informed in writing, prior to any development or preparatory works being undertaken.' Failure of the applicants to declare their intentions to Sunderland planning committee, constitutes a fraud.

5.

The joint applicants for the licence, Sita/Gateshead council, are also recorded on the application as joint operators of the site. According to written statements by the leader of Gateshead council, this is not true. Mr. Henry states, 'The operation of the waste transfer facility is entirely a matter for Sita under the waste management licence and working plan.' It would appear, that to record Gateshead council as a joint operator of



the site is also false. Naming Gateshead council as operators would give a great deal of credence to a planning application, particularly with regard to section 1.7 of the licence. *'Maintenance of Financial Provision'*, as Gateshead council have declared themselves not to be operators of the site, has this fact been formally declared to the Environment Agency and Sunderland City Council? If not, there is a possible contravention of 1.5 of the licence, *'Changes in Technical Competent Persons'*, 1.5.1 *Any change to the situation regarding Technical Competent Management of the site, will be notified to the Environment Agency within a period of 7 days of the change being implemented.'* Apart from the obvious financial backing Gateshead council would be able to provide, as operators they would also be able to provide technical competent management. As Gateshead council have declared themselves not to be operators, which is contrary to their recorded status held by Sunderland City Council, it appears that neither of the above are applicable.

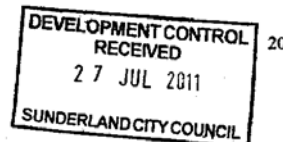
6. I draw the Ombudsman's attention to the Environment Agency's comments regarding the extension of licence application No. TW187SL. You will note, that although the E.A. were fully aware that a residents' complaint had been lodged with them regarding excessive noise, and the noise complaint is a result of the unlicensed tipping of refuse at the north boundary – they make no mention of this in their comments. This is not an omission by accident but a deliberate act of deception which is continued into the actual licence of the 29th April 2008, when the Environment Agency states at 6.3.1, *'Although the transfer station is located close to properties, to date concerns about noise have not been raised as being an environmental nuisance issue.'*

The above statement is simply a lie.

7. Item Nos. 34/35 of the bundle contains the comments of Marion Dixon, Environmental Health Manager for Sunderland City Council. Although requested by Sunderland planning department, Marion Dixon's comments and recommendations were never put before the planning committee. Because of everything that has transpired over this affair, I believe it not unreasonable for me, or indeed anyone else, to come to the conclusion that this was a further and deliberate act of deception.

8. The proposal and application that went before the committee, is further misleading with the claim, *'The number of heavy goods vehicles has been reduced.'* The facts are that much larger vehicles now use the site. Furthermore, every ton of waste that now comes onto the site has to be transported off again; which in fact, in comparison to the Incinerator which naturally disposed of the waste, means that twice the tonnage is manoeuvred around the site.

9. The planning department proposal concludes, *'The few issues that have been raised by residents appear to have been resolved either by the site operators, the environment agency or planning authority.'* I believe the bundle of documents before the Ombudsman is testament to the fact that the above statement is a complete and total fallacy. Far from being helpful, all of the aforementioned have thrown every obstacle in the way of reaching a solution to the problems that were raised through the proper and appropriate channels. I have put proposals forward for discussion, but none has been





acknowledged. I believe that all of the aforementioned, because of their experience, were aware that the introduction of the Rubb Shelter, and the new method of waste reclamation would create a problem. Whereas we as residents had no idea of what a Rubb Shelter was, all of those involved in its introduction would be fully au fait with the system. They would be aware of the noise generated by the teleporters, and they knew that the shelter itself had no sound-proofing qualities.

I draw the Ombudsman's attention to 6.3.1 of the operators licence, prior to the introduction of the Rubb Shelter, which states,

'From the 25th February 2002 measures shall be implemented and maintained throughout the operational life of the site, in accordance with this condition and section 6.3 and 4.14 of the working plan, to control and minimize the levels of noise of operations on the site beyond the site boundary.'

The Ombudsman will note there is a subtle change to 6.3.1 of the licence when the Rubb Shelter was introduced in 2005,

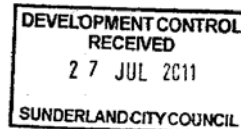
'6.3.1 Although the transfer station building is located close to properties, to date, concerns about noise have not been received as being an environmental nuisance issue. In the event that this situation should change in the future, then appropriate control measures will be agreed with the Environment Agency and the local Environmental Health Department and will be implemented and maintained throughout the operational life of the site.'

I believe all those connected with the site, knew that 6.3.1 of the pre-2005 licence could not be maintained with the introduction of the new method of operation. They knew in advance, from their own experience, that noise would be a problem beyond the site boundary, hence the subtle change to 6.3.1 in 2005.

I believe this whole affair could have been avoided, if the Rubb Shelter had been erected, as originally intended, at the south-east corner of the former waste reception building, or indeed if the officer from Gateshead Environmental Health, had had the courage to carry out her duties and responsibilities.

When I first registered my complaint with G.E.H. of noise, vermin and stench, as the facts have been proven, it was the result of the unlicensed tipping of waste at the north boundary. The noise of which I complained, was brought about by the tipping and then the subsequent clean-up operations. The officer had the authority to act on noise violations of the licence, and she had the authority to impose a ban on the unlicensed activity, as a result, the stench and vermin problems would have been automatically eradicated also. Instead G.E.H. officer ran away from the problem, as did Ms. Alys Evans of the Environment Agency.

It is now my firm belief that the two officers were not totally and completely incompetent, as my accusations might suggest, but I believe both these officers were acting with the full approval and direction of their superiors.



In conclusion, I believe there is a resolution to this problem, which would be in keeping with the recommendations of Ms. Marion Dixon's (pages (34/35) of bundle), and also with those I put forward to site management.

COPY

The unmade ground to be properly made-up, as stipulated in the licence. And the two small derelict buildings be dismantled, which would provide sufficient space for the storage of skips, thus dispensing with the need to continue with the activities at the north boundary. Using the land at the south side of the former waste reception building, would not only provide additional space, but would move the activity further away from residential properties by some 80 metres, and the building would act as a sound buffer.

A sound and vibration buffer to be erected at the north side of the Rubb Shelter, in order to contain the noise from the Rubb Shelter within the site boundary. The two teleports to be substituted by electrical machines.

I trust the Ombudsman will be able to give us some assistance in this matter, and hopefully bring to an end the anger, frustration and pressure we have been subjected to over the last sixteen months.

All of which has been brought about by the unlicensed activities of Sita, aided and abetted by Gateshead Environmental Health Department, Gateshead Council, Sunderland City Council and the Environment Agency.

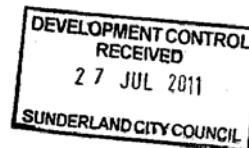
Yours faithfully,

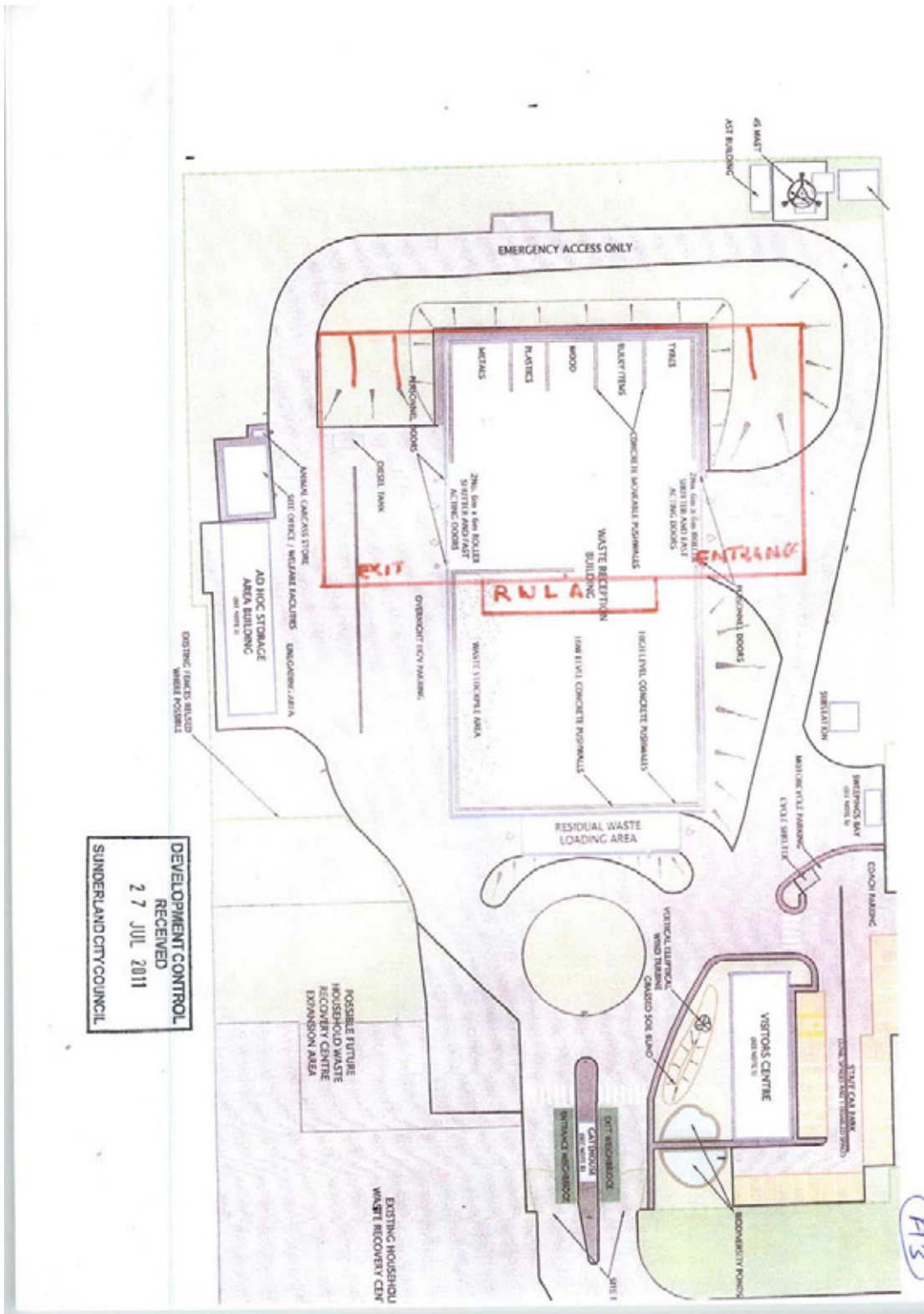
Mr. David Griffiths.
1, Vicarage Close,
off Springwell Road,
Wrekenton,
GATESHEAD,
NE9 7AA.
Tyne & Wear.

Enc.

P.S. I regret having mislaid the copy letter of the original complaint to Gateshead Environmental Health Department dated 14.6.07, but the existence of it is referred to in the first letter on page one of the bundle from the Environment Agency

c.c to Sita Uk. - Gateshead Council - Sunderland City Council. - Environment Agency.



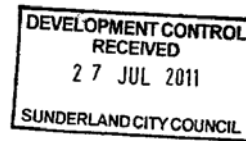


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14th July 2011.

Ms. Corrina Scott-Roy,
Planning Manager.
Sita UK.
North Tyneside Transfer Station.
Wallsend Road, North Shields.
Tyne & Wear. NE29 7SH.



COPY

Dear Ms. Scott-Roy,

Proposed Re-development of Campground Site, Wrekenton, Gateshead, 9.

I write in response to your letter dated 27th June 2011, which I received Monday 4th July, and which I have read with some incredulity. I simply cannot understand how you can come to the conclusion that you have gone some way in alleviating our concerns, when on the contrary, after each time we have met with you we have left the meetings even more concerned than when we entered the room.

I have discussed your letter with others who have met with you and who like I, have formed the opinion that the whole exercise has been nothing more than a charade. An absurd pretence that you were engaging in meaningful and constructive discussions with residents, when in fact you have demonstrated from the offset that anything we may say would have no bearing whatsoever on the application going forward in its current form.

What you have repeated every time we have met is,

'I've spent a lot of time and put a lot of work into this.'

as though this in itself was sufficient for residents to go along with what you were proposing, and they should accept the application because you know best.

You now compound this arrogance by attempting to give the impression in your letter that you have alleviated our concerns in respect of the proposed redevelopment of the Campground site. Not only do we, the residents, refute this statement, which we believe was clearly demonstrated at our last meeting, but Mr. Jeff Moffitt, Waste, Recycling & Contract Manager for Gateshead Council, does not concur with your statement either. Mr. Moffitt states in his letter to me dated 28th June 2011,

'It is regrettable that at a meeting on 21st June 2011 we did not share the same views in relation to the redevelopment of the Campground site, and its perceived impacts.'

Mr. Moffitt goes on,

1

'Therefore I suggest that you put all of your concerns regarding this planning application to Sunderland City Council, as the Local Planning Authority (LPA), to be considered in the formal consultation process as part of the planning application determination.'

The above is a true assessment of not only our meeting on the 21st June, but also the previous meetings we have had.

We may have had some respect for you, and saved a great deal of time, if you had informed us from the very beginning that you have already had discussions with the planning authority, and more or less been given the green light by them. And the plans you were displaying were the plans that would be going to Sunderland City Council for approval, regardless of what we may say, which has turned out to be the case.

It was obvious within a few minutes of our meeting on the 21st June, of what your prepared strategy for that meeting would be and that was in the form of a statement that was repeated time and time again,

'We have listened to your comments but we will just have to agree to disagree, now let's move on.'

But I believe the statement that really summed up both your arrogance and that of Sita, which has been demonstrated towards residents over the last four years, was when Mr. Brass, expressing his concerns not only about the proposed development but his experiences ever since Sita came onto the Campground site, was informed by you,

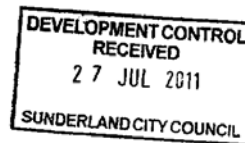
'You should move house.'

When you said this there was an audible intake of breath followed by what I can only describe as a moment of stunned silence from all those sitting at the table. I believe your colleagues were just as shocked at this remark as was the delegation of residents. This was the true face of Sita, the mask had slipped. Gone was the pretence of 'the friendly neighbour' Sita tries to portray in their literature. More was said about Sita in those four words, 'You should move house' than in all the artist's impressions of the proposed development or the 250 page supporting statement. This was Sita as we know it and have experienced over the years. This was Sita, that not only has no regard for its residential neighbours, but also no regard for the planning authority or the conditions of its operating licence, which it breached with total impunity over the years, causing a great deal of distress to adjacent residents. Of course when you were telling Mr. Brass that he should move house, your statement wasn't made for him in isolation, it was meant for all of us, and anyone who may have complaints or concerns regarding Sita's activities.

Turning to your letter of 4th July, which I received on the 9th July.

Communication with Stakeholders.

I note your comments in this regard, but I can only reiterate the information relayed to me after the event as I was out of the country at the time.



2

COPY

It was put to you by residents at the drop-in that they had not received any notification regarding the exhibition, and it was only by good fortune that they had spotted a small item in the Chronicle on the 24th May.

This was put to you again by the delegation of residents at our meeting at your Sleekburn site, and you responded by saying you would investigate the matter – they heard nothing more.

You also refer in your letter to residents being ushered into another room. This was also raised again by the delegation at the Sleekburn meeting, and I believe the delegation made it quite clear that you were reluctant to have an open, honest and transparent debate on Sita's proposed application, and your strategy was to only have one-to-one discussions on the project.

With regard to our visit to your Sleekburn site, I believe we have made it quite clear that no comparisons can be made between the Sleekburn and Campground sites, for the many reasons I outline in my letter to you on the 17th June, and nothing you have said since has gone any way to alleviate our concerns.

Site design.

I note your comments regarding the above and I believe I have also dealt with these in my letter of the 17th June and subsequent meeting.

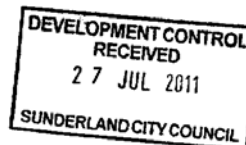
However, I note that whereas there was a great deal of confusion regarding the annual tonnage, between Sita and Gateshead Council, and this is referred to in previous correspondence, you are now claiming, quite assuredly, that the existing facility is for 90,000 tonnes per annum.

As this differs from my understanding, I would be most grateful if you would furnish me, by return, with a copy of your licence showing your authority to handle 90,000 tonnes.

I note your comments that *'the building is designed to provide operational space etc.'* This raises a number of points,

1. As the floor area of the proposed new build is almost 4 times the area of the Rubb Shelter, and your proposed tonnage increase is a maximum of a further 15,000 tonnes per annum, simple mathematics would indicate that there would be a lot of spare space. The question therefore remains, why do you want a building four times the size of the current Waste Reception Building if you only wish, as you put it, *'To increase the intake of waste by a small amount.'*?
2. It is quite evident that to turn the proposed building 90 degrees would actually create a great deal of more space, without any need to move the building northwards. This would not only afford additional noise protection from all of the traffic south of the building, but would alleviate as you put it, *'The heavily constrained southern boundary.'* This is not only mine but a competent Architect's opinion, which is supported by recommendations from Sunderland's Environmental Health Authority, that residents can be protected from excessive noise by using buildings as a shield.

COPY



3

My reason for proposing that vehicles are garaged overnight within the confines of the Waste Recycling Building, would be to protect them from vandals, which have been a scourge of the site over the years. Also, these vehicles starting up in the morning from your proposed parking area will create a great deal of noise and vibration, this could be partially eliminated if they are properly garaged.

COPY

Noise.

I find your comments and recommendations regarding noise reduction quite pathetic. The main source of noise and vibration will be generated inside the Waste Recycling Building as happens now with the Rubb Shelter. The proposed building (apart from the Rubb Shelter, which is now accepted as not fit for purpose) in acoustic design, is not much better and any half competent Architect will confirm this. If the building is designed to contain dust and odours, then it should also be constructed to contain noise which is a very simple matter for right-thinking people, but not, it appears, for Sita. I'm therefore not assured, either by you or your consultants, that what you are proposing would go any great way in minimising the adverse affects from which we have suffered ever since Sita took occupation of the Campground site.

Yours sincerely,

Mr. David Griffiths.
1, Vicarage Close,
off Springwell Road,
Gateshead,
NE9 7AA.

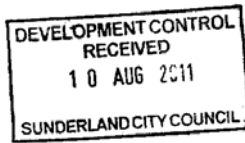


c.c. to Mr. Jeff Moffitt.

4

nr1 Objection Ack 11/8/11
cw
11/01980/Fu
11/02076/Fu

Debra Coxon
1 Long Bank
Wrekenton
Gateshead
Tyne and Wear
NE9 7HE
10.08.2011
To Vicky Rising
Senior planner Development control



I write to you on behalf of the residents of Wrekenton and the surrounding area.

Application numbers 11/01980/Ful and 11/02076/Ful

You will be aware of the recent applications from SITA UK to re develop the former Incinerator located at the Campground Site in Wrekenton.

At this juncture it is impossible to provide you with the detailed, authenticated, legal documentation we have in our possession to substantiate the following claims however, this information is at your disposal to read at length including a 47 page objection already listed on the Sunderland.gov website.

The collective documentation to which I refer comes from Gateshead Council, Sunderland Council, SITA UK, The Local Ombudsman, The Parliamentary Ombudsman and The Health and Safety executive and is a matter of record

I would take this opportunity to outline the salient points.

To date a four year debacle has continued with residents from Wrekenton regarding this site, originally the work of one man raising concerns arising from the site that impacted upon his own home, however over the course of time, one resident has discovered many more problems that impact upon hundreds

of residents and children within the area, all of whom are being continually denied a voice by both Gateshead Council, Sunderland Council and SITA UK.

One of the biggest problems that continually blight's the residents attempts at rectifying matters is that the planning applications to which I refer must go via Sunderland CC when in fact the people suffering from the detrimental impact of same are the people living in the Wrekenton area hence they are constituents of Gateshead and not Sunderland.

That said we are unable to gain any response to afford us full and frank consultation with Sunderland as we are repeatedly told that, as Gateshead constituents, Sunderland Council has no duty or responsibility to us.

On the other hand Gateshead Council informs us that as the planning application is through Sunderland CC Gateshead also have no responsibility to assist us with our plight.

Quite clearly each council has abrogated any responsibility to these residents who are many in number. We the resident's believe that as none of Sunderland's residents will suffer any impact from the site, Sunderland Council are deliberately turning a blind to this potentially very dangerous situation. The site already provides residents with contaminated land, noise and excessive traffic in a small village.

The village does not have the infrastructure to cope with the current traffic situation let alone the proposed increased volume of 40 percent more traffic according to SITA UKs application. We notice that Sunderland have been very careful in ensuring that none of these large vehicles are allowed through Springwell Village and rightly so, but why does Sunderland Council see fit to sacrifice the quality of life of Wrekenton residents in favor of Springwell Village residents and more importantly why do Gateshead council allow us to suffer in this way.

Gateshead council should be bound to take care of its own constituents however the anomaly that currently exists between Gateshead and Sunderland preventing us from being heard is, we believe, a deliberate attempt from all involved to stymie our efforts to protect our village, all in the name of profit for SITA and protection for Sunderland residents.

We have had some opportunity to discuss matters with Gateshead Council and Gateshead Environmental Services however both bodies would have us believe that each small delegation they

have met with concerning these issues have been" the only complainers". We do accept that given the lengths that SITA UK Have gone to, to hide the truth from us, has ensured it has taken quite some time for the true facts to filter through to residents and therefore it did appear during SITAs consultation period that there were few objectors, this is not now the case.

Last night at a public meeting held in Wrekenton 08.08.2011 it became clear that all concerned with the application have gone to considerable lengths to keep all objectors separated so as to portray a small minority of complainants, this is clearly a false representation of the strength of feeling in Wrekenton.

At last night's meeting it was also discovered and we are led to believe that Low Mount Farm which lies on the border of Gateshead and Sunderland Boroughs adjacent to the Campground site have also suffered substantial damage from the Campground site including flooding to their land from soak ways on the site that delivers contaminated water onto their farm land affecting the food chain, among other things.

Added to this SITA UK in their planning application describe that same farm land as civic amenity land not belonging to the farm, another clear and deliberate act of untruth to assist with their planning application.

Further the area surrounding the farm and adjacent to the Campground site houses Wrekenton NU Camp Football Ground where some 200 plus youngsters play football on a weekly basis this increases to 400 plus per week when football tournaments, are held, clearly this land holds possible dangers from contamination and yet those children and their parents had no idea that this was the case.

Residents from the Galloping Green area, also present at the meeting told of their continued complaints to the council arising from the campground, the eyesore that is the site, blighting this semi rural area, destroying beautiful country walks, the smells coming from the plant, the increase in allergy incidents from the dust and emissions coming from the plant including toxic gasses, yet SITA UK informed us the residents from Galloping Green are delighted with the proposed plans, according to the residents in attendance this is not true.

Wrekenton had high rates of cancer incidents after the installation of the incinerator, the effects of which are still embedded in the soil and land of the area and will be for years to come.

The incinerator may have gone and residents did have some relief from this but it was short lived, only to be replaced by a modern substitute in the form of a waste transfer station, with the same horrendous implications if not worse.

As stated, historically we have suffered for forty years with regard to the Campground Site and it beggars belief that somewhere "the powers that be" see fit to continue to use Wrekenton as a dumping ground in the literal sense, I put it to you on behalf of all residents that there is a moral obligation here, a duty of care and certainly there is the question of our human rights that must now be addressed by all concerned with regard to our right to quality of life.

It is not acceptable for any council to hide behind loop holes when people's lives and their quality of life are at stake. I implore you to speak to your cabinet and liaise with Gates head Council to move matters forward and allow us a voice, I am sure you will agree that in the circumstances the obligatory 3 minutes allocated to individuals so as to voice their objections against the planning application, is not acceptable in the current circumstances as we have not yet been given an opportunity to be heard in full.

As a Community we are of course staggered that despite all we have suffered these past forty years our village is once again earmarked as the prime site for continued suffering of this type and that we should be subjected to further, enforced poor quality of life.

After the public meeting on the 08.08.2011 we are all now agreed that we shall pursue this current situation as far as need be including seeking government and legal intervention.

Having made Herculean efforts to date establish joint dialogue between both councils to no avail, on behalf of the residents I make the following formal requests as part of the planning application policies and procedures, I would point out that my formal request is "In Time" having been submitted on 09.08.2011.

1. A delegation of Sunderland Council Officers and Councilors to visit the proposed site and witness first hand the negative impact that already exists as the result of current operations at the Campground site and the increase of same should this application be allowed to proceed in its current form.

2.. Gateshead Council, Sunderland Council agree to a joint meeting with a delegation of residents from the Wrekenton area, to discuss this application prior to Sunderland Council making its final decision and for Sunderland CC to halt SITAs application until such times as we have had an opportunity for discussions with Sunderland CC.

Of all of those in authority that were invited to attend our meetings: Gateshead and Sunderland Councilors, SITA UK, Only one councilor put in an appearance, so much for representation.

I would take this opportunity to thank you for your assistance with my request on behalf of the residents of Wrekenton and do look forward to your response

Yours sincerely

Debra Coxon

A handwritten signature in black ink, appearing to read 'Debra Coxon', written in a cursive style.

VRI Objection Ack 11/8/11
11/01980/FUL
11/2076/FUL

REF: 11/01980/FUL

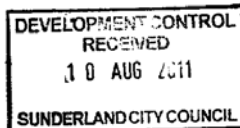
Redevelopment of existing household waste and recycling centre
At campground, Springwell Road NE9 7XW

REF: 11/02076/FUL

Redevelopment of campground waste transfer station
At Springwell road, NE9 7XW

To Vicky Rising
Sunderland Development control Section

10.8.2011



I wish to formally lodge my objection to the above named planning applications from SITA and Gateshead Council.

The designated site for the application has historically brought misery to the community of Wrekenton and surrounding areas. Formerly an incinerator the site is well known for the associated health problems and cancer clusters in the area as a result of years of spewing out toxins.

Once the incinerator had gone the community breathed a sigh of relief as we believed the site had come to the end of its life but to our horror and without our knowledge it was replaced by the SITA waste transfer station along with a huge telephone mast as well as the household waste centre. We have since had to endure vermin, odors, noise, vibration, regular infestation of flies along with the constant movement of wagons through Wrekenton which leave a trail of rubbish and stench behind.

The site is situated in Sunderland on the border of Sunderland and Gateshead and the planning officers in Sunderland seem to think that anything goes as long as their residents are not affected. To date they have shown no consideration whatsoever for the neighboring residents of Gateshead.

Not only has this community had the Campground site to put up with but also that of the old Springwell quarry which became a landfill site bringing with it its own problems. This is now the Thompsons reclamation site and again brings with it many problems for the residents including noise from wagons, extensive Traffic (which is not allowed through Springwell village who just happen to be residents of Sunderland) and dust.

There were other sites considered for the new waste transfer station one of them being felling in Gateshead. The residents of felling were informed that there may potentially be a new recycling centre coming their way. They were informed that they were just one of several options.

Wrekenton were never informed that they were one of these options.

Instead Wrekenton got a few days notice to attend a drop in session where they were TOLD that they were getting the new waste transfer station. The new plans all singing and dancing were on display. Sunderland planning had already given SITA the green light to go ahead with their planning application. When it was suggested to the planning manager from SITA to move the new SITA site elsewhere the reply was "That's not an option. That's not going to happen" So clearly once again it's would seem that it's a done deal and the local residents are expected to put up and shut up.

What makes it even worse is that SITA was under investigation from the ombudsman who criticized and reprimanded them for operating outside of their license agreement and yet they were the company awarded the new contract to manage the waste for all three authorities.

I feel very strongly as do many of the hundreds of residents who have signed the petition that Wrekenton has done their bit as far as waste management is concerned. Whilst it is a fact that waste has to be dealt with and recycling plays an important part a facility like this should be built away from a residential area.

In an attempt to lessen our concerns we were taken to visit the SITA site at Sleekburn. There turned out to be one massive difference at this site .That was that it is situated straight off the motorway, In the middle of an industrial estate without having to travel through residential properties. The closest residents are situated much further away than they are at Wrekenton. It was a perfect example of where a waste transfer station should be situated.

The site has to be built from scratch as a brand new development so now is the time to consider its relocation.

Gateshead put a compulsory purchase order on what was once farmland in order to give them the location they wanted to build the incinerator which is now the current SITA site. They have demonstrated they can build what they want where they want so it is not so farfetched to suggest they relocate the site.

SITA have put every effort into trying to convince residents that they are getting a nice new face lift to the current facility when in fact they are being duped into accepting a brand new waste transfer station which is to serve three authorities for the next twenty five years without Sunderland city council or South Tyneside having to suffer the consequences.

Residents have put their concerns to SITA and Gateshead council and have tried to work with them and suggested changes that would make the site more acceptable if it were to go ahead but everything to date has been ignored.

This proves that once again as soon as SITA have their planning permission the resident's quality of life is of no concern to them.

The visual aspect of the new development is the only improvement.

I have very strong objections to the new visitor centre as do many other residents. This is something that has never been part of the site before. Building the visitor centre means the location of the SITA building and Gateshead Council's household recycling centre become even more of a problem to residents not an improvement.

When concerns were expressed about the increase in traffic the visitors centre will bring, SITA tried to convince us there will only be one coach a week coming to the visitor centre. If that were true then that is a lot of money spent on a visitors centre for one visit a week which would be better spent making the site more acceptable to residents by way of sound proofing the building and changing the layout of the site.

Ironically the one visit a week is supposedly to educate school children. What a joke this is when neither Sunderland, Gateshead or SITA could care less about the children in Fell Dyke school who have been subjected to all of the previously mentioned problems as well as having pollutants on the surrounding playing fields and a telephone mast placed overlooking them from only 85 meters away when even Sunderland council say the mast should be more than 150 meters away

Wrekenton is a small village and is not in any way built to deal with the current traffic problems let alone the projected traffic problems we will be faced with should this planning application be allowed to proceed. At a recent meeting with Jeff Moffitt from Gateshead Council environmental services which included some of his colleagues I was staggered to learn that Gateshead Council have carried out a traffic study of the area in conjunction with SITA's planning application and concluded that the increased traffic does not pose a problem. To my horror I discovered that the people consulted over the issue were Gateshead council officers. Surely this consultation should have included local residents, shops businesses and all those affected by the traffic problems, not Gateshead council officers who sit and make these decisions from their desks, without any experience of living in the area therefore without any possible insight into the reality of the situation we are faced with day in and day out. If they were they would have no choice but to say no way can't this village take any more traffic or the whole place will just come to a standstill.

At our last residents meeting a local Gateshead councillor informed us that he had attended the joint SITA and Gateshead council drop in consultation and admitted that he left feeling very content that visually it would be a great improvement. This is exactly what SITA intended. By the end of the residents meeting and having seen evidence for himself he left with a completely different opinion.

As more and more residents have come together presenting and exchanging written evidence there is a clear picture emerging on just how badly this community has been treated.

There have not only been two complaints from residents which were dealt with immediately as Gateshead and SITA would have you believe there have been many over the years. As you can see from

the petition which was only on display for two days (due to the short notice the residents have been given) received more than three hundred signatures to date and will continue to grow. These too will be passed on to you.

The residents will continue to pursue their investigation into the history of this site and the appalling way that the residents of Gateshead particularly Wrekenton and the surrounding areas have persistently been kept out of the loop with regards to planning applications

until the whole truth is brought out into the open.

The current planners may not be responsible for what has gone on in the past but they are certainly responsible for what happens to this community in the future.

Before Sunderland planning officers make a decision I am formerly requesting a site visit in keeping with planning policy.

Yours Sincerely

Mr. S Brass

The Old Vicarage
Springwell Road
Wrekenton
NE9 7AA

I

Petition Ack 11/8/11
11/01980/FUL CW
11/02076/FUL

Please find enclosed objections to date against planning application number

11/01980/FUL AND 11/02076/FUL

As we have until the 15th of August for objections there will be more signatures to follow.

VR1



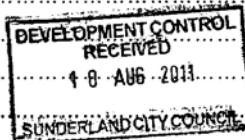
**PROPOSED REDEVELOPMENT OF REFUSE DISPOSAL WORKS
CAMPGROUND SITE, WREKENTON, GATESHEAD.
APPLICATION NOS. 11/01980/FUL AND 11/02076/FUL.**

OBJECTIONS.

We the undersigned, wish to register with Sunderland City Council Planning Authority, our most profound objections to certain aspects of the above applications, as submitted by Gateshead Council and Sita UK.

Our objections are those set out in detail in a letter dated 26th July, signed and sent by Mr. D. Griffiths on our behalf.

<u>Name</u>	<u>Address</u>	<u>Signature</u>
SHAWN ARMSTRONG	12 BRINKBURN	[Signature]
MALCOLM LAWLEY	AVONDALE AVENUE	[Signature]
Sarah Wilson	3 ERINA CRE8	[Signature]
Kath Patten	155 BELL LANE	[Signature]
POUL MCNALLY	22 LINDEN	[Signature]
Kayleigh Scott	7 QUEENSSQUARE	[Signature]
Kerry McCartney	27 BRIARSIDE	[Signature]
P. Taylor	37 WALLACE	[Signature]
J WILDISH	93 FLENDARE	[Signature]
B. BRAY	18 SARWELL	[Signature]
V. BRAY	18 SPRINGWELL TERRACE	[Signature]
E. BRAY	48 SEABURN	[Signature]
DES-BLOWE	10 CR-CHOPWELL CRT	[Signature]
J. Mann	51 WALLACE CRE8	[Signature]
Pan Smit	39 MAUREL SQ	NE9 7BS
L. Moulding	14 STILEFORD	NE10 8US
J. BRAY	NE9 7AA	[Signature]
S BRASS	NE9 7AA	[Signature]



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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
PETER WATTS	48 STANWAY	P. Watts
John NICHOLSON	3 LECROYAIE	E. NICHOLSON
Sandra Stevenson	Hawksfield	S. Stevenson
Lauren O'Brien	16 LAVERICK	L. O'Brien
FRANK SOUTHERN	16 LAVERICK	F. Southern
Wendy STEVENSON	55 RICKGARTH A1080U	Wendy Stevenson
ROB STEVENSON	55 RICKGARTH A1080U	Rob Stevenson
JEAN THOMPSON	5 Springfield Leam Lane	Jean Thompson
S. Hall	Springfield Leam Lane Est	S. Hall
Liam Hall	5 Springfield Leam Lane Est	Liam Hall
SEAN STEVENSON	HAWKSFELD	Sean Stevenson
STEVE		Steve
EVE COGAN	48 STANWAY	E. Cogan

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
D Culbert	30 Balmoe	<i>[Signature]</i>
B DENTON	38 FABINATION AVE NEA-Y.H	<i>[Signature]</i>
W GRAHAM	24 BEAMISH GDNS	<i>[Signature]</i>
M. Gill	GATESHEAD	<i>[Signature]</i>
J HARRISON	38 CHOPWELL GDNS	<i>[Signature]</i>
R. Terry Post	136 BLACKHILL CRGS	<i>[Signature]</i>
D. Robbins	3 WESTWOOD GDNS	<i>[Signature]</i>
J DODSON	9 FINCHALE GDNS	<i>[Signature]</i>
K. MOIRE	58 SEAHAM L. GDNS	<i>[Signature]</i>
E WOOD	18 BEAMISH G	<i>[Signature]</i>
J MUSGRAVE	SPRINGWELL INN	<i>[Signature]</i>
M TEMPEST	7 BOYSTONES COURT	<i>[Signature]</i>
Julie Robertson	62 Rugby Gardens	<i>[Signature]</i>
Norman Bann	7 SHERBURN TCE	<i>[Signature]</i>
S DUNN	13 ROSEMARY GARDENS	<i>[Signature]</i>
D WOODART	14 HAMSTLEYS	<i>[Signature]</i>
MALCOLM VAN T	23 EBURNE	<i>[Signature]</i>
D. RIDDON	25 SJAERIDGE	<i>[Signature]</i>
MRS K. GRIFFITHS	16 CASINGTON AVE	<i>[Signature]</i>
MR P. GRIFFITHS	16 CASINGTON AVE	<i>[Signature]</i>

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
K. MOUNTFORD	WINGATE Gdns	<i>[Signature]</i>
D. MOUNTFORD	EASEDALE Gdns	<i>[Signature]</i>
P. MOUNTFORD	WINGATE Gdns	<i>[Signature]</i>
A. SOULSBY	WINGATE Gdns	<i>[Signature]</i>
P. SOULSBY	WINGATE Gdns	<i>[Signature]</i>
J. Blackburn	11 Wingate Gdns	<i>[Signature]</i>
E. Turner	22 Trevelthick St	<i>[Signature]</i>
Amy Turner	14 Trevelthick St	<i>[Signature]</i>
MARC MOUNTFORD	EASEDALE Gdns	<i>[Signature]</i>
Tim BATEY	HAIG ST DUNSTON	<i>[Signature]</i>
H. MOUNTFORD	HAIG ST DUNSTON	<i>[Signature]</i>
P. GUTHRIE	HAIG ST DUNSTON	<i>[Signature]</i>
IAN JESLAR	EASEDALE Gdns	<i>[Signature]</i>
DENNY KELLY	EASEDALE Gdns	<i>[Signature]</i>
ALFIE KELLY	EASEDALE Gdns	<i>[Signature]</i>
ANN CHAPMAN	EASEDALE Gdns	<i>[Signature]</i>
ALLAN CHAPMAN	EASEDALE Gdns	<i>[Signature]</i>
ALAN CHAPMAN JR	EASEDALE Gdns	<i>[Signature]</i>
S. BOYLIE	11 BRACCA RISE	<i>[Signature]</i>
ANN WARD	LOWMANT FARM ^{SPRINGHEAD}	<i>[Signature]</i>
LISA WILD	58 HEUGH HILL	<i>[Signature]</i>
STEPHEN SWINGSWEN	58 HEUGH HILL	<i>[Signature]</i>

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
DARREN COOKE	96 WREKENTON CRESCENT	<i>[Signature]</i>
SOE QUINN	39 LANCHESTER AVE	<i>[Signature]</i>
Edna Atkins	114 Springwell Rd	E. Atkins
P. Johnson	11 W. HITCHHOUSE GUEST	
B. Johnson	87 LANCHESTER AVE	
J. MISSGARD	148 =	J. Missgard
M. Gumble	12 FIGHTON TERR. WREKENTON	M. Gumble
J. DONNIBY	16 LANCHESTER AVE	<i>[Signature]</i>
P. SHOOTON	14 EIGHTON TERRACE	<i>[Signature]</i>
D. TURNER	14 WINGATE	<i>[Signature]</i>
A. REAY	50 LANCHESTER	A. Reay
N. EDWARDS	32 LANCHESTER	N. Edwards
S. HINLEY	126 Springwell Road	
S. GILL	139 SPRINGWELL ROAD	
M. GUMBLE	139 GREENSWOOD ROAD	
LISA PHILLIPS	6 Seaborn Gardens	
John	9 Wingate	
Kaaron Arrell	18 Bandon Gardens, Wrekenton.	
A. KANE	8 CLEADON GARDENS WREKENTON	A Kane
S. TAYLOR	18 SEABORN GARDENS	<i>[Signature]</i>
M. STONE	32 OAKWOOD AV. NE29.6PR	
A. Stone	58 St. Edmunds drive NE10 4AE	

**PROPOSED REDEVELOPMENT OF REFUSE DISPOSAL WORKS
CAMPGROUND SITE, WREKENTON, GATESHEAD.
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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
MANJIT KAUR	SPRINGWELL STORE	<i>mk</i>
GURPREET SINGH	SPRINGWELL STORES	<i>GS</i>
BRANDAN HOWARTH	100tham Gardens	<i>BH</i>
K. Williams	SPRINGWELL	<i>KW</i>
R SPRAGGON	112 SPRINGWELL RD	<i>RS</i>
K ELLIOTT	Springwell Est.	<i>KE</i>
A CLATTON	13 LANCHESTER AVE	<i>A Clatton</i>
E Dent	2 Springwell Ter.	<i>ED</i>
P KERRAN	40 LANCHESTER AVE	<i>P Kerran</i>
B KERRAN	45 LANCHESTER AVE	<i>B Kerran</i>
C BRAD	4 BRANMAN	<i>C Brad</i>
J BRAM	6 Eighton Tce	<i>J Bram</i>
MICHAEL NEWTON	123 SPRINGWELL RD	<i>M Newton</i>
E BROWN	11A LANCHESTER AVE	<i>E Brown</i>
A SWAN	1 ACORN CLOSE	<i>A Swan</i>
P CHAPMAN	Luddock	<i>P Chapman</i>
S BELL	115 Springwell Rd.	<i>S Bell</i>
F WHITE	125 SPRINGWELL ROAD	<i>F White</i>
K BARKER	6 CLADON CR.	<i>K Barker</i>
D BROWN	26 Prandan Garden's	<i>D Brown</i>
Mae Avenor	26 SEVEN GENS	<i>Mae Avenor</i>
KRAUL	DUNKINSON	<i>Kraul</i>
J ALBERTS	89 LANCHESTER	<i>J Alberts</i>
D Alberts	71 BLACKHILL	<i>D Alberts</i>

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
DAVID HARMER	16 Falskone	[Signature]
Anthony Richards	82 Bedale	[Signature]
Eddie Weller	97 Weller	[Signature]
RACHEL O'BRIEN	88 Seatham	R. O'Brien
M Babbidge	The Wilton Road	M Babbidge
J. Anderson		[Signature]
X. [unclear]	21 RUGBY	[Signature]
K. Kuli	Wrexford	[Signature]
MRS M HALE	99 Springwell Road	MRS M HALE
Michael	81 Blackburn Rd	Michael
P. Culliford		[Signature]
DAMON BEARD	16 Falskone	[Signature]
SARAH COX	2. [unclear]	[Signature]
Pegg	Galloway Green Rd	[Signature]
KATHleen wilkinson	23 Seaton	K wilkinson
Kayleigh Wilson	LANCHESTER AVENUE	K wh
[unclear]	53 [unclear]	[Signature]
J. Calvert	Malton Crn	J. Calvert
P. Beck	Tanfield Rd	P. Beck
C. Mead	1 NE9 7RT	[Signature]
Pan Thompson	LANCHESTER AVENUE	[Signature]
Mr Gray	13 Larkspur	Mr Gray
L. BOYLE	NE9 6RT	[Signature]

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
A. Hagan	65 LANCHESTER AVE	A Hagan
A. Gallon	4 Wolsingham Gdns	A Gallon
E. Brown	36 AYLIFFE CRESCENT WREKENTON	
E. Powell	15 Ryhope Gdns	Springwell
C. Powell	39 EBCHOTEK AVE WREKENTON	
D. C. Lakin	53 AYLIFFE CRESC NE9 7DD	
M. O.	8 Wolsingham	NE9 7LS
D. Steele	11 WOLWISTON Gdns	WREKENTON NE9 7LW
C. Jones	11 BURNMOR	WREKENTON
B. Evans	3 Worsley Gdns	WREKENTON NE9 7LW
C. East	45 BRAMHOPE GREEN	HARLOW GREEN
J. Perry	45 BRAMHOPE GREEN	HARLOW GREEN
L. Armstrong	24 McMoock Gdns	NE9 7HS
L. NICHOLSON	21 LINDEN BEACON LOUGH EAST	NE9 7DR
L. Hughes	5 CHAMBERLY CLOSE	SPRINGWELL VILLAGE
C. ALLAN	7 CYPRESS ROAD EIGHTON BANKS	C. Allan
D. WALKER	7 CYPRESS ROAD EIGHTON BANKS	D. Walker
C. Bann	EBBINGTON AVE WREKENTON	C. Bann
K. Nesbitt	7 EASINGTON AVE	GATESHEAD
M. Phillips	2A SPRINGWELL RD	NE9 7JN
D. Oulton	Darren's Gents Hairdresser's	
S. Hammett	44A LANCHESTER AVE	
D. Perkins	17 CHOPWELL Gdns	
G. Robinson	6 Sullerworth Gdns	
K. Robinson	11 HEATHWATER	SPRINGWELL VILL
M. Webber	10 ELLISON PK	GATESHEAD

leannemarshal 39 EDGEWARE ROAD I-marchem

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
G. Gibbin	16 Whitehouse Crescent	G. Gibbin
M. Maty	93 Kingdon Rd	M. Maty
S. Connell	4 HAMSTERLEY	S. Connell
K. Kenton	25, HAREWOOD, GLEBE	K. Kenton
S. HARP	52 MYCLIFF	S. HARP
S. Barnes	48 FERRISS	S. Barnes
P. Barnes	"	P. Barnes
B. Kaiser	27 HAMSTERLEY	B. Kaiser
M. Johns	9 Whitely	M. Johns
C. Dutton	15 Westview	C. Dutton
M. Turner	171A HIGH ST	M. Turner
D. Repp	30 hamsterley	D. Repp
D. Galt		D. Galt
H. C. Kendale	6, TANFIELD	H. C. Kendale
C. Bell	67 MYCLIFF	C. Bell
C. McKee	-	C. McKee
T. Brooks	-	T. Brooks
L. GAGG	24 shaburn	L. GAGG
D. Hutton	27 Binsky	D. Hutton
J. Veitch	51 BECON COURT GVE	J. Veitch
VEITCH		
W. H. W.	10 Wincake Coods	W. H. W.
DAVID Beattie	17 Whitely	DAVID Beattie

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
R. FORSTER	187 AXHILL CRES	R. Forster
G. HOPE	11 GREEN BOWNE NE09TD	G. Hope
B. RIPLEY	5 SPRINGWATER	B. Ripley
S. GRIBBIN	10 WHITEHOUSE CRES.	S. Gribbin
J. GRIBBIN	10 WHITEHOUSE CRES.	J. Gribbin
Jamie Gribbin	10 WHITEHOUSE CRES.	Jamie Gribbin
PATRICK HEPPLE	50 SEABURN QD	P. Hepple
I. Peal	1 WINGATE Gdns.	I. Peal
E. PEEL	1 WINGATE GARDENS	E. Peal
W. CRANNEY	50 SEABURN QDS	W. Cranney
Emma Peal	18 WALLACE Gdns	Emma Peal
C. Ford	117 WALLACE Gdns	C. Ford
M. Ford	117	M. Ford
G. GALLAN	92 Whitehouse Cr	G. Gallan
G. Gribbin	16 Whitehouse Cres	G. Gribbin
S. Lyson	16 Whitehouse Cres	S. Lyson
L. Finley	74 Whitehouse Cres	L. Finley
J. Finley	74 Whitehouse Cr	J. Finley
D. Finley	111 Landster Ave	D. Finley
H. Finley	111 Landster Ave	H. Finley
A. Jackson	115 Lanchester Ave	A. Jackson
K. Gallan	113 Lanchester ave	K. Gallan
M. Gellan	113 Lanchester Ave	M. Gellan

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
K. Taylor	18, NE9 7AU	K. Taylor
M. Smiles	18, NE9 7AU	M. Smiles
S. Finley	30 NE9 7DD	S. Finley
M. Finley	90 NE9 7DC	M. Finley
M. Smiles	10 NE9 7BD	M. Smiles
W. Smiles	22 NE9 7BD	W. Smiles
S. Finley	30 NE9 7DD	S. Finley
S. Birkbeck	31 NE9 7AJ	S. Birkbeck
A. Knox	15 NE9 7BT	A. Knox
C. Nicks	13 NE9 7BB	C. Nicks
R. Farnpole	86 NE9 7AN	R. Farnpole
J. Musgrave	148 NE9 7AN	J. Musgrave
M. Nicks	13 NE9 7BB	M. Nicks
C. Birkbeck	31 NE9 7AJ	C. Birkbeck
P. Hills	4 NE9 7LQ	P. Hills
L. Birkbeck	31 NE9 7AJ	L. Birkbeck
D. Birkbeck	31 NE9 7AJ	D. Birkbeck
S. Birkbeck	31 NE9 7AJ	S. Birkbeck
L. Hodgson	2 NE9 7AJ	L. Hodgson
S. Ratcliffe	103 NE9 7AA	S. Ratcliffe
C. Howarth	187 NE9 7DA	C. Howarth
D. Howarth	108 NE9 7DA	D. Howarth
I. Corbett	7, NE9 7BA	I. Corbett

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
S Gullin	115 Lanchester	[Signature]
A Butkbeck	118 Springwell Rd	A. BUTKBEK.
J Butkbeck	118 Springwell Rd	J Butkbeck.
M Butkbeck	118 Springwell Rd	M Butkbeck
G Langley	3 Wingate Ct	[Signature]
I Hall	12 Seaburn Gdns	[Signature]
C Hall	12 Seaburn Gdns	[Signature]
S BROWN	85 STANLEY	[Signature]
A CHAMBERS	47 COLTSFOOT Gdns	[Signature]
L M/R	4 LANCHESTER AVE	[Signature]
C Fenwick	23 Larkspur beacon lough	[Signature]
B KEENAN	45 LANCHESTER AVE	B Keenan
J BROWN	6 ELKTON TCE	J Brown
JOE BROWN	6 ELKTON TCE	J Brown
Chris Pearson	38 Aycliffe crescent	[Signature]
BARRY ROBERTS	55 WALLACE GARDENS	[Signature]
ERNE HUTCHINSON	21 CHURCH VIEW.	R. Hutch.
S STEVENSON	29 AYCLIFFE AVE	S Stevenson
R. Forrest	29 AYCLIFFE AVE	R Forrest
A. Finley	115 LANCHESTER AVE	A Finley
A SHAUGHNESSY	14 AYCLIFFE CRES.	[Signature]
B Moulding	141 AYCLIFFE CRES	B Moulding
A Moulding	141 AYCLIFFE CRES	[Signature]

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
John Maddison	Makepeace	John Maddison
J. HANCOCK	FELL HOUSE CARE CENTRE	J. Hancock
Ms Susan Kendall	48 VENTNOL CRET NE9 6DY	Susan Kendall
DAVID A KENDALL	48 VENTNOL CRET NE9 6DY	David A Kendall
KERRY PROCTOR	1 CARLTON TER NE9 7SB	K Proctor
K Proctor	1 Carlton terrace NE9 7SB	K Proctor
MARGARET CROOK	17 RAGLAN OXCLOSE	M Crook
Graham Crook	17 Raglan Oxclose	G Crook
Lauren Huddleston	Bellmount Springwell	L Huddleston
Karen Huddleston	Bellmount Springwell	K Huddleston
Susan Huddleston	Bellmount Springwell	S Huddleston
Danielle Huddleston	Bellmount Springwell	D Huddleston
Brian Proctor	Whinley Wood	B Proctor
Aine Proctor	Whinley Wood	A Proctor
Annie McLeod	Felling	A McLeod
MICHELLE BOSWORTH	SPRINGWELL VILL NE9 7QB	M Bosworth
ANDREW BOSWORTH	QUERTFIELD TERR. S. VILL. NE9 7QS	Andrew Bosworth
HAZEL BOSWORTH	SPRINGWELL VILL NE9 7QB	H Bosworth
Josephine M. Pacote	Fell House care home	J Pacote
ROSE PEEGE	Fell House care home	R Peege
Sam Taylor	Heugh Hill	S Taylor
Sean McCysers	Heugh Hill	S McCysers
Kenny Wright	Heugh Hill	K Wright

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
Al Thompson	9, SEATON Gdns	A Thompson
ALAN THOMPSON	9, SEATON Gdns	A Thompson
JOSEPH RIDLEY	14, WALLACE Gdns	J Ridley
Claire Thompson	16 Wrekenton Row	C Thompson
ALAN THOMPSON		A Thompson
J. Taylor	10 SATLEY Gdns	J Taylor
A. Brown	"	A Brown
C. Green	16, MANSKED	C Green
P. Blair	306 SARGENT RD, S	P Blair
E. Jones	11 Bolemore	E Jones
H. Campbell	6 Finchale	H Campbell
B. Small	15 BEATONS	B Small
D. Nicholls	6 Waldridge	D Nicholls
C. Nicholls	6 Waldridge	C Nicholls
S. Cribbin	10 Whitehouse	S Cribbin
J. Cribbin	10 Whitehouse	J Cribbin
J. Tyson	16 Whitehouse	J Tyson
A. CRYSER	11 LINDEN WAY	A Cryster
K. CRYSER	11 LINDEN WAY	K Cryster
L. Peats	15 Gullings Green Gts	L Peats
M. Buge	8 Cypress Road	M Buge
R. Buge	8 Cypress Rd	R Buge

Lisa Wild
c/o Low Mount Farm
Springwell Village
Gateshead
Tyne and Wear
NE9 7YX

25th August 2011

City of Sunderland Planning Department
Civic Centre
Sunderland
SR2 7DN

Application 11/01980/FUL

Notice of objection

I write on behalf of the Swinburn family who reside at the above address, they object to the above application mainly because of the lack of information over the drainage system on both the site and the entrance road, the amount of traffic already using the site and the rubbish which blows from both the site and vehicles using it.

Also at no point within the application is the farm as either a dwelling or a working farm mentioned.

There are also several areas within the application where the information provided is inaccurate or untrue.

I include sections below demonstrating these.

Incorrect Statements

Environmental Appraisal – no information on the agricultural status of the adjacent land, Low Mount Farm not mentioned at all.

The farm was present in 1862, but again not mentioned in this reference made to the first ordinance survey map.

Supporting Statement

1.02 – incorrect the site is not in Wrekenton, it is in Springwell Village.

1.07 – makes reference to a ramped area, no information of the drainage of this raised area

3.0 – Ecological Assessment – no mention of Low Mount Farm

4.2.3 – No mention of the drainage system on the entrance road, or the hard standing area. Also no mention of the fact the road does flood in times of heavy rain. Water to be “contained on site”. How and where? There is no Northumbria Water off site system, the surface water on the B1288 drains into the Springwell pond on Low Mount Farm. A new soak away is not acceptable due to the current flooding issues.

4.3.3 - Storage ponds are not acceptable as they would be ABOVE our land.

The current drainage system does not work and constantly drains onto Low Mount Farm. There is also no mention of the “mineral safeguarded area” next door to the site, how can surface water be expected to percolate through sandstone?

4.4 – an untrue statement, the water from the site and the entrance road drains onto Low Mount Farm, then into our pond, the pond drains into the River Don.

5 – Land contamination, water draining from the site carries contaminants which are finding their way onto the agricultural land at Low Mount Farm, the field next door to the Camp Ground is currently being prepared for wheat intended for human consumption. Therefore our crops risk being contaminated.

5.3.2 – Demolition – no mention of the survey required by Gas Networks when any demolition is carried out near one of their high pressure pipes, one is situation on the land next to the campground.

5.3.4 – the drainage sump area identified as “contaminated” this is NOT acceptable when the water from the site is draining through this facility.

8.2 - we were unable to attend the one evening viewing, but yet we were not offered an additional viewing.

Further references.

Drainage plan – no real information at all on this plan.

Ecological Survey

2.2 field survey which claims it carried out a visit which included land 50m outside of the site. No contact was made by Entec to gain permission to enter the land.

3.1 No mention at all of Low Mount Farm yet properties over a mile away are mentioned

3.3 Field survey, reference to “Amenity grassland” to the south, this is agricultural land and part of a working farm. A map coloured yellow demonstrates this “poor amenity grassland”.

There is no direct reference to the “Springwell” pond which is on our land, this is the “Springwell” from which the village takes it’s name, and it is also shown on current and historic maps.

At no time have we been approached by Entec so they could visit the farm and carry out a complete survey. Therefore as the survey provided excludes Low Mount Farm we feel it should be rewritten and submitted again.

We suffer constantly from the litter that escapes from both the site and the wagons entering the site. The paddocks adjacent to the B1288 road are littered with rubbish which is a danger to the animals grazing these areas. The hedge rows are also filled with litter and debris.

The B1288 road is not substantial enough for the amount of HGV wagons using it. One of our stable blocks actually supports the road and this building is now showing signs of stress due to the amount of lateral pressure placed upon it by

the weight of the wagons. Further along this section of road concrete reinforcements have already been put in place, sadly these too are now failing.

To date I am still awaiting a response from the Environment Agency regarding their involvement over the flooding problem from the site, they are continuing their investigation.

I wish all of the information we have provided to be taken into consideration before a decision is made over this application.

It is bad enough that we have quarry traffic, recycling traffic and the debris they produce six days a week from the Thompon's site, without now knowing the Camp Ground intend to continue operating into the foreseeable future. Is it acceptable that any member of the public be subjected to life in the middle of two waste sites, and expected to live with it?

Regards

Lisa Wild
On behalf of the Swinburn Family

APPENDIX 2

The report set out below addresses the objections received in connection with planning applications 11/01980/FUL and 11/02076/FUL. The report below should be read in conjunction with the main reports to Planning and Highways Committee.

4 representations in objection to planning applications 11/01980/FUL and 11/02076/FUL were received in response to consultation. The letters received related to both planning applications and in general did not distinguish between the two schemes. Consideration of the content of the representations received has therefore been carried out with respect to both planning application 11/01980/FUL and 11/02076/FUL. These considerations are set out below. To avoid repetition the content of all letters of objection received has been addressed together.

Members should also note that a petition containing 307 signatures has been received in objection to the proposed developments.

Previous Use of Site

Objection on the grounds that the application sites had historically (and allegedly) created health problems for those living in close proximity to them due to their use for waste treatment/handling purposes.

However, the effect of previous uses that may have occupied the application site(s) cannot be considered as a material planning consideration in the determination of the planning applications under consideration. There is nothing to suggest that the use of any site as a Household Waste Recycling Centre or as a Waste Transfer Station would have any negative impact upon the health of any individual or community providing that the site(s) are operated in accordance with permits issued and controlled by the Environment Agency, as required by law.

One objection stated that the facility should be built away from residential areas. However it must be considered that the sites under consideration are existing waste sites which will continue to operate in their current form if Members decide to refuse planning permission. In addition to this consideration, regard must be had for the “proximity principle” contained in PPS10 which states that waste should be dealt with as near to its source as possible. The proposed developments are designed to improve facilities that received waste from areas local to it.

Vermin

Objections to the proposed development have been received on grounds that the proposed developments will attract vermin to the area, including infestations of flies.

However, the SITA has confirmed that there will be a closed door policy on their site meaning that the fast acting roller shutter doors will only be open when vehicles are accessing or leaving the waste reception building. No waste is tipped while the doors are open meaning that any vermin present in the waste transferred to the site will find it difficult to leave the building. The tipping hall floor will be regularly washed down and disinfected and active pest control will be employed on the site to control levels of vermin. There is to be no external tipping of waste.

On the GMBC site it is considered that the type of waste that will be deposited at the facility i.e. mostly dry bulky household waste is unlikely to attract vermin. However, all waste at the site will be stored in waste containers which will be emptied regularly with waste being removed from the site. Furthermore, active pest control will be employed across both sites to ensure that vermin do not become a nuisance on the site or within the surrounding area.

Given the above measures it is not considered that the proposed development will result in increased levels of vermin to the detriment of the area.

Noise

Objections were received on grounds of general noise nuisance that may result from the developments proposed.

One objection also suggested the following in relation to the WTS building proposed on the SITA site:

1. The building should at least have a double skin with a cavity in-fill and there are many products on the market to choose from.

The Local Planning Authority has discussed this suggestion with the applicant. In response the applicant has stated that the proposed building is required to be constructed to achieve the requirements of the Integrated Pollution Prevention Control Regulation (IPPC). IPPC is a regulatory system that employs an integrated approach to control the environmental impacts of certain industrial activities.

More specifically IPPCH3 regulates noise and vibration. IPPCH3 can be achieved through the use of single profile metal cladding (like that proposed in this application). Details of the proposed development's conformity with IPPCH3 and other noise regulatory systems is contained within the noise assessment submitted with the planning application (11/02076/FUL) which is discussed in more detail below.

2. The building will contain concrete push walls. We have received expert advice that if the push walls were extended to roof level they would provide good sound baffles. We are advised that a solid concrete wall is better than a single sheet construction.

The Local Planning Authority has discussed this suggestion with the applicant. In response the applicant has indicated that concrete push walls are used to demarcate separate areas of operation, without the need for additional ground works/foundations, thus maintaining a degree of flexibility within the working space. As the noise assessment that accompanies planning application 11/02076/FUL is considered to indicate an acceptable level of noise from the proposed development it is not considered necessary that the applicant includes full height walls within the proposed WTS building.

3. We have suggested that the proposed new building be re-sited and turned 90 degrees.

The Local Planning Authority has discussed this suggestion with the applicant who has offered the following response:

The option of rotating the building 90 degrees was considered during the outline

design stage of the process. Concept designs were developed to utilise existing structures, services, geotechnical and environmental requirements wherever possible.

The resulting layout was considered to achieve optimum space for the projected volumes of waste, to deal with the anticipated number of vehicle movements and the required manoeuvring space in a safe and efficient manner; this includes a one way flow of traffic in a clockwise direction.

If the building were rotated through 90 degrees all of the above items would be compromised resulting in a less efficient and potentially hazardous operation with multiple vehicle path crossovers within the building. It is considered that the size of the building would need to be increased in order to provide sufficient operational space. Furthermore this reconfiguration would result in the loss of the ad-hoc storage area since insufficient manoeuvring space would remain outside the building to facilitate safe and efficient operation of this facility.

Planning Application 11/02076/FUL (SITA UK) is accompanied by a detailed noise assessment which has been reviewed by the City Council's Executive Director of City Services: Pollution Control who has confirmed that the predicted noise levels from the site are considered to be acceptable and are unlikely to result in any unacceptable noise levels for near neighbouring properties and that the predicted noise levels from the site are within a range that suggest that complaints as a result of noise are unlikely.

The applicant has confirmed that the acoustic model used in the noise assessment of the proposed development incorporated all of the design elements of the proposal e.g. construction material, orientation of the building, use of plant and machinery, acoustic boundary treatments etc.

Furthermore, if Members are minded to approve this application a condition would be added to any approval granted for 11/02076/FUL requiring a further noise assessment to be undertaken once the site was operational to ensure that noise levels generated were not above guideline levels. In the event that noise levels were found to be too high, the condition would require the site operator to submit noise attenuation measures for the written approval of the Local Planning Authority and these would be required to be installed as approved and retained on site for the lifetime of the development.

Regarding planning application 11/01980/FUL (GMBC) it is acknowledged that the proposed development will result in changes to the layout of the site and the removal of a building which may offer some noise attenuation at the present time. Therefore should Members be minded to approve planning application 11/01980/FUL a noise assessment and noise mitigation measures (if determined to be necessary) will be required by condition in order to ensure that noise originating from the site does not create a nuisance for those occupying nearby dwellings.

Vibration

The proposed developments are not considered to incorporate any feature likely to result in any significant levels of vibration. The reports submitted to accompany the applications confirmed this and were accepted by the Executive

Director of City Services: Pollution Control. It is therefore considered that problems associated with persistent or high levels of vibration will not occur as a result of the proposed developments.

Litter

As required by the Environmental Permitting regime, both sites operate under a "Working Plan". This Working Plan states that it is the responsibility of site staff to monitor the sites for signs of escaping materials either from within containers or from vehicles delivering or removing materials to and from the site (note that all waste vehicles entering and exiting the SITA WTS must be covered or netted to prevent escape of waste and litter whilst it is in transit).

Any escaping material is swept and picked up from each of the yards on an ongoing basis in order to prevent escape of material from the sites. In the event that there is an escape of litter from the confines of the site and into the local environment, it is the responsibility of the site staff to arrange for litter to be picked up. Litter control for the two sites is therefore clearly within the remit of the Environmental Permitting regime which is controlled by the Environment Agency and subject to intervention by them. It is therefore not considered appropriate (if Members decide to approve this application) to add conditions designed to monitor and control potential litter from the site as it is considered that there are already sufficient and robust mechanisms in place to address this issue in the event that it becomes problematic.

Traffic Movements

Representations received state that Sunderland City Council have imposed planning conditions on the Campground site which restrict the passage of heavy goods and other waste vehicles through Springwell Village and that this restriction is to the detriment of those living in neighbouring locations like Wrekenton because heavy traffic and other waste transportation vehicles use routes through Wrekenton to avoid Springwell Village. Objections received also state that the predicted increase in vehicles to the SITA WTS will impact detrimentally on the local area through nuisance caused by increased traffic volumes.

As set out in the main report, the applicant conducted appraisals of five different route options for vehicles travelling to and from the Campground Waste Transfer Station. Details of the five routes that were appraised are set out below:

- **Route 1 (to west/south)** via Wrekenton Long Banks (B1295) and A1 interchange
- **Route 2 (to west/north)** via Wrekenton Long Banks (B1295) and Durham Road (A167)
- **Route 3 (to north)** via Old Durham Road (B1295), Sheriff Hill area of Gateshead
- **Route 4 (to east/south)** via Leam Lane (B1288) and Northumberland Way (A195)
- **Route 5 (to south)** via Springwell Village

In conducting the appraisals of the five different route options the applicant undertook an assessment of the surrounding local highway network and

considered the potential for interaction between site traffic and vulnerable road users, i.e. pedestrians and cyclists.

Each route was considered in terms accident data and in terms of the presence of the following features:

- Zebra Crossings
- Signal Controlled Crossing
- Non priority Controlled Crossing
- Signal Controlled Junction
- Carriageway Build Outs
- Schools
- Railway Line Crossing
- Non Designated on Street parking
- Bus Lanes/Cycle lanes

Following the assessment undertaken, the information submitted in support of the planning application concluded that large vehicles (loads of 7 tonnes or more) should use routes 1, 2 and 4. Conversely, routes 3 and 5 should not be used on the basis that these routes are less suitable for heavy traffic.

Executive Director of City Services: Network Management has examined both applications and considers that neither proposed development will create any conditions detrimental to highway safety or result in any adverse implications for traffic within the area. It was considered prudent however, to include a condition on any approval granted in connection with 11/02076/FUL to require heavy traffic using the Campground site to access and egress via routes 1, 2 and 4 as indicated in the planning application submission, whenever these routes are available for use.

It should also be noted that Gateshead Council were consulted regarding this application and raised no objections to it on traffic/highway safety or on any other grounds.

Damage to B1288

An objection received on behalf of those residing at Low Mount Farm stating that the existing level and weight of traffic travelling on the B1288 is causing and has previously caused damage to the concrete blocks which support the highway. (These concrete blocks are located within one of the paddocks at the farm). The objection states that this damage is causing the concrete blocks to deteriorate. The objection further states that:

“There is also the issue of our stable block which at over 150 years old sits under, and supports the road. An independent engineer's report voiced concerns over the lateral pressure placed on the building due to the number of HGVs. As many as 40 an hour on some days.”

Following consultation with the Executive Director of City Services: Network Management it is apparent that issues relating to impact of traffic using the B1288 highway and the associated impact upon Low Mount Farm has been the subject of going discussions with Sunderland City Council outside of the scope of this (any other) planning application. It would appear that the objection received refers to issues which have previously been raised with the Council.

The Executive Director of City Services: Network Management advises that within the Low Mount farmstead, a barn wall acts in support of highway land and this has been inspected by a Council engineer. It has been concluded, by the Council, following the inspection carried out, that there is no evidence of damage arising from exceptional weight of traffic using Springwell Lane.

Democracy and Representation

All four of the representations received refer to the consultation that has been carried out in connection with these two planning applications. One objection received states that:

“One of the biggest problems that continually blight the residents attempts at rectifying matters is that the planning applications to which I refer (i.e. those concerning Campground) must go via Sunderland City Council when in fact the people suffering from the detrimental impact of same are the people living in Wrekenton area hence they are constituents of Gateshead and not Sunderland. That said we are unable to gain any response to afford us full and frank consultation with Sunderland as we are repeatedly told that, as Gateshead constituents, Sunderland Council has no duty or responsibility to us”.

It is accepted that the proposed development sites are located within the administrative boundary of Sunderland City Council. It is also accepted that the site is located adjacent to the administrative boundary between Sunderland City Council and Gateshead Metropolitan Borough Council. However, members are advised that consultation regarding planning applications 11/01980/FUL and 11/02076/FUL was carried out in strict accordance with the provisions of the Town and Country Planning (Development Management Procedure) Order, 2010 and in accordance with Sunderland City Council’s adopted policy on public consultation.

Public notices informing people of the planning applications were displayed at nine different locations around the application sites, eight of which were within the administrative boundary of Gateshead. Furthermore, 96 individual neighbour notification letters were sent to those living nearest to the site (clearly not every constituent of Gateshead can be sent an individual letter but those in closest proximity did receive such letters). A notice was displayed in the Sunderland Echo on the 8 August 2011 to inform people about the planning applications (once again the Local Planning Authority cannot cater for every individual’s preference in relation to their preferred publication).

As a result of the consultation carried out by Sunderland City Council in connection with the planning applications a total of four letters of representation in objection to the proposed developments were received together with one petition. These representations have been publicly displayed on the Council’s website for any interested party to examine. Furthermore the representations received are included as APPENDIX 1 of this report. Those who submitted individual representations were advised in writing of the time, date and venue for the Committee meeting and were advised of their right to speak at Committee.

It is therefore considered that consultation has been carried out correctly in connection with these two planning applications and that interested parties have been given the opportunity for full and frank consultation regarding the

applications. It is not accepted that Sunderland City Council has excluded residents of Gateshead or any other location from the planning consultation process, neither is it accepted that Sunderland City Council is

“trying to hide the true level of objection to the schemes”

as stated in one objection received.

Objections received also requested that the site be visited by Planning Officers and Elected Members. The Planning Case Officer accompanied by the City Council’s Environmental Health Officer visited the sites on 23 August 2011. Members will recall that they visited the site on 2 September 2011.

Drainage and Flooding

Objections to the proposed development have been received to the proposed developments on grounds that at the current time the sites create problems of flooding at Low Mount Farm. These objections have been addressed in the Supplementary Report to Members.

High Pressure Gas Pipeline

It is the responsibility of the developer to ensure safety on and around sites during demolition, site clearance and construction phases of development. In addition to the above the application has been processed through the health and Safety Executives PADHI+ system which has NOT advised against the development on the grounds of any nearby hazardous pipelines or installation.

Demolition

One objection received is concerned about the demolition of the existing incinerator building which is located on the SITA site. In particular the objector has concerns regarding the potential for pollution/contamination of the surrounding area from demolition works.

However, if Members are minded to approve the applications under consideration conditions will be attached to any approval granted requiring the submission of a scheme of demolition to be submitted to and approved in writing by the Local Planning Authority Prior to any works commencing on site. A further condition controlling the days and hours that demolition and construction works can take place on the site will also be attached to any approval granted.

It is considered that such measures are sufficient to address the concerns raised in relation to demolition works.

Previous Ombudsman Correspondence

One objection letter received had numerous correspondence concerning complaints to the Local Government Ombudsman attached as an appendix report. Although the content of this historic correspondence has been noted, complaints made to third party arbitrators concerning previous planning applications or issues on the applications site(s) cannot be considered as material to the consideration of these planning applications. The applications under consideration must be considered upon their own merits and determined based upon the information presented to support them.

Conflict with “Current Planning Approvals”

One objection received suggests that if the current proposals were to be

approved, they would be in conflict with other planning approvals on the sites. However, planning applications 11/01980/FUL and 11/02076/FUL are applications for new development of these sites. If approved, the sites will benefit from entirely new planning permissions for the development detailed in each respective planning application, with new conditions where these are deemed to be necessary.

Garaging of Vehicles

One objection received suggests that wagons left overnight on the SITA site should be garaged within the WRB to help minimise noise and also to deter “marauding vandals”. The objector also states that the ad hoc storage bays should be incorporated into the building to deter thieves and vandals.

For the purposes of clarification SITA has confirmed that 3 GMBC refuse collection vehicles and 2 articulated bulk carriers are currently stored overnight on site.

The Local Planning Authority has discussed the possibility of garaging these vehicles overnight in the proposed WRB with the applicant. The LPA were advised that because the refuse collection vehicles belonged to a third party (GMBC) the storage of such vehicles within the WRB is not considered to be practical. For example GMBC do not have waste collections on Saturdays, if the GMBC refuse collection vehicles were parked within the WRB at this time the area within the building would become unworkable. Furthermore the SITA UK Insurance and Risk Manager has confirmed that vehicles stored within WRBs are considered to pose an additional fire risk for insurance purposes. Such garaging of vehicles with the WRB is therefore not acceptable to SITA UK’s insurers.

The current proposed layout of the facility allocates an area adjacent to the west elevation of the waste reception building for overnight HGV parking. However, the applicant has agreed to relocate the proposed vehicle parking to the eastern elevation of the WRB furthest away from the nearest sensitive receptors. Should Members be minded to grant planning approval for ref: 11/02076/FUL a condition requiring the submission of a revised plan showing the relocated parking area to the eastern elevation of the WRB will be attached to any approval granted.

Regarding the objector’s reference to thieves and vandals accessing the site, SITA has confirmed that the site has a 24 hour security presence and a Closed Circuit Television System (CCTV) which will remain after the redevelopment of the site.

Previous Suggestions Regarding Site Layout by the Council’s Environmental Health Officer

One letter of objection received states that the Council’s Environmental Health Officer has, on previous occasions, suggested ways in which the Campground site might be redesigned. The comments referred to have been examined. However it is considered that these comments were made in response to consultation in connection with previous planning applications on the site. Any future proposals would be examined on their own merits taking into account a variety of mitigation measures available to the developer, these could include orientation and design of the building, and/or alternatively barriers or other mitigating factors deemed necessary to achieve the required levels.

Request for Public Meeting

One representation received requested that Gateshead Council and Sunderland Council agree to a joint meeting with a delegation of residents from the Wrekenton area to discuss SITAs planning application prior to Sunderland Council making its final decision and for Sunderland City Council to halt SITA's application until such a time as the requested meeting had taken place.

The request for a joint meeting was declined by the former Head of Planning and Environment. Planning application 11/02076/FUL had been lodged when this request was received and it was considered that the planning application process and associated consultation exercises were the appropriate mechanism through which interested parties could make representation about the application.

Increased Volumes of Waste

Representations received object to any increase in volumes of waste to be received by the waste sites.

It is unlikely that the redevelopment of the HWRC facility will attract increased volumes of waste due to the nature of the site serving the local population of the area.

However, SITA UK has confirmed that it is intended for the redeveloped site to handle up to 90 000 tonnes of waste per annum, the site currently handles up to 75 000 tonnes.

Members should note that there are two separate permitting regimes which govern waste facilities. The permission for land use is controlled through the Planning Acts by the Local Planning Authority and the permission for the waste operation is controlled by the Environment Agency through the issuing of Environmental Permits.

If planning permission is forthcoming on this site a variation to the existing Environmental Permit will be necessary and a new permit from the Environment Agency would have to be in place prior to any increased volumes of waste being received at the proposed development.

The waste operation is controlled by separate legislation requiring an environmental permit and government advice, under paragraph 22 of circular 1/95 The Use of Conditions in Planning Permissions, is that a planning condition limiting the throughput tonnage would not necessary where it is controlled by other more appropriate controls, in this case the terms of a revised Environmental Permit, and it would be *ultra vires* if the planning condition conflicted with the Permit.

Reference No.: 11/02076/FUL Full Application

Proposal: **Redevelopment of Campground waste transfer station including: waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping.**

Location: Campground Refuse Disposal Works Springwell Road
Springwell Gateshead NE9 7XW

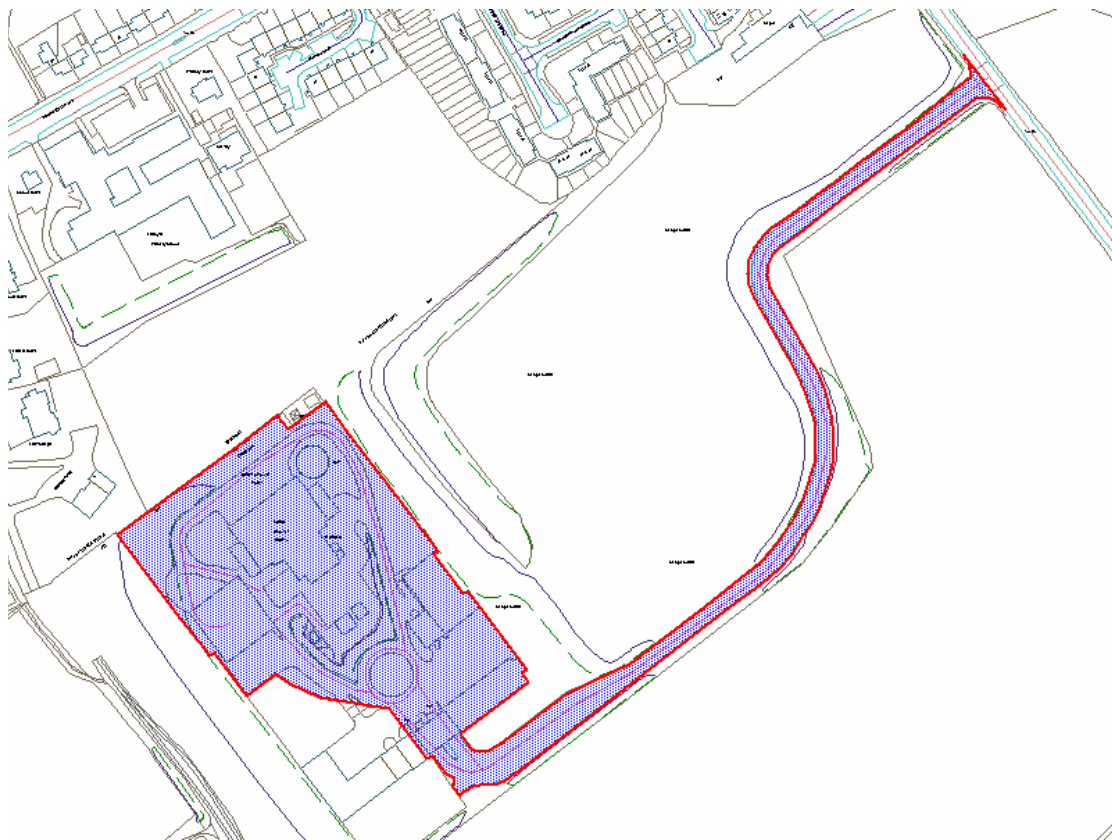
Ward: Washington West

Applicant: SITA UK Limited

Date Valid: 22 July 2011

Target Date: 21 October 2011

Location Plan



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Purpose of Report

The purpose of this report is to make a recommendation to Committee in relation to a planning application submitted on behalf of SITA UK for the redevelopment of Campground waste transfer station including: waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping.

Description of Decision

The Committee is recommended to resolve that it is minded to approve the application for a Waste Transfer Station including waste reception building, storage facilities, staff site office, visitors centre, wind turbine, car parking and associated infrastructure and landscaping, subject to the conditions listed in the “recommendation section” of this report.

Background

The application was submitted on 24 June 2011 and was validated on 7 July 2011 following the submission of additional information.

Further information as listed below was subsequently submitted for the consideration of the Local Planning Authority:

Proposed Waste Transfer Station and Visitors Centre Campground, Wrekenton Addendum Report, received 11 October 2011.

Planning History

Planning Permission reference CA44139 for the erection of a refuse disposal plant and ancillary works was granted on 19 November 1968 by the County Council of Durham in accordance with the legislation in force at that time (Town and Country Planning Act 1962).

Planning permission CA44139 had three planning conditions attached to it. These conditions were:

1. That the development should be carried out in strict accordance with the approved plans (dated 7.2.68)

2. That a scheme of landscaping be agreed with the Council and undertaken as approved.
3. That the proposed access to road B1288 be constructed in accordance with details to be submitted to and approved by the planning authority.

A further planning permission reference CA47154 granted approval for the erection of an incinerator and ancillary buildings on the Campground site on 23 June 1970. That planning permission required that a scheme of landscaping be agreed with the planning authority prior to the development commencing and implemented as approved.

Due to the historic nature of the primary planning permissions on the proposed development site there are at the present time no restrictive planning conditions controlling activities on the site. However, the current use of the site as a waste transfer station/Household Waste Recycling Centre requires an Environmental Permit from the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2010. These regulations are designed to control potential impacts upon the environment.

PROPOSAL

Layout & Appearance

The application under consideration proposes complete remodelling of the proposed development site. The tall (21m) obsolete former incinerator building will be demolished along with the on site boiler house, sub-station (located centrally within the site), garages, office buildings and warehouse/stores buildings. The temporary Rubb shelter that is currently located adjacent to the western boundary of the site will also be removed. A gatehouse and weighbridge will be located at the entrance to the site as per the current arrangements.

A Waste Reception Building (WRB) measuring 80 metres x 42 metres is proposed on the site of the current incinerator building (with additional land being occupied to the south of the current extent of the incinerator). The WRB will measure 9 metres to the eaves and 12 metres to the pitch of the roof. It should be noted however that the WRB will comprise a retaining wall at its northern end which effectively sets the building 4 metres into the existing ground level at that end. As the level of the site falls to the south the degree to which the WRB is set into the ground decreases, with it being set below ground level by a distance of 2 metres at its southern end. (Members should note that the retaining wall is already present on site and will be retained following the demolition of the existing incinerator building).

The WRB is to be constructed from single skin trapezoidal cladding finished in Merlin Grey colour with forest green trim.

The western elevation of the WRB will contain two fast acting roller shutter doors (coloured blue) which provide a vehicle entrance to the building and two personnel doors positioned either side of these roller shutters.

Thirteen roof lights are positioned within the roof slope of the western elevation of the WRB to provide natural daylight internally.

The eastern elevation of the WRB comprises a similar arrangement to that found on the western elevation, with the fast acting roller shutter doors being used as a vehicular exist from the building.

A residual waste loading area will adjoin the WRB at its southern elevation. The residual waste loading area will measure 26.2 metres x 6.8 metres and will have 6 metre x 6 metre roller shutter doors located in each end elevation. The residual waste loading area will measure 6.5 metres to the eaves and 7.4 metres at its highest point.

A sign board is also proposed on the southern elevation of the WRB to be positioned 8.6 metres above ground level.

The northern elevation of the proposed WRB will be blank.

An ad hoc storage area building, site offices and staff welfare facilities and an animal carcass store are proposed adjacent to the western boundary of the proposed development site.

The ad hoc storage area will be constructed from single skin trapezoidal cladding finished in Merlin Grey colour. The proposed building will have blank western, northern and southern elevations and will be open to the east, supported on steel columns. The proposed building will measure 7.5 metres at its highest point and will be 32 metres in length and 8 metres in width.

The ad hoc storage area will contain:

- A gas bottle storage cage.
- Asbestos storage skip.
- Clinical waste storage container.
- Hazardous waste storage container.
- Small WEEE (Waste Electrical and Electronic) goods container; and
- Large WEEE goods container.

The animal carcass store is essentially a large freezer in which carcasses are stored prior to being transported for safe and appropriate disposal off site e.g. at a pet cemetery.

The site office and welfare facilities proposed will comprise male and female WCs and change and shower facilities, a storage area for washing, drying and racking of boots and overalls, a kitchen and a site office. The proposed building will measure 11.38 metres x 7.13 metres.

A visitor/education centre is proposed in the south eastern corner of the site. The visitor/education centre will have 32 car parking spaces plus one disabled car parking space and coach parking in association with it. Motorcycle parking and bicycle parking will also be available outside of the centre.

The proposed visitor/education centre building will have a maximum height of 11.8 metres and will be of a contemporary design with large areas of glazing to the western and eastern and northern elevations. The remainder of the building which measures approximately 28 metres x 10 metres will comprise timber cladding. The roof covering will be white in colour and will be enclosed with a steel barrier with handrail. Photovoltaic panels will be located on the roof of the building.

The proposed visitor/education facility aims to achieve an “excellent” BREEAM rating the facility will incorporate a number of sustainable features such as:

- Solar hot water panels on the roof;
- High efficiency luminaries;
- Rainwater harvesting;
- Solar photo-voltaic panels; and
- A wind turbine

Internally the facility proposes an interactive learning space, stores, meeting space and office facilities. A lift as well as stairs provides access to the first floor.

Two biodiversity ponds are located outside of the visitor/education centre, to its south west, these are bisected by a footpath with handrails either side.

A fourteen metre high vertical elliptical wind turbine is proposed adjacent to the western elevation of the visitor/education centre.

A sweeping bay is located adjacent to the eastern boundary of the application site. This sweepings bay will be 6 metres x 3 metres and will be 5 metres high at its highest point. The sweepings bay will be constructed from concrete push walls and will have a single skin trapezoidal cladding to its roof. The bay will be open to its frontage.

The buildings proposed on this site are considered to represent a significant reduction in the height of the structures there at present and are considered to be acceptable in terms of visual amenity in their Green belt location. As such the proposed buildings on site are considered to be acceptable.

PROPOSAL

Process

The proposed Waste Transfer Facility (WTF) will have the capacity to manage 90,000 tonnes of waste per annum. The majority of this material will be delivered to the facility by refuse collection vehicles as part of contractual household waste collections. Bulky items, WEEE goods (Waste Electrical and Electronic goods), hazardous waste and street sweepings will also be delivered to the site. Members should note that hazardous waste is defined as waste that is harmful to human health, or to the environment, either immediately or over an extended period of time. This type of waste can include things like batteries, fluorescent tubes and some paints.

The main purpose of the facility will be to bulk waste materials for onward transportation, however, where it is practical, safe and economic to do so, the applicant will segregate fractions of the waste for recycling. This will typically include manual segregation of metal and wood from the bulky wastes, and road sweepings/gully waste, comprising largely inert waste, will be sent for aggregate recycling.

The quantities to be sorted for recycling will be typically low at approximately 3% of the annual tonnage delivered to the facility.

The proposed development will secure the existing eleven jobs at the facility and will create an additional full-time position to manage the education facility.

The Application Site

The proposed development site is rectangular in shape and the application site (inclusive of access road) measures 2.45ha.

The site itself comprises a number of large vacant buildings and areas of hardstanding. The existing buildings vary in height with the tallest measuring approximately 21 metres. There is a telecommunications mast in the northern corner of the site which has a height of approximately 55 metres.

Current access to the development site is from the B1288 (Springwell Road) which links to the B1296 to the north, heading toward Wrekenton, and to the A194(M) to the south via Springwell Village. From B1288 vehicle access to the site is taken via a dedicated private road.

The site is bounded to the north by an existing narrow belt of mature trees beyond which are residential properties. Immediately south of the site is a household waste recycling centre (HWRC) which is operated by Gateshead Metropolitan Borough Council (GMBC). The HWRC is the subject of a separate planning application (reference: 11/01980/FUL). Beyond the HWRC is an area of open land and Springwell Quarry. To the east is a recreational ground (football pitch) beyond which is agricultural land.

The existing structures on site include:

- Derelict incinerator plant;
- Weighbridges and cabin;
- Offices and canteen;
- Workshops/garage (including underground tanks); and
- Road salt store.

Some of the buildings on site are large and visually prominent, particularly the disused incinerator building which measures approximately 21 metres in height. Currently land within the application site is used for the transfer of waste. These transfer operations are carried out within a structure known as a "Rubb Shelter" (which is effectively a rubberised dome shaped tent). This Rubb Shelter is located to the south west of the derelict incinerator building and waste transfer operations within this Rubb Shelter are carried out under a temporary planning permission (reference: 08/00278/REN) which allows the use of the Rubb Shelter for waste transfer purposes until 2013.

The buildings currently occupying the site are considered to be unattractive, having a detrimental impact upon visual amenity both within the site and the wider locality.

There is a telecommunication mast and ancillary equipment located in the northern corner of the site, there is also an electricity sub-station located on the eastern boundary of the site. The site is bounded on all sides by a palisade fence and areas of soft landscaping run along the north western, north eastern and south western boundaries. Beyond the north western boundary is a narrow belt of mature trees and a hedgerow, beyond which are residential properties and a school playing field. The closest property is located approximately 15 metres from the planning application site boundary and the school buildings are approximately 85 metres from the site boundary.

The site is allocated in the adopted Unitary Development Plan Proposals map as Green Belt and forms part of the Great North Forest area. To the south and south east of the site the land is safeguarded for mineral resources. A public right of way runs to the south of the south western corner of the site in an east to west alignment.

The Planning Application

The application is accompanied by a supporting statement and a technical appendices which provide background and additional information to support this application for planning permission.

TYPE OF PUBLICITY:

Press Notice Advertised (Sunderland Echo)

Site Notice Posted (9 Notices)

Neighbour Notifications

CONSULTEES:

City Services - Network Management

County Archaeologist

Environment Agency

Northumbrian Water

Street Scene (Environmental Service)

Gateshead Council

Final Date for Receipt of Representations: **30.08.2011**

Representations

4 letters of objection have been received.

1 petition in objection has been received.

Members should note that the representations received in connection with this planning application also referred to planning application 11/01980/FUL (adjacent GMBC Household Waste Recycling Centre). For the avoidance of any doubt Members will find copies of each objection and the petition received in objection to this application at the end of this report as Appendix 1. Full consideration of the objections raised to both this planning application (11/02076/FUL) and planning application 11/01980/FUL is contained in Appendix 2.

POLICY CONTEXT

In the Unitary Development Plan the site is subject to the following policies:

R_1_Working towards environmentally sustainable development

R_2_Taking account of spare infrastructure / reduced travel / vacant & derelict land

R_4_Incorporation of energy saving measures

EC_12_Criteria relating to potentially polluting industries

EC_13_Proposals involving hazardous substances

EC_15_Development or extension of bad neighbour uses

EN_1_Improvement of the environment

EN_2_Proposals for the production and distribution of energy

EN_3_Utilisation of renewable energy sources

EN_5_Protecting sensitive areas from new noise/vibration generating developments
EN_12_Conflicts between new development and flood risk / water resources
EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas
EN_15_Promoting / encouraging the reclamation of derelict land for appropriate uses
B_1_Priority areas for environmental improvements
B_2_Scale, massing layout and setting of new developments
B_13_Sites and monuments of local importance affected by development
CN_2_Purpose of the Green Belt in Sunderland
CN_3_Control of development within the Green Belt
CN_5_Safeguarding the visual amenity of the Green Belt
CN_7_Measures to protect/ enhance the urban fringe
CN_15_Creation of the Great North Forest
CN_16_Retention and enhancement of existing woodlands, tree belts and hedgerows
CN_18_Promotion of nature conservation (general)
CN_21_Developments affecting designated / proposed LNR's, SNCI's or RIGS
CN_22_Developments affecting protected wildlife species and habitats
CN_23_Measures to conserve/ improve wildlife corridors
M_12_Strategic requirements for development/extension of waste disposal/transfer sites
M_18_Provision of waste reclamation and recycling facilities subject to amenity etc.
T_12_Major traffic flows and HGV's will be encouraged to use strategic route network
T_14_Accessibility of new developments, need to avoid congestion and safety problems arising

Principle of development

Section 38 of the Planning and Compulsory purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan in force unless other material considerations dictate otherwise.

European and national policy has been considered alongside regional (RSS) and local (UDP) policy.

It should be noted that when Local Planning Authorities make their decisions they must take into account the requirements of Section 38(6) of the Planning and Compulsory Purchase Act, 2004, which provides that:

“If regard is to be had to the Development Plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”

Based upon the above, the first test and the statutory starting point in the determination of this planning application is whether the application is “in accordance with the plan”, which is a phrase that has been the subject of debate in the High Court in the context of Section 54A of the Town and Country Planning Act, 1990. In his judgement of 31 July 2000 (R v Rochdale

Metropolitan Borough Council ex parte Milne) Mr Justice Sullivan concluded as follows:

“I regard as untenable the proposition that if there is a breach of any one Policy in a development plan a proposed development cannot be said to be “in accordance with the plan”...

“For the purposes of Section 54A it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein.”

The Rochdale judgement is applicable to the interpretation of S38(6) of the 2004 Act and the Council must reach a decision, therefore, as to whether the application under consideration is in accordance with the development plan when the plan is considered as a whole.

This assessment is therefore a balancing exercise with compliance with the Development Plan considered as a whole, as opposed to each and every policy, and that lack of compliance with one, or more, individual policies does not, of itself merit a verdict of non-compliance.

European Policy Considerations

Consideration of the European Waste Framework is relevant to the consideration of this application. The key European (EU) Directives relevant to the proposed development and waste management facilities in general are:

The Framework Directive on Waste (75/442/EEC as amended by 91/156/EEC and 91/962/EEC;

- The landfill Directive(1999/31/EC);
- Revised Waste framework Directive (2008/98/EC); and
- EU Directive on Waste (2006/12/EC).

Considering each in turn:

Framework Directive on Waste

In 1974 the Framework Directive on Waste was prepared together with subsequent amendments (91/156/EEC and 91/962/EEC) set out guidance on:

- Use of cleaner and the most appropriate technologies in both product manufacture and final disposal;
- The application of the waste hierarchy in order to drive the management of waste further up the hierarchy away from landfill as a treatment option;
- The application of the proximity principle to waste disposal in relation to the self sufficiency of individual member states; and
- The use of waste as a source of energy.

The 1974 Directive has been implemented in the UK through the Environmental Protection Act 1990 and the Waste Management Licensing Regulations 1994 (and subsequent amendments).

The Framework Directive requires European member states to establish an integrated and adequate network of waste facilities including provision for waste

transfer, storage, treatment and disposal and it should be adequate to deal as far as possible with the full range and amount of waste arisings.

The Framework Directive states that the best disposal treatment options should be located as close as possible to the origin of the generated waste. This is known as the “Proximity Principle”. The provision of an adequate network of waste facilities will depend upon the types of waste generated in a particular area. The planning system must enable and facilitate the establishment of the network through both the development plans and the development control process to cater for this demand and avoid movement of waste over long distances.

Landfill Directive

The main objective of the Landfill Directive, which was adopted in July 1999 and transposed into UK Law by the Landfill Regulations 2002, is to prevent or reduce, as far as possible, the negative effects of landfilling waste on the environment and human health. The Directive requires waste destined for landfill to be subjected to pre-treatment by ‘physical, thermal, chemical or biological process, including sorting that changes the characteristics of the waste in order to reduce its volume or hazardous nature, facilitate its handling or enhance recovery’.

The Landfill Directive is the most significant influence on the manner in which waste is treated in the United Kingdom. It includes the following key requirements:

- A phased and substantial reduction (by 65% by 2020) in the amount of biodegradable municipal waste being landfilled;
- The treatment of all wastes prior to landfill; and
- The implementation of the waste hierarchy of reduction, re-use, recycling, energy generation, landfill.

Draft Revised Waste Framework Directive

The aim of the revised Draft revised Waste Framework Directive (DrWFD) is to promote waste prevention, increase recycling, and ensure better use of resources, while protecting human health and the environment. It re-enacts much of the existing Waste Framework Directive, and leaves the legal definition of waste unchanged.

The DrWFD requires the following key actions:

- Separate collections of waste for at least paper, metal, plastic, and glass by 2015 where technically, environmentally and economically practicable. This applies to both household and business waste;
- To recycle 50% of waste from households by 2020;
- To recover 70% of construction and demolition waste by 2020; and
- To apply the waste hierarchy as a priority order.

The priority order is: waste prevention; preparing for re-use; recycling; other recovery (e.g. energy recovery); and finally disposal. The revised Waste Framework Directive allows for departure from the hierarchy where that would deliver a better overall environmental outcome.

European Legislation Summary

It is considered that the proposed transfer facility at Campground will help to reduce the amount of waste currently disposed to landfill. The proposed facility

will be part of an integrated system that will transfer residual municipal wastes to an energy recovery centre. The proposed facility will also sort and remove a small amount of recyclable material from incoming waste. Both of these operations will divert waste from landfill as a treatment option in accordance with the requirements of the Framework Directive on Waste, the Landfill Directive/ Landfill Regulations 2002 and the Draft revised Waste Framework Directive.

National Planning Policy

In terms of national policy, several Planning Policy Statements (PPS's) are relevant to the consideration of this application as is the Waste Strategy for England, 2007.

In terms of Planning Policy Statements, it is considered that the following are particularly relevant to the consideration of this application:

- PPS1 Delivering Sustainable Development (including PPS1 supplement "Planning and Climate Change");
- PPG2 Greenbelt
- PPS5 Planning for the Historic Environment;
- PPS9 Biodiversity and Geological Conservation;
- PPS10 Planning for Sustainable Waste Management;
- PPS23 Planning and Pollution Control;
- PPS25 Development and Flood risk.

➤ PPS1 Delivering Sustainable Development (including PPS1 supplement "Planning and Climate Change").

PPS1 sets out the government's overarching policies on various aspects of land use planning in England. PPS1 provides guidance on the delivery of sustainable development throughout the planning system.

Paragraph 21 of PPS1 states that:

"The prudent use of resources means ensuring that we use them wisely and effectively, in a way that respects the needs of future generations. This means enabling more sustainable consumption and production and using non-renewable resources in ways that do not endanger the resource or cause serious damage or pollution. The broad aim should be to ensure that outputs are maximised whilst resources used are minimised".

Paragraph 27 of PPS1 further states that local authorities should:

"Address on the basis of sound science, the causes and impacts of climate change, the management of polluting and natural hazards, the safeguarding of natural resources; and the minimisation of impacts from the management and use of resources".

In addition, paragraph 26 of PPS1 states that planning authorities should take account of the range of effects (both negative and positive) on the environment, as well as the positive effects of development in terms of economic benefits and social well being.

The PPS 1 Supplement: Planning and Climate Change will supplement PPS1 by setting out how spatial planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences.

The emergence of the principles of sustainability as a major consideration in development control is reactionary to the challenges of climate change. This has led to a new approach by Government and certain industries such as the waste management sector. EU legislation, the proximity principle and the waste hierarchy have led to the emergence of alternative forms of waste management such as energy recovery facilities. It is considered that the proposed facility will contribute towards these aims to address climate change and the associated principles of sustainability.

➤ PPG2 Green Belt

PPG2 identifies five purposes for the inclusion of land within areas of designated Green Belt. These are:

1. To check the unrestricted urban sprawl of large built up areas;
2. To prevent neighbouring towns from merging into one another;
3. To assist in safeguarding the countryside from encroachment;
4. To preserve the setting and special character of historic towns; and
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

PPG2 also identifies a number of objectives for land use within Green Belts. The objectives include:

- To provide opportunities for access to the open countryside for the urban population;
- To provide opportunities for outdoor sport and outdoor recreation near urban areas;
- To retain attractive landscapes, and enhance landscapes, near to where people live;
- To improve damaged and derelict land around towns;
- To secure nature conservation interest; and
- To retain land in agriculture, forestry and related uses.

When any large scale development or redevelopment of land occurs in the Green Belt it should, so far as possible contribute to the achievement of the objectives in the use of land in Green Belts. In order to maintain these six objectives a general presumption against inappropriate development in the Green Belt will be made, unless there are very special circumstances. PPG2 considers inappropriate development to be new buildings; (in some circumstances) re-use of buildings; mining and other development.

The complete or partial redevelopment of developed sites in the Green Belt may offer the opportunity for environmental improvement without adding to their impact on the lands openness and the purposes of including land within it. However, redevelopment should:

- Have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;

- Contribute to the achievement of the objectives for the use of land in Green Belts;
- Not exceed the height of the existing buildings; and
- Not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

As the application under consideration involves the redevelopment of an existing site in the Green Belt, the requirements of PPG2 are considered to be particularly relevant.

At present, the tallest building on the application site is the disused incinerator building, which stands 21 metres above ground level. The proposed Waste Reception Building will measure 12 metres above ground level to ridge line and the proposed on site wind turbine will measure 14 metres from ground to blade tip.

The collective footprint of the buildings proposed on site will be less than the footprint of those on site at present. The proposal will also involve a cut and fill exercise so the Waste Reception Building will effectively be set into the rising ground.

Improved vegetative screening is proposed along the north western and south eastern boundaries of the site.

It is considered that the proposed reduction in the height of structures on site, together with the site's status as an existing development site within the designate Green Belt and the propose improvement in vegetative screening reflect the objectives set out in PPG2: Green Belts.

➤ PPS10 Planning for Sustainable Waste Management.

PPS10 sets out the requirements that must be observed by local authorities in the forward planning and future provision of waste management infrastructure and in producing development and planning strategies. Paragraph 1 of PPS 10 states that the overall objective of Government policy on waste, as set out in the strategy for sustainable development, is to protect human health and the environment by producing less waste and by using it as a resource wherever possible.

One of the key planning objectives of PPS10 states that all planning authorities should:

“deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for”

The key planning objective also requires waste to be managed at the closest appropriate facility to its place of origin.

Paragraph 20 of PPS10 states that in searching for sites and areas suitable for new or enhanced waste management facilities, waste planning authorities should consider:

- Opportunities for on-site management of waste where it arises; and

- A broad range of locations including industrial sites, looking for opportunities to co-locate facilities together and with complementary activities (reflecting the concept of resource recovery parks).

Paragraph 35 of PPS10 states that

“Waste management facilities in themselves should be well designed so that they contribute positively to the character and quality of the area in which they are located. Poor design is in itself undesirable, undermines community acceptance of waste facilities and should be rejected”.

The proposed facility will occupy a site that has previously accommodated an incinerator and ancillary buildings and which is an existing waste transfer station. The now vacant incinerator building and the Rubb Shelter which remain on site will be removed as a result of this proposal, with lower level modernised structures being proposed in their place. On this basis it is considered that the proposed development reflects paragraph 35 of PPS10.

In addition, PPS 10 states that Local Planning Authorities should:

“Give priority to the re-use of previously developed land which meets two objectives”

The proposed facility groups complementary waste management activities together (bulking, transfer and sorting for recycling) on a previously developed site which meets the two objectives and principles set out in PPS10. Paragraph 38 of PPS10 states that applications for planning permission to develop waste management facilities should expect expeditious and sympathetic handling of planning applications on sites and in locations identified in development plan documents, where their proposals reflect the planning strategy for waste management and policies set out in the development plan.

The compliance of the proposed development with the requirements of PPS5; PPS9; PPS23 and PPS25 will be assessed separately, as appropriate, later in this report under the headings listed below.

Waste Strategy for England

The Waste Strategy for England 2007 (WSE 2007) builds on the principles set out in Waste Strategy 2000 but introduces additional steps, aiming to address key challenges for the future of waste management in England.

The Government’s key stated objectives are:

- Decouple waste growth (in all sectors) from economic growth and put more emphasis on waste prevention and re-use;
- Meet and exceed the Landfill Directive diversion targets for biodegradable municipal waste in 2010, 2013 and 2020;
- Increase diversion from landfill of non-municipal waste and secure better integration of treatment for municipal and non-municipal waste;
- Secure the investment of infrastructure needed to divert waste from landfill and for the management of hazardous waste; and
- Get the most environmental benefit from that investment, through increased recycling of resources and recovery of energy from residual waste using a mix of technologies.

The overall impact of this strategy is expected to be an annual net reduction in global greenhouse gas emissions from waste management of at least 9.3 million tonnes of carbon dioxide equivalent per year compared to 2006 (equivalent to the annual use of around 3 million cars).

A greater focus on waste prevention will be recognised through a new target to reduce the amount of household waste not re-used, recycled or composted from over 22.2 million tonnes in 2000 to 15.8 million tonnes in 2010 (a reduction of 20%), with an aspiration to reduce it to 12.2 million tonnes in 2020 (a reduction of 45%). This is equivalent to a reduction in the weight of waste produced by each person of 50% (from 450kg per person in 2000 to 225kg in 2020).

The Waste Strategy for England seeks to move to a more efficient recovery of materials and energy, and increased investment in collection, sorting, reprocessing and treatment facilities by local authorities and businesses. It is considered that the proposed facility will provide the South Tyne and Wear Waste Management Partnership with improved waste management infrastructure and waste treatment options as required by the Waste Strategy for England.

Regional Planning Policy

The Regional Spatial Strategy for the North East of England (RSS) aims, amongst other things, to:

- promote a fundamental change in the way waste is dealt with;
- minimise the quantities of waste produced in the Region;
- increase awareness, influence attitudes and promote waste minimisation, reuse and recycling;
- promote the development of new markets for recycled products;
- ensure that the Region is served by a reliable, integrated waste management infrastructure that
- serves the collection, management and disposal requirements of all waste producers;
- seek that waste be disposed of in one of the nearest appropriate installations;
- ensure that communities take more responsibility for their own waste ; and
- reduce the environmental impact of waste management practices.

Policy 45 of the RSS is concerned with Sustainable Waste Management and states that:

“Strategies, plans and programmes, and planning proposals should give priority to initiatives which encourage behavioural change through:

- a. developing and implementing waste minimisation plans and schemes;
- b. implementing waste awareness and education campaigns;
- c. developing reuse schemes; and
- d. minimising the use of primary construction materials and the production of waste;

and should be based on the following key principles:

- a. the waste hierarchy with minimisation at the top, then reuse, recycling, composting, waste to energy and landfill;
- b. enable waste to be disposed of in one of the nearest appropriate installations; and
- c. ensuring communities take more responsibility for their own waste.”

The RSS acknowledges that up to 2020 significant numbers of new facilities will be needed to manage waste. The RSS further states that the Region is committed to playing its part in delivering the targets set out in the Waste Strategy 2007 and the Landfill Directive (referred to earlier in these considerations).

It is considered likely that during the period covered by RSS, new techniques and processes for managing and treating waste will emerge, and it was therefore not considered appropriate for the text of the RSS to be prescriptive on the type and number of facilities which will need to be provided to manage the waste arisings. The RSS states that local circumstances should provide local solutions within the overall regional framework provided by the RSS policies.

The proposed development is considered to comply with the requirements of RSS Policy through the provision of recycling and waste to energy and through providing an additional installation through which waste can be dealt with at a local level.

Local Planning Policy

The Unitary Development Plan (UDP), and the policies therein, which was adopted by Sunderland City Council in 1998, is the prime consideration in the determination of planning applications by the City Council. Applications should be determined in accordance with the Development Plan unless other material considerations now outweigh it.

The UDP Policies considered to be relevant to the determination of this planning application are listed earlier in this report.

Some of the policies relevant to the determination of this planning application are specific to certain elements of the scheme e.g. Policy T14 is relevant to the consideration of highway engineering and traffic arrangements for the proposed development, the proposed development will be assessed against such specific policies at appropriate junctures within the report to committee.

Other more general land use policies applicable to the site will be considered below.

It is considered that the UDP land use policies relevant to the determination of this planning application are:

- Policy B1: Priority areas for environmental improvements
- Policy B2: Scale, massing layout and setting of new developments
- Policy CN2: Purpose of the Green Belt in Sunderland
- Policy CN3: Control of development within the Green Belt
- Policy CN5: Safeguarding the visual amenity of the Green Belt
- Policy CN7: Measures to protect/ enhance the urban fringe

Considering each policy in turn:

➤ Policy B1: Priority areas for environmental improvements, states that:
The policy states that:

“The City Council will implement a programme of environmental improvements. In general, priority will be given to sites which are visually prominent and/or in the areas of greatest environmental degradation. Particular emphasis will be given to securing improvements within and adjacent to:

- i. Older housing areas with poor quality surroundings;
- ii. Areas with a concentration of derelict land and poor quality buildings;
- iii. Older industrial areas and main shopping centres;
- iv. Main transport routes and entry points;
- v. Degraded land on the urban fringe and prominent edges of the built up area.

It is considered that the application site has a concentration of poor quality buildings i.e. the disused incinerator building and Rubb Shelter and that the site exists on the urban fringe (within the designated Green Belt) and that the site forms a part of the prominent edge of the built up area of the neighbouring authority of Gateshead.

It is considered that the proposed demolition of the very dominant incinerator building and the redevelopment and modernisation of the site will at least improve the visual appearance of the site and the waste recycling and transfer operations that are undertaken there. On this basis it is considered that the proposed development broadly complies with the aspirations of UDP Policy B1.

➤ Policy B2: Scale, massing layout and setting of new developments.
The policy states that:

“The scale, massing layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas.”

The relationship between the development proposed and those neighbouring it will be considered later in the report(s) to committee and the impact of the proposed development upon levels of privacy and other aspects of residential amenity will also be considered at that time.

In terms of large scale schemes which create their own individual character, it is considered that the current arrangement on the application site is unique in character and that the prominence of the disused incinerator building in particular does not relate particularly harmoniously to the adjoining areas.

The proposed removal of this particularly prominent building as part of the redevelopment of this site is welcomed and it is considered that this will go some way to improving the relationship of the built development on the site with those areas surrounding it. However, further consideration of the built form of the proposal is required and these considerations will be undertaken later in the report(s) to committee.

➤ Policy CN2: Purpose of the Green Belt in Sunderland.

The policy states that:

A green belt will be maintained which will:

- i. Check the unrestricted sprawl of the built up area of Sunderland;
- ii. Assist in safeguarding the City's countryside from further encroachment;
- iii. Assist in the regeneration of the urban area of the City;
- iv. Preserve the setting and special character of Springwell Village;
- v. Prevent the merging of Sunderland with Tyneside, Washington, Houghton-le-Spring and Seaham, and the merging of Shiney Row with Washington, Chester-le-Street and Bournmoor.

The proposed development is contained within an existing site of major development for the purposes of waste transfer, within the designated Green Belt. The proposal does not seek to extend the footprint of the site within the Green Belt or to encroach any further in to land allocated as Green Belt.

It must be considered that this application does not seek permission for "new" development in the traditional sense, in that the waste transfer operation already exists on the application site. What is sought is permission to replace obsolete buildings and infrastructure with modern, fit for purpose facilities. In the event of a refusal of this planning application the on site operations would not cease, rather they would simply continue in temporary shelters on site and dominant disused buildings would remain. On this basis it is considered that the proposed development will:

- Not result in development sprawling into Green Belt land;
- Not result in any further encroachment into the City's countryside;
- Will assist in the regeneration of the City by improving the visual impact of the proposed development;

The proposed development is therefore considered to comply with the requirements of Policy CN2 of the adopted UDP.

➤ Policy CN3: Control of development within the Green Belt.

This states that:

"The construction of new buildings inside the Green Belt is inappropriate unless it is for the following purposes *Inter alia*:

- iv Limited infilling in, or redevelopment of existing major developed sites identified elsewhere in the plan;..."

The proposed development site is considered to be an existing major development site with extant planning permissions (as set out in Planning History above). The replacement of obsolete buildings with modern fit for purpose facilities is considered to be appropriate in this Green Belt location on this basis.

➤ Policy CN5: Safeguarding the visual amenity of the Green Belt.

The policy states that:

“Care will be taken to ensure that the visual amenities of the Green Belt will not be injured by proposals for development within, or conspicuous from, the Green Belt.”

The buildings proposed on the application site will be around half the height of the existing tallest building, the proposed building footprint will be reduced and the scheme of landscaping is proposed to provide a vegetative screen. It is considered that these proposals constitute an improvement to the existing on site structures and that the impact on visual amenity, both in terms of direct views of the site and also views of the site within the context of the surrounding landscape. The proposed development is therefore considered to comply with the requirements of Policy CN5 of the adopted UDP.

➤ Policy CN7: Measures to protect/ enhance the urban fringe, states that:

“The City Council will undertake and encourage measures to enhance and protect the landscape and agricultural land on the urban fringe. Measures will include:

- i. The development of buffer uses between rural and residential areas;
- ii. The reclamation of derelict land for recreation, agriculture, habitat creation or other appropriate development;
- iii. Landscape improvement works including tree planting.”

Additional landscaping is proposed as a part of the proposed development. Reinforcement planting to provide buffer areas between the site and nearby residential properties and additional planting along the eastern and southern boundaries will assist in screening the site and minimise impact on surrounding open areas. The proposed development is therefore considered to comply with the requirements of policy CN7 of the adopted UDP.

Principle of Development Summary

As set out above, the proposed development is considered to comply with European, national and regional policy in terms of proximity principle and the Government’s vision for waste disposal.

In terms of local (UDP) policy the proposed development is considered to be appropriately sited in accordance with the provisions of the development plan and is therefore considered to be acceptable in principle.

Other considerations:

The other key issues to consider in the determination of the application are:-

- The Principle of the Development
- Impact upon Surrounding area and Residential Amenity
- Landscape and Visual Impact
- Hydrogeology, Hydrology and Flood Risk
- Ground Contamination
- Noise and Vibration
- Ecology
- Air Quality
- Traffic and Transportation

- Sustainability
- Cultural Heritage

Impact upon Surrounding area and Residential Amenity

The proposed development neighbours some residential dwellings within Gateshead. The information submitted with this planning application in connection with noise, odour, traffic and visual appearance has been fully considered and has been found to be acceptable, with conditions required in some instances. On this basis it is considered that the proposed redevelopment of the existing Campground Waste Transfer Station will not create any unacceptable impact upon residential amenity. The representations received in connection with this development are fully considered in the appendix 2 to this report.

Landscape and Visual Impact

The proposed development represents a reduction in the height of buildings located on the site and improves the visual appearance of the site. It is therefore considered that the proposal is acceptable in terms of its impact upon the wider views of the landscape and visual impact generally.

Flood Risk and Drainage.

Policies EN11 and EN12 of the adopted Unitary Development Plan are concerned with flooding and water quality.

Policy EN11 states that:

In areas subject to flooding, new development or the intensification of existing development will not normally be permitted. Where redevelopment is permitted in areas at risk, the Council will require appropriate flood protection measures to be incorporated in accordance with the advice provided by the Environment Agency.

Policy EN12 states that:

In assessing proposals for development, the Council, in conjunction with the Environment Agency and other interested parties, will seek to ensure that the proposal would:

- i. Not be likely to impede materially the flow of flood water, or increase the risk of flooding elsewhere, or increase the number of people or properties at risk from flooding; and
- ii. Not adversely affect the quality or availability of ground or surface water, including rivers and other waters, or adversely affect fisheries or other waster based wildlife habitats.

Flood Risk

The proposed WTS development site lies within Flood Zone 1 which according to Environment Agency advice is the zone with the lowest risk of flooding at 1 in 100 years.

A flood risk assessment has been prepared to support this planning application and following consultation with the Environment Agency is considered to be appropriate and acceptable.

The risk of the proposed development site flooding is considered to be very low and as such the location of development there is considered to be acceptable and in accordance with Unitary Development Plan Policies EN11 and EN12.

Drainage

Whilst it is acknowledged that this proposed development is a separate venture to that proposed by GMBC on the adjacent site and that the two planning applications stand alone it is considered critical that the drainage associated with the two sites are considered together. This because:

- The proposed drainage arrangements for the HWRC depend upon use of the foul sewer located within the adjacent SITA site.
- An objection to the proposed development has been received on grounds that the “Campground Site” in general causes flooding at Low Mount Farm which is located to the east of both the SITA and GMBC sites (See appendix 1 of details of the objection received).

It is clear from both applications that the plans for drainage from the sites are not final. It is not unusual for developers to continue designing detailed drainage layouts during the lifetime of a planning application and post planning decision but pre commencement. Both applicants accept the need for planning conditions (in the event that a planning approval is forthcoming) to effectively control the method and systems of drainage from the site. Such conditions are not unusual and it is not considered to be unreasonable to impose such conditions in this instance if approval is granted.

The Environment Agency has been consulted regarding both planning application 11/01980/FUL and 11/02076/FUL and has not objected to either planning application.

Further the Environment Agency has confirmed that meetings between the Environment Agency and SITA and Gateshead Council representatives to discuss the proposed changes to the site and the associated drainage regimes have taken place. The Environment Agency has further confirmed that advice and guidance on the proposed drainage was given to the applicants, and that the Environment Agency were informed during these meetings, and through formal consultation from Sunderland City Council acting in its capacity as Local Planning Authority, that it is intended to discharge parts of the combined Campground site surface water to soakaway (HWRC) and parts to the foul system. The Environment Agency has advised that both activities do not require a permit from the Environment Agency and are thus to be registered by the Environment Agency as an exempt activity.

Considering the drainage proposed for each site:

SITA Waste Transfer Station:

The applicant has confirmed that the final drainage arrangements from this site remain at the design stage and are being progressed. The drainage for the site is being designed to capture, harvest and utilise surface water run-off, and retain on site for use within the proposed office and visitors centre.

The proposed development will consist of a number of different surface areas which will either be permeable or impermeable.

Permeable areas will form those parts of the facility which are non-operational e.g. the landscaped areas of the proposed site. These areas will consist of a permeable material where surface water will drain naturally to the ground.

Impermeable areas will consist of those parts of the site where commercial vehicles will access the facility and where there is loading/unloading of materials required for pollution control purposes or where external plant maintenance may be required.

Surface water run-off from impermeable areas will drain via a series of drains and gullies to a below ground attenuation tank via an interceptor before discharge to a new, adopted surface water sewer.

Although the existing surface water drainage on the site enters a soakaway, a new soakaway is not considered to be a viable surface water drainage option for the proposed SITA site due to the depth of made ground across the site.

Rainwater falling on the roof of the visitors centre will be collected, harvested and used for "grey water uses" in the offices and visitors centre. Water collected from the roof of the building will be stored in underground tanks and any surplus water will be attenuated and then drain to the main attenuation tank on site.

The foul water drainage will discharge via an interceptor to the public foul sewer.

For gully waste, a decanting system will be installed. The liquid element of the gully waste will pass through a silt trap to remove suspended material and silt and then through an interceptor to remove petrol and oils before being discharged to the foul sewer.

The applicant has considered the impact of the proposed development both at the construction phase and the operational phase upon potential receptors including controlled waters, surrounding land (including Spring Well located 470 metres north east of the site within Low Mount Farm) and Human Health. As set out above the Environment Agency has been consulted regarding the proposed developments and has offered no objection to the proposed development on grounds of impact upon potential receptors or any other grounds.

Regarding the Spring Well, located within Low Mount Farm in particular, the applicant acknowledges that this is the most significant near by surface water feature and also acknowledges that the Spring Well is a tributary of the River Don. Based upon the name of the feature "Spring Well" and as there are no apparent surface features, it is considered that the Spring Well is a pond fed by groundwater. As the Spring Well is fed by groundwater it is considered that there may be some scope for contamination of the pond via ground water. However, the applicant has supplied detailed proposed mitigation measures to ensure that such contamination does not occur. If Members are minded to approve the proposed development a condition requiring the mitigation measures set out in the documents accompanying the application can be added to any approval granted.

Household Waste Recycling Centre

It is anticipated that the redeveloped site will include a new soakaway to take the surface water discharge, but site investigation, analysis and design are ongoing at this stage.

The existing HWRC site, plus the junction outside which forms part of the redevelopment, contains approximately 4,130m² of hard surfacing. It is estimated that this produces a discharge volume of 57 litres/second based on a storm intensity of 50mm of rainfall per hour. This surface water is currently drained into the soakaway in the northern part of the HWRC site.

Following implementation of the scheme, it is proposed that the HWRC and junction area will contain more hard surfacing than at present. However, not all of this will be drained to a surface water discharge because the water that drains from the service yard will go to the piped foul sewer system. (Estimated to be 1,438m², generating 20 litres/second, based on a storm intensity of 50mm rainfall per hour).

The area that will drain as surface water will be 3,630m², producing a discharge volume of around 50 litres per second, based on a storm intensity of 50mm of rainfall per hour.

If it is subsequently discovered that a new soakaway is not an acceptable solution to drainage from this site details of an alternative method of drainage will be required to be submitted prior to development commencing for the written approval of the Local Planning Authority.

The likely drainage solution for the water which is to be directed to the foul sewer is for the flow to be attenuated in an underground tank on site, then pumped to the existing foul sewer on the Waste Transfer Station site.

In addition to the above considerations Northumbrian Water have been consulted regarding this application and have not objected to either scheme.

Drainage Consideration

It is clear that the drainage proposals for both sites are not final. However it is also clear that the type of drainage systems discussed in the planning applications submitted are likely to reduce the amount of surface water run off through use of SUDS etc. It is clear that the application made by SITA for the waste transfer station has considered detailed mitigation to ensure that drainage from the site does not create issues of pollution for near neighbouring areas or controlled waters. Further, both the Environment Agency and Northumbrian Water have been consulted by the Local Planning Authority regarding these applications and neither organisation has offered any objection to the proposed schemes.

If Members are minded to approve these applications, conditions have been recommended for inclusion on any approval issued to ensure that an adequate and satisfactory drainage system serves both the HWRC and the WTS. Northumbrian Water and the Environment Agency would be consulted and involved in the discharge of any such conditions to ensure a satisfactory form of development.

Members should note that an objection to the proposed development has been received on behalf of Low Mount Farm on the following grounds:

- No information on drainage from the proposed ramped access road.
- No information on drainage from the access road to the site and lack of information regarding proposed soakaways.
- The objector considers storage ponds to be unacceptable due to their location on land at a higher level than Low Mount Farm.
- Land contamination due to leachates from the site.

It is considered that the concerns outlined will be addressed through the additional detailed drainage design work that will be required by condition in the event that planning approval is forthcoming. An additional condition requiring a method statement to show how any leachate from the site will be controlled to ensure that surrounding land will not be contaminated can be attached to any permission granted for the development if Members consider that such a condition is required.

As such, it is considered that although drainage proposals are not finalised at this stage, a satisfactory form of drainage from both sites will be achievable through design processes. Therefore, it is considered that drainage conditions from the two sites will improve as a result of the proposed development and as such the proposal is considered to comply with the requirements of policies EN11 and EN12 of the adopted Unitary Development Plan.

Ground Contamination

Policy EN14 of the adopted Unitary Development Plan is concerned with ground conditions and states that:

Where development is proposed on land which there is reason to believe is either:

- i. Unstable or potentially unstable;
- ii. Contaminated or potentially at risk from migrating contaminants;
- iii. Potentially at risk from migrating landfill gas or mine gas;

The Council will require the applicant to carry out adequate investigations to determine, the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of instability, contamination, or gas migration would allow development subject to preventative, remedial, or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

A Desk Top Study together with a Site Investigation has been submitted as part of the planning application for the site.

The proposed land use is considered relatively insensitive to risk from direct exposure to soil since there are no high risk receptors or activities anticipated at the site which will largely consist of hardcover or buildings.

However the Supporting Statement submitted as part of the application has identified a number of deficiencies within the information provided and as such has stated the need for further investigation, risk assessment and provision of a

remediation report detailing any mitigation measures necessary to address any risks posed during the construction or operational phases of the site.

As such it is considered that the site is suitable for the proposed development but that if Members are minded to approve this application a condition should be attached to any approval granted requiring the submission of additional information for approval by the Local Planning Authority prior to any development taking place on the site.

An appropriate condition will include requirements for the submission of an updated ground investigation report, site conceptual model, risk assessment of the site and remediation strategy and to include consideration of the following.

- Monitoring information and risk assessment of ground gas
- The desk top study has identified a risk of dioxins or furans being present in soil from the previous use of the site for incineration. Whilst there is not expected to be a significant problem for the end users of the site further investigation is required to quantify concentrations and enable the management of soils during construction
- Further investigation of free phase hydrocarbons is required together with any mitigation measures necessary to prevent a risk to users of the site.
- How the risk of combustibility of ground will be managed during construction

Upon completion of the works a Verification Report will also be required to be submitted to the Local Planning Authority for written approval to confirm that remediation works have been carried out in accordance with the recommendations of the site investigation remediation strategy.

On this basis the proposed development is considered to comply with Policy EN14 of the adopted Unitary Development Plan.

Noise and Vibration

Policy EN5 of the adopted Unitary Development Plan is concerned with noise and vibration and states that:

Where development is likely to generate noise sufficient to increase significantly the existing ambient sound or vibration levels in residential or other noise sensitive areas, the Council will require the applicant to carry out an assessment of the nature and extent of likely problems and to incorporate suitable mitigation measures in the design of the development. Where such measures are not practical, permission will normally be refused.

An assessment has been undertaken by the applicant with respect to potential noise and vibration impacts associated with the proposed development and has been submitted in support of this planning application.

The Executive Director of City Services has been consulted regarding this application and has not objected to the proposed development on grounds of

noise and vibration.

The likely impact of vibration from operations and activities on site has been considered to be negligible and therefore has been scoped out of the assessment. This approach is considered to be reasonable as it is not proposed to install any equipment or machinery on site which would create vibration of any magnitude.

A noise assessment has been undertaken in accordance with BS 4142:1997 'Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas' to determine the likely noise impact of the development on the occupants of residential premises.

The assessment concludes that the noise levels associated with the development are acceptable and are unlikely to cause complaint from the occupiers of nearby residential properties. The assessment has however been undertaken using reasonable assumptions about the operation of the site to model the likely noise impact that the site will have upon noise sensitive receptors.

In addition mitigation against noise in the form of a noise barrier has been assumed within the assessment. The noise barrier proposed will take the form of an acoustic fence to be positioned on the north western boundary of the application site.

It is therefore recommended that the following conditions be included within any permission granted

If Members are minded to approve the proposed development it is recommended that the following conditions be included on any approval granted in order to ensure that residents of the area are not subjected to excessive noise levels from the facility that would give reason for complaint

- A noise barrier shall be provided at the northern and western site boundary as detailed within the Supporting Statement (ref: SI1003/9/SS). The barrier shall be at least 2.5m high and be constructed with a superficial mass of at least 20kg/m² and without any significant gaps or cracks.
- A noise assessment shall be undertaken once the site is operating to ensure that the predicted rating noise levels associated with the operation of the site does not exceed the existing background noise level by more than 5dB(A). The noise levels shall be determined at the nearest noise sensitive premises and shall be undertaken in accordance with BS 4142: 1997 'Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas' The background noise levels shall be measured when the background noise level is considered to be at its lowest. The results of the assessment shall be submitted to the local Planning Authority and should if necessary detail any mitigation measures necessary to ensure that the above sound levels are achieved.

This assessment has been examined by the Executive Director of City Services and has been found to be acceptable subject to conditions applied to any approval of planning permission requiring the noise barrier (as proposed by the

application) to be retained at all times and also requiring a noise assessment to be carried out once the proposed development is operational to ensure that noise levels are such that they will not cause noise nuisance to near neighbouring properties. On this basis the proposed development is considered to be acceptable in terms of noise and vibration and as such is considered to comply with the requirements of Policy EN5 of the adopted unitary Development Plan.

Ecology

An ecological assessment of the proposed development site and the surrounding area has been undertaken by the applicant to assess the potential impact of the proposal upon protected species and biodiversity.

The report has found that breeding birds have the potential to use the site as do foraging bats (foraging bats were not identified in the area where the wind turbine is proposed). The presence of ponds within the local area also suggests the possibility of Great Crested Newts within the locality but not necessarily on the application site.

Ecological mitigation measures and biodiversity enhancement measures have been proposed by the applicant. These include:

- Retention of existing trees where possible.
- Planting of additional trees.
- Creation of pond within site.
- Relocation of Broomrape species within the site.
- Provision of bat boxes and appropriate lighting.

The biodiversity enhancement and mitigation measures proposed are considered to be acceptable. The Council's Ecologist has requested that if Members are minded to approve this application conditions to agree the details listed below should be attached to any approval granted:

- a. Location and specification of features such as the pond, scrub and grassland (broomrape) and bat roost units and favourable lighting scheme.
- b. Ecological method statement for contractors to ensure compliance with wildlife legislation and best practice.
- c. A long-term management plan and maintenance schedule for the new features; to include for example appropriate cut and rake regimes for grassland areas and pond monitoring and clearance programme.

Air Quality

The applicant has considered the potential impact that the development will have upon air quality. A screening assessment using the Design Manual for Roads and Bridges (DMRB) has concluded that the impact of vehicular emissions associated with the operation of the Waste Transfer Station are likely to be negligible and unlikely to pose a significant threat to the health of people living in the vicinity of transport routes to and from the site.

Odour and Dust

As with any waste transfer facility the waste received by the SITA Waste

Transfer Station is likely to contain potentially odorous and dusty materials which have the potential to cause nuisance.

Therefore the applicant has considered the likely impacts of the odorous material within the submitted planning application and has provided details of mitigation measures proposed to prevent odour and dust complaints/nuisance from occurring.

The proposed measures for odour control proposed are:

- All potentially odorous/dusty material will be contained within the waste transfer building.
- An odour/dust suppression system using three aerosol mist sprays will be incorporated within the building to minimise the potential for fugitive odour/dust release.
- Fast acting roller shutter doors will be installed to minimise opening times and will be kept closed when the waste transfer station is receiving waste.
- Open topped delivery vehicles will be sheeted/netted as necessary to minimise emissions of dust and debris to roads and occupants of residential properties.

The mitigation measures proposed have been assessed by the Executive Director of City Services: Pollution Control who has confirmed that they are considered to be acceptable. The Executive Director has also requested that the following condition is attached to any approval granted to ensure that offensive odour

No offensive odours originating from the development hereby approved shall be detectable at the boundary of the site (as perceived by the City Council's Environmental Health Officer (EHO)). In the event that offensive odours are detectable by the EHO, a written scheme of odour mitigation measures shall be submitted for the written approval of the Local Planning Authority within one month of the odour complaint being communicated to the site operator (or an alternative timescale to be first agreed in writing with the Local Planning Authority). Once approved the scheme of odour mitigation measures shall be fully implemented in accordance with the approved scheme to a timetable to be agreed in writing with the Local Planning Authority. Once installed the odour mitigation measures shall be maintained and retained as such for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority.

On the above basis and providing that the suggested condition is attached to any approval granted it is considered that the proposed development is acceptable in terms of odour and dust and is in accordance with Policy EN9 of the adopted UDP which states that:

The relationship between proposed residential development or other development requiring a clean living environment and existing uses in close proximity giving rise to air pollution, dust or smell will be a material consideration in determining planning applications. Where justified on the

basis of specialist advice from appropriate agencies, planning permission will be refused.

Traffic and Transportation

Policy T14 of the adopted Unitary Development Plan is concerned with traffic and new development:

Policy T14 states that:

Proposals for new development should:

- i. Be readily accessible by pedestrians and cyclists as well as users of public and private transport from the localities which they are intended to serve;
- ii. Not cause traffic congestion or highways safety problems on existing roads. Where this criterion cannot be met modifications to the highways concerned must be proposed to the satisfaction of the relevant highway authority and the cost of these must be met by the developer;
- iii. Make appropriate safe provision for access and egress by vehicles, pedestrians, cyclists and other road users, paying particular attention to the needs of people with mobility impairment;
- iv. Make provision for the loading and unloading of commercial vehicles;
- v. Indicate how parking requirements will be accommodated.

The transport assessment by the applicant, SITA UK, quantifies the commercial vehicle movements (two-way) as follows:-

- | | |
|-------------------------------|-------------------------------|
| a. Existing site operations - | 124 traffic movements per day |
| b. Proposed - | 202 traffic movements per day |

This proposed increase in commercial vehicle movements represents an increase of not more than 1% in traffic on Springwell Lane.

The applicant conducted appraisals of five different route options for vehicles travelling to and from the Campground Waste Transfer Station. Details of the five routes that were appraised are set out below:

- **Route 1 (to west/south)** via Wrekenton Long Banks (B1295) and A1 interchange
- **Route 2 (to west/north)** via Wrekenton Long Banks (B1295) and Durham Road (A167)
- **Route 3 (to north)** via Old Durham Road (B1295), Sheriff Hill area of Gateshead
- **Route 4 (to east/south)** via Leam Lane (B1288) and Northumberland Way (A195)
- **Route 5 (to south)** via Springwell Village

Following further evaluation by the applicant (an account of which is set out in full in the documentation accompanying the planning application) routes 1, 2 and 4 have been identified as the preferred vehicles routes to Campground, and these should be the main links to the site from the strategic/trunk road network.

The applicant has stated routes 3 and 5 should not be used by any site vehicles with a useful load of 7 tonnes or more.

In order to ensure that the routes identified as 1, 2 and 4 are used in connection with the Campground Waste Transfer Station operation, the following condition will be attached to any approval granted:

Heavy Goods Vehicles (i.e. commercial vehicles with an operating weight of more than 7.5 tonnes), within the control of the operator of the waste transfer station hereby approved, making deliveries to, or collecting from, the development hereby approved shall follow routes 1, 2 and 4 as shown on drawing number App 12.5 : Route Location and Features Plan, received 24 June 2011, whenever these routes are passable. In the interest of the free passage of traffic and to comply with the requirements of policy T14 of the adopted Unitary Development Plan.

It should be noted that in terms of the traffic implications for Springwell Village, the existing domestic refuse collections and bulky waste collections within the village will need to continue and this requires no more than 10 heavy vehicle movements per week. Journeys to the Campground site by other Sunderland Council vehicles from the Washington area can be directed to use route 4 (Leam Lane and Northumberland Way) unless they are required to collect within Springwell Village.

The Executive Director of City Services: Network Management has been consulted regarding this proposed development and has not raised any objection to it.

On the above basis it is considered that the proposal is acceptable and accords with policy T14 of the adopted Unitary Development Plan.

Sustainability

The proposed redevelopment of the SITA WTS at Campground is considered to incorporate sustainable development where appropriate including:

- Solar hot water panel on the roof;
- High efficiency luminaires;
- Rainwater harvesting;
- Solar photo-voltaics; and
- A wind turbine

The applicant has adequately considered the potential for use of sustainable transport within their submission.

The proposed development is therefore considered to offer some contribution to sustainability and is considered to be acceptable on this basis.

Cultural Heritage

The County Archaeologist has been consulted regarding the proposed

development and has confirmed that no archaeological works are required in connection with the proposed development and that the proposed development is considered acceptable in terms of archaeology.

The Bowes Railway lies in close proximity to the site but will not be directly affected by the proposed development.

The proposal is considered to be acceptable in terms of potential impact upon cultural heritage assets.

Summary

The proposed development is considered to be acceptable for the reasons set out in this report. It is also considered that the representations that were received in connection with this proposed development have been fully considered and addressed in Appendix 2 of this report.

It is acknowledged that waste transfer and recycling facilities are considered to be unpopular with some of those living in close proximity to them. However, Members are reminded that this is an existing waste transfer site which benefits from an historic planning permission. Furthermore, the applicant has demonstrated that the proposed development will improve the visual appearance of the site and has submitted information to support the application in terms of minimising any impact upon the residential amenity of occupiers of near neighbouring properties. It is considered that a refusal of planning permission in this instance is highly unlikely to be sustained at appeal and that such a refusal would not remove the waste transfer use from the site, rather it would continue in its current form in to the future.

Therefore for the reasons contained in this report to Members, namely that the proposal accords with national planning policy and the adopted Development Plan, and the Appendices attached, it is recommended that this application be approved subject to the conditions set out below and any other conditions deemed necessary.

RECOMMENDATION: APPROVE subject to the conditions relating to the following issues set out below

1. The development 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 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
2. Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Plan Nos, dates received and drawing title

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

3. Notwithstanding any indication of materials which may have been given

in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the adopted Unitary Development Plan.

4. No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policies B2 and EN1 of the adopted Unitary Development Plan.
5. Before the development hereby approved is commenced details of the means of demolition shall be submitted to and approved by the Local Planning Authority. All works shall be carried out in accordance with the agreed details in order to protect the amenities of the area and to comply with policy B2 and EN1 of the Unitary Development Plan.
6. Within three months of the date of waste transfer operations commencing at the development hereby approved a noise assessment shall be undertaken to ensure that the predicted noise levels associated with the operation of the site does not exceed the existing background noise level by more than 5dB(A). The noise levels shall be determined at the nearest noise sensitive premises, the location of which shall be agreed in writing with the Local Planning Authority prior to any noise assessment taking place. The noise assessment shall be undertaken in accordance with BS4142: 1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. The background noise levels will be measured at a time to be first agreed in writing with the Local Planning Authority and will be at a time when the background noise level is considered to be at its lowest. A report containing the results of the assessment shall be submitted to the Local Planning Authority within three months of the assessment being completed. Where noise levels are found to exceed the existing background noise by more than 5dB(A) precise written details of noise attenuation measures to be implemented at the development shall be included in the report for the written approval of the Local Planning Authority. The approved noise attenuation scheme shall then be fully implemented to a timetable to be first agreed in writing with the Local Planning Authority and retained as such for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority. In the interest of achieving a satisfactory form of development on site and in the interest of residential amenity and to comply with the requirements of Policies EN5 and EN6 of the adopted Unitary Development Plan.
7. Before waste transfer operations commence to/from the Waste Transfer building hereby approved, a noise barrier shall be installed at the northern and western site boundary (as detailed within the submitted Supporting Statement (ref: S11003/9/SS)). The barrier shall be not less

than 2.5 metres high and be constructed with a superficial mass of at least 20kg/m² and without any significant gaps or cracks. Once installed the noise barrier shall be maintained in position for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority. In the event that the noise barrier becomes damaged or suffers collapse or unauthorised removal it shall be repaired or replaced, to the aforementioned specifications within 10 days of the damage, collapse or removal occurring unless an alternative timescale is first agreed in writing with the Local Planning Authority. In the interest of residential amenity and to ensure adequate noise mitigation and to comply with the requirements of Policies B2 and EN5 of the adopted Unitary Development Plan.

8. No development other than site preparation works shall be commenced until an updated Ground Investigation Report including remediation objectives that have been determined through risk assessment has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the updated report shall include

- updated site conceptual model
- risk assessment of the site
- remediation strategy, to include the following
 - Monitoring information and risk assessment of ground gas
 - An indication of quantified concentrations of dioxins and furans
 - Management strategy for soils during construction
- Investigation of free phase hydrocarbons and mitigation measures necessary to prevent risk to users of the site
- Risk assessment for combustibility of ground and a management plan for ground combustibility during construction.

In order to achieve a satisfactory form of development on site and to comply with the requirements of Policy EN14 of the adopted Unitary Development Plan.

9. No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the local planning authority, in the interests of residential amenity and to comply with policy EN14 of the adopted Unitary Development Plan.

10. Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of residential amenity and to comply with policy EN14 of the adopted Unitary Development Plan.

11. Before any development commences on site precise written details of an Ecological Method Statement for use by site contractors shall be submitted to and approved in writing by the Local Planning Authority. The approved Ecological Method Statement shall then be adhered to at

all times by contractors working on the site unless any variation to the statement is first agreed in writing by the Local Planning Authority. In order to protect the ecology of the site and to comply with the requirements of Policies CN18 and CN22 of the adopted Unitary Development Plan.

12. Before any development commences on site precise written details of an Ecological Management Plan for the site including a plan showing the precise location of, and specification for, the following features:

- pond
- scrub and grassland (broomrape)
- bat roost units
- lighting scheme for the site

shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall also include a long term maintenance schedule for the ecological mitigation measures approved as part of the development, including details of cut and rake regimes for grassland areas and a pond monitoring and clearance programme. Details of links between the proposed ecological enhancement features and the wider area shall also be included within the plan. Once approved the details, timetables and ecological enhancement measures contained in the Ecological Management Plan shall be strictly adhered unless any variation to the approved Ecological Management Plan is first agreed in writing. In order to protect and enhance the ecology of the site and to achieve a satisfactory form of development and to comply with the requirements of Policies CN18 and CN22 of the adopted Unitary Development Plan.

13. The Ecological Enhancement/Mitigation Measures set out in the technical appendices and supporting statement dated June 2011 (received 24 June 2011) shall be fully implemented in accordance with the approved details unless otherwise first agreed in writing with the Local Planning Authority. In the interest of protecting and enhancing the ecology of the site and to comply with the requirements of Policies CN18 and CN22 of the adopted Unitary Development Plan.

14. The development shall not commence until details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority and the development shall not be occupied until these facilities have been provided and installed in accordance with the approved details to ensure satisfactory drainage to the site and to comply with policy B24 of the adopted Unitary Development Plan.

15. No materials, waste or equipment shall be stored on the site outside of the buildings and designated storage areas as defined on the approved plan in the interests of visual amenity and to comply with policies B2 and EN1 of the adopted Unitary Development Plan.

16. No offensive odours originating from the development hereby approved shall be detectable at the boundary of the site (as perceived by the City Council's Environmental Health Officer (EHO)). In the event that offensive odours are detectable by the EHO, a written scheme of odour

mitigation measures shall be submitted for the written approval of the Local Planning Authority within one month of the odour complaint being communicated to the site operator (or an alternative timescale to be first agreed in writing with the Local Planning Authority). Once approved the scheme of odour mitigation measures shall be fully implemented in accordance with the approved scheme to a timetable to be agreed in writing with the Local Planning Authority. Once installed the odour mitigation measures shall be maintained and retained as such for the lifetime of the development unless otherwise first agreed in writing with the Local Planning Authority.

17. Before the development hereby approved is commenced precise written details of an overnight parking area for site vehicles shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the overnight parking for site vehicles shall be restricted to the area adjacent to the eastern elevation of the Waste Transfer Building hereby approved. In order to achieve a satisfactory form of development on site and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.
18. All waste transport vehicles entering/leaving the development hereby approved shall either be refuse collection vehicles or else shall be covered/netted to prevent the escape of refuse from the vehicles to the surrounding road network and area. In order to ensure a satisfactory form of development and to comply with the requirements of EN1 of the adopted Unitary Development Plan.
19. Before any development commences on site details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the adopted Unitary Development Plan.
20. Mobile electricity generators shall not be used on site at any time unless otherwise first agreed in writing with the Local Planning Authority. In the interest of noise mitigation and to ensure a satisfactory form of development on site and to comply with the requirements of Policy EN5 of the adopted Unitary Development Plan.
21. The demolition and construction works required for the development hereby approved shall only be carried out between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays unless otherwise first agreed in writing with the Local Planning Authority in order to protect the amenities of the area and to comply with policy B2 of the UDP.
22. The development hereby approved shall not be operated for the purposes of waste transfer, including the delivery to or export of waste from the site, outside of the following hours:

07:00 - 19:00 on any day and shall not operate at any time on 25 December of any year.

For the avoidance of doubt a security presence may operate at any time on any day at the site.

Unless otherwise first agreed in writing with the Local Planning Authority, in the interest of residential amenity and to comply with the requirements of Policy B2 of the adopted Unitary Development Plan.

23. Heavy Goods Vehicles (i.e. commercial vehicles with an operating weight of more than 7.5 tonnes), within the control of the operator of the waste transfer station hereby approved, making deliveries to, or collecting from, the development hereby approved shall follow routes 1, 2 and 4 as shown on drawing number App 12.5 : Route Location and Features Plan, received 24 June 2011, whenever these routes are passable. In the interest of the free passage of traffic and to comply with the requirements of policy T14 of the adopted Unitary Development Plan.

Appendix 1

Representations Received in Connection with planning applications 11/02076/FUL and 11/01980/FUL.

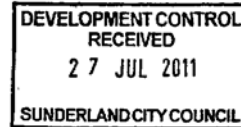
ACK 27/07/2011

Representation: Objection.

Ack
VR1

26th July 2011.

Mrs. V. Rising, Senior Planner.
Sunderland City Council.
CMC Centre,
Burdon Road,
SUNDERLAND.
SR2 7DN.



Your Ref: 11/01980/FUL.

Dear Mrs. Rising,

Application for proposed redevelopment of Campground Site, Wrekenton, Gateshead, 9. from Gateshead Council and Sita UK.

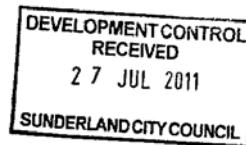
I acknowledge receipt of your letter of the 20th July, referring to the application from Gateshead Council. I have not as yet received any correspondence in respect of Sita UK's application although I do know they were submitted together on the 24th June, and our concerns, as detailed below, are in respect of both applications.

I wish to register with Sunderland City Council, the concerns of my neighbours and I with regard to certain aspects of the proposed redevelopment of the Waste Transfer Station at Campground, Wrekenton.

It is the view of residents who live in close proximity to the site, that neither Gateshead Council nor Sita UK, have given any consideration to the adverse effects the redevelopment of the site may have on our lives. This view has been reinforced at a number of meetings we have had with the applicants. It was made clear to the residents at these meetings that anything we may say, or any proposals we may offer, would not be taken into consideration, and the plans would go through in their current form, but for one minor consideration.

Before going into the detail of our concerns, may I respectfully remind the planning committee of the many problems we have had with Sita over the last few years. But rather than me going into every detail of these complaints in this letter, I have attached a copy of my complaint to the Local Government Ombudsman dated 20th October 2008(appendix 1), which goes into all aspects of our concerns. I do so because I believe it is imperative that the complaints outlined therein, will not need to be repeated on this occasion if the planning committee is made aware of all the facts.

1



Sita's Application.

The proposed new Waste Reception Building, while being more visibly attractive, leaves a lot to be desired with regard to its construction. There's not a great deal of difference between it and the present Rubb Shelter. As I've no doubt you are aware, the Rubb Shelter is a steel-framed structure with a rubberised covering.

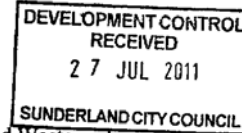
The proposed new build is a steel framed structure with a single tin-sheet skin – not the best of materials for absorbing sound and vibration, and therefore no better than the Rubb Shelter which it will be replacing and which has been the main cause of complaint from residents since 2007.

We have made a number of suggestions to Sita which we believe would improve the sound suppression qualities of the building, but unfortunately these have been rejected by Sita and Gateshead Council, and we believe for no other reason than cost.

Sita claim in their presentation that the new building will contain dust and odours – we believe that the building should also be constructed to contain noise and vibration.

We have suggested that:-

1. The building should at least have a double skin with a cavity in-fill and there are many products on the market to choose from.
2. The building will contain concrete push walls. We have received expert advice that if the push walls were extended to roof level they would provide good sound baffels. We are advised that a solid concrete wall is a better sound barrier than a brick or block built wall and most certainly better than a single sheet construction.
3. We have suggested that the proposed new build be re-sited and turned 90 degrees, (see attached drawing, Appendix 2). There are good reasons for this and they are in line with recommendations that were drawn up by Marion Dixon, Environmental Health Manager with Sunderland City Council, for presentation to the planning committee in 2008, but were never put before the planning committee. Marion Dixon put forward a number of suggestions for reducing or protecting residents from noise, and one of those suggestions was that, wherever possible, noise should be contained behind walls or buildings. Apart from the noise generated within the waste reception building, there is a great deal of traffic noise. This will be on the increase if the planning applications are accepted. (I will refer to this in detail when



dealing with the proposal from Gateshead Council for the Household Waste and Recycling Centre.)

Turning the building 90 degrees would mean that all traffic movements would be on the south side of the building, and therefore act as a sound baffel for residents north and north west of the site, which would be in keeping, not only with Marion Dixon's recommendations but also the current planning consent,

5.6.1 'All vehicle manoeuvring would be undertaken in an area to the front of the temporary transfer building.'

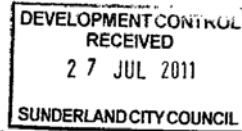
and this would act as an additional sound baffel for residents north and north west of the site.

The entrance to the proposed WRB will be at the north west corner of the site, which will also be in conflict with current planning approval.

It is proposed that the area outside of the entrance will also become an overnight parking area for Sita's 44 tonne waggons. These waggons create a great deal of noise and vibration, and I believe the noise of these waggons starting up in the early morning, will be totally unacceptable. In addition to this it is proposed that this area will also become an ad hoc storage area, which means more activity and traffic movement in an area, which only two and a half years ago Sita UK and Gateshead Council, gave an undertaking, in their joint application, that there would be no traffic movement in this area. An undertaking that Sunderland City Council, planning authority made it a condition of their approval that all aspects as set out in the joint applicants' planning supporting statement must be adhered to. If I might add, 'a condition' that Sita quite flagrantly abused and which is referred to in the attached documents.

The proposed WRB is approximately four times the size of the current Rubb Shelter and Gateshead Council and Sita have given us an assurance that they will handle no more waste then their current licence allows. Therefore simple mathematics says there should be a lot of free space! We have therefore suggested:-

4. That waggons should be garaged overnight within the confines of the WRB. This would not only help to minimise noise, but would also deter marauding vandals. Likewise, we believe that the bays for ad hoc waste be incorporated within the WRB alongside those already proposed. The current siting of the ad hoc bays are in a



much more secure south east corner of the site, protected by high walls and buildings.

To move these bays to the more isolated north west corner of the site will most certainly encourage thieves and vandals. This, together with the increased traffic movement etc., will all in all make life very unpleasant for the adjacent residents.

The reason the ad hoc waste bays and vehicular parking is being moved from the secure south east corner of the site is to provide space to build a Visitors' Centre.

While accepting the need to educate people in the need to control waste, the building itself does nothing to improve the actual day to day operation of the site, and it would be none the worse for it not being there. Therefore the cost to build it would be better used to properly soundproof the principle and most important building, which would be the Waste Reception Building.

However we believe it should not be beyond the wit of Architects to make suitable adjustments to its siting, to ensure that the ad hoc storage bays remain in the south east corner of the site, and not re-sited to the north west corner, which would be to the detriment of residents. We believe that this can be achieved if, like the proposed WRB, the Visitors' Centre is also turned 90 degrees, and the land outside of the main perimeter be included in the design.

Gateshead Council's Civic Amenities Application.

The current operation of the drop-off household waste and recycling facility is a perfect example, as recommended by Sunderland City Council's Health Inspector, Marion Dixon, of how buildings or walls can be used as sound baffels to protect residents from noise.

The current facility is outside of the main perimeter and situated at the south west corner of the site. This operation is shielded from adjacent residents by the former salt store. Although this civic amenities facility is used extensively by residents, 7days per week, with tens of thousands of vehicular movements over the year, it poses no problems for adjacent residents. All noise and vibration that is generated by the filling and movement of skips, plus the overall vehicular movement, is contained within its own area because of the low elevation of the site and protection by the aforementioned buildings.

This will change dramatically if the proposed development is accepted in its current form. The low elevation of the site will be altered because of the introduction of a ramped

roadway and the former salt building will be demolished in order to allow the roadway to be extended into the main site, and therefore much closer to adjacent properties. This means that an off-site facility, from which residents are protected from its noise and vibration, would now become an on-site operation closer to residential properties, and without the noise and vibration protection we now enjoy. This would also mean that the whole of the western boundary, when viewing both applications, would become an area of extensive activity that currently takes place either outside of the site perimeters, with the sound protection I have described, and at the south east corner of the site which is farthest away from adjacent properties.

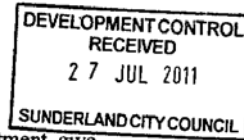
We therefore believe that it is not unreasonable for residents to expect, that if the noise and vibration barriers which I've described above, are to be removed, then the applicants should restore this protection in another form. Either by enclosing all of the civic amenities that extend into the main site, or that solid wall sound barriers be erected north and east of the civic amenities site.

With regard to the civic amenity, Gateshead Council concede that their proposal would not improve production in any way, but it would make things a little easier for residents dropping off waste.

I understand that Sunderland planning department has insisted that the ramped roadway be covered in order to protect residents dropping off waste from the rain. May I point out that residents will only visit the site once or twice a year, and on occasions it may be raining. On average it takes only 2 or 3 minutes to drop off their waste so there is no great hardship for residents who do visit the site. On the contrary, we the residents would have to live with the proposed changes 12 hours a day, 7 days a week.

We oppose Gateshead Council's proposal in its current form. We believe that we should at least be afforded the same degree of protection from the noise and vibration as we currently enjoy, and if the applicants cannot guarantee this, then their application should be rejected.

Likewise we oppose Sita's planning application in its current form, and unless they can give an undertaking that the proposed WRB will be properly made soundproof, then their application should also be rejected.



We would also respectfully request that Sunderland planning department, give consideration to the proposals we have submitted, in particular the feasibility of turning the proposed waste reception building 90 degrees, this would help to ease our concerns in other areas of the dual application, and would be in keeping with Marion Dixon's recommendation and the currently approved operating consent.

Traffic.

The residents oppose any increase whatsoever to the 75,000 tonnes per annum the site is currently licensed to handle, for the following reasons:-

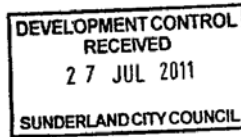
1. It is obvious that any increase would automatically increase on-site noise and disturbance.
2. The Campground site is situated between the two villages of Wrekenton and Springwell. Both villages have acute traffic problems which both Gateshead Council and Sunderland City Council, are aware of. Although Sunderland City Council, as the planning authority for determining the outcome of planning applications for the Campground, also enjoys the use of the facilities, they themselves, in the protection of their constituents, will not allow Sita's waggons to travel through Springwell Village. Likewise they will not allow the waggons that service the reclamation centre which operates within the former Springwell Quarry, to pass through Springwell Village. As a consequence these vehicles are re-routed through Wrekenton, which adds to the ever increasing and already acute traffic problems, from which the residents of Wrekenton and surrounding area are forced to endure.

For Sunderland City Council to consent to any increase above the 75,000 tonnes per annum the site is currently allowed to handle, would smack of hypocrisy if they are not prepared to share the burden.

In conclusion, before any redevelopment of the Campground site can take place, there is the matter of the demolition of the existing redundant buildings. This is of great concern to residents and in particular with regard to the protection of the children who attend Fell Dyke Infants' School, that shares a boundary with the Campground Site.

29th July 2009.

Local Government Ombudsman.
P.O. Box 4771.
COVENTRY.
CV4 0EH



A2

NOTICE OF COMPLAINT

**In relation to demolition work undertaken at Campground Waste Reception Depot,
Wrekenton, Gateshead, Tyne & Wear. NE9 7XW.**

Dear Sir,

I wish to register with the Ombudsman, a formal complaint against Gateshead Council (the client) in relation to the above contract, which commenced 3.11.08 and was completed 4.3.09

Complaint – Gateshead Council was:-

1. In breach of the 1974 Health & Safety at Work Act, in that they failed to provide a safe system of work.
2. Operated in contravention of the CDM Regulations 2007.
3. Failed in its statutory duty to take appropriate action to safeguard the health and safety of its constituents adjacent to the site.

Note:- Similar complaints will also be lodged against the Health & Safety Executive and the contractor, Squibb Demolition Ltd. I understand these are not matters for the Local Government Ombudsman.

The Project.

Work involved the demolition of the Tipping Bays which were attached to the former Waste Reception Building, within which substantial demolition of the internal structure took place, together with asbestos removal. A full description of the operation is contained in the contractor/client's work specification documents, which are attached.

The following is a brief description of the activities that took place on site, which were of concern to my neighbours and I, all of whom share a boundary with the Campground. Our concerns also extended to the children of the adjacent infant school.

Since June 2007, we have had ongoing complaints against the joint operators of the site, Gateshead Council and Sita UK. Complaints which are currently a matter of investigation by the Local Government Ombudsman and the Parliamentary & Health Service Ombudsman. This is a separate complaint and concerns only the activities that took place between the **forementioned dates.**

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On the 3rd of November 2008, Squibb Demolition Ltd., the contractor, moved onto the north section of the site, this is the boundary that separates our land. We had not been given any advance warning of any work that was to be undertaken in this area. On the contrary, I had received notification only a few days earlier from the Environment Agency, that in their discussions with Sita, the site operator – activities at the north boundary would be curtailed (see Appendix 2).

My immediate concern was in respect of the quite horrendous noise that was being generated. All types of plant and machinery descended on the site in one fell swoop – Compressors, Generators, JCB, Bobcat machine, Telescopic steel-cutting machinery, Pneumatic Drills and Hammers, Skips and Skip Transporter etc. all in all, creating a great cacophony of noise and vibration. Workmen were engaged in excavation work, widening the roadway, with a combination of JCB and Pneumatic Hammers. Trenching was also taking place, as was drilling, steel-cutting with the shearing machine and oxyacetylene burning. As I've said, my immediate concern was the noise and vibration that was being generated.

Whereas it was most annoying for my neighbours and I, it was most distressing for my wife, who was convalescing after her return from hospital, where she had undergone extensive radiotherapy and surgery, for the treatment of cancer. As my last point of contact had been the Environment Agency, I wrote to Mr. David Edwardson, Environment Management Team Leader, requesting information as to what was taking place (A 2).

As portable offices and other amenities were positioned on site, it was obvious that the contractor would be there for some considerable time. Also, not only was the work ongoing, 7 a.m. to 7 p.m. but the generators that provided lighting were left running all night. This was an intolerable situation for my wife, and I had no alternative but to make arrangements for her to be moved. This was not easy as my wife was virtually bedridden and required 24 hour attention. However, in discussions with the family, it was decided that my wife would be moved to my eldest daughter's home. Of course, this was not easy for my daughter or her husband, who had their business to run. But with a combination of rosters, involving all the family, it was manageable.

I received a response to my letter to Mr. Edwardson (A 2) and true to form, the Environment Agency proved, once again, to be unhelpful. Mr. Edwardson informed me he had no information as to what was taking place, and it did not come under the jurisdiction of the Environment Agency anyway. I have since learned that this was in fact a matter for investigation by the EA.

While waiting for Mr. Edwardson's response, I had naturally been monitoring the work in progress. And whereas initially my concern was the effect the noise was having on my wife, my concern shifted to the unsafe and potentially dangerous way in which this operation was being conducted, and hence the reason for my complaint. This work was being undertaken in such a way that I can only describe it as a 'cowboy' operation.

DEVELOPMENT CONTROL
RECEIVED
27 JUL 2011
SUNDERLAND CITY COUNCIL

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May I just add at this point that although not an expert in these matters, I do have some knowledge of the demolition and construction industry. Also for many years I was a safety representative, a shop steward, a full time union official and a member of the Industrial Tribunals for twenty years. Furthermore, I have a good knowledge of the Campground Site, having witnessed the full construction of all the on-site buildings from foundations to completion.

I know that the buildings, in particular the former Waste Reception Building, (to which in the main my complaint refers), where most of the activities were taking place, contained large volumes of asbestos. I also know that all of the steel work is lead-based coated. Apart from the potential hazards associated with the above buildings, (a depository for many thousands of tons of waste, of all descriptions, over the years) meant that the building would be heavily contaminated. The building was also rat-infested, with no controls within its confines for a number of years, as the building was declared 'unsafe' to enter. Pigeons in their thousands have roosted within the building for almost 40 years - all of these aforementioned items being potential health and safety hazards.

All of the above is confirmed in the Client and Contractor's documentation, which was to come into my possession some months later.

The above problems were compounded by the fact that the building has been subjected to a number of fires over the years, and vandals, in their search for scrap metals, had damaged asbestos coverings.

This was a building that no workmen should have been allowed to enter, unless they had full body protection. Coveralls etc. should have been worn, and properly disposed of in the appropriate way, at the end of each working day.

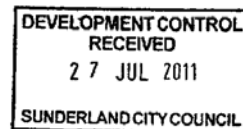
With the exception of only 2 men, wearing white coveralls, all other workmen were attired in ordinary work-clothes. Invariably men would have gone home in these clothes to their wives and children, the consequences of which may not come to light until many years hence.

All work was being carried out simultaneously, and to my mind, without due and proper care or consideration for the health and safety of the workforce, or indeed the adjacent residential properties and infant school.

With a combination of steel shearing and oxyacetylene burning, steel was being allowed to crash to the ground from a considerable height, resulting in clouds of dust rising and becoming airborne. The building had not been sealed off and there was no water or water vapour machinery in operation to suppress the dust.

Knowing the cocktail of contaminates this building housed, particularly asbestos, it was of great concern to me that the dust, spores and other contaminates, would easily be carried to the adjacent properties.

It is Gateshead Council's own assessment:-



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'That the greater percentage of dust created on the Campground Site will fall within a 200 metres radius of the boundary.'



The infant school and a large number of residential properties fall within this radius.

I wrote again to the Environment Agency, but again they were unhelpful. However, I did receive a letter dated 13.11.08 from Mr. Tom Dixon, Principal Building Officer for Gateshead Council (A3). Mr. Dixon's letter was very vague and unhelpful – his letter states,

'I am writing to inform you of works the council is carrying out at the redundant waste transfer station buildings at Campground, Wrekenton.'

Mr. Dixon gives no details of this work whatsoever, referring only to 'works' or 'the above works'. I wrote immediately to Mr. Dixon (A2) but as I did not receive a response, I wrote to the Health & Safety Executive on the 20.12.08 (A2) expressing my concerns and asking – as I was so concerned about the way in which the demolition work etc. was being carried out – did the contractor actually have the appropriate licence for dealing with asbestos?

The HSE's response was to inform me that Mr. Martin Smith, an HSE officer, had actually visited the Campground site on the 25th of November 2008, and enclosing details of his inspection (A10 & 11)

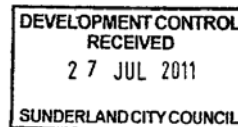
Given my own observations of the work in progress, and the fact that I was unable to obtain any proper information regarding the details of the contract, I actually found Mr. Smith's report quite alarming – so much so that I felt I had no alternative but to write with a complaint to Mr. R. Hirst, Principal Inspector with the HSE.

The details of my complaint are set out in a 9 page document, which I attach to this letter as Appendix 1 of the bundle, which I respectfully invite the Ombudsman to read in conjunction with this letter.

On the 30th December 2008, I received a response from Mr. Tom Dixon, dated 23.12.08 (A3) which was in response to my letter of 19.11.08. Once again I found Mr. Dixon extremely vague and unhelpful, but he did confirm that asbestos was being removed from the former waste reception building.

I wrote off immediately again to Mr. Dixon expressing my concerns at his lack of information etc. (A2). I did receive a brief acknowledgement to my letter from him, which was also copied to the LGO, stating he would respond to my letter in detail (A3), but to date, some 7 months later, no response has been received.

Following my complaint to the HSE (A1) there was an exchange of correspondence between us that can be found at A2 and A11 of the bundle. The outcome of which resulted in a meeting between Mr. R. Hirst, Principal Inspector and I on the 26th March 2009. This meeting was after the work was finished and the site cleared.



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This meeting lasted for approximately five hours. Mr. Hirst was accompanied at that meeting by one of his colleagues Mr. McGill who took, if not verbatim minutes, certainly copious notes.

Mr. Hirst firstly explained that since writing to him, he had written to both Gateshead Council (the client) and Squibb Demolition Ltd (the contractor), requesting all documentation in relation to the demolition work at the Campground Site. This he had received, indicating two large bundles of documents on his desk. He had also met with both Gateshead Council and Squibb Demolition Ltd., and there had been an exchange of correspondence.

Towards the end of the meeting, I did make a request to be sent copies of all documentation. Mr. Hirst explained that this would have to be done through the appropriate channels, and he would require more time in any case to study the documents. Mr. Hirst, from then on, proceeded to go through my letter of complaint which took up the major part of the proceedings.

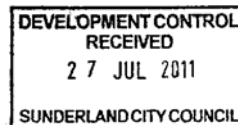
As my complaint against the HSE is a matter for the Parliamentary and Health Service Ombudsman, it is not my intention to go into any great detail regarding the meeting, other than to say that I quickly formed the opinion that Mr. Hirst's primary objective was the protection of his officer, Mr. Martin Smith, whose actions I believe are indefensible, and I believe my opinion is endorsed by the documentation of Gateshead Council and Squibb Demolition, which I was to receive some months later. All of which forms part of the attached bundle of documents, and which I will be making reference to throughout.

At the end of the meeting I requested a copy of Mr. McGill's notes. Mr. McGill showed me his notes, indicating I might have some difficulty deciphering them. I said I would be grateful if his notes could be typed for me. Mr. McGill said he would do this, but it would take about two weeks, as he was required in court the following week. As I did not receive the notes, I sent Mr. Hirst a reminder (A2). Mr. Hirst responded by saying that the typed notes had not been promised within two weeks, but they would be sent when it was convenient. He did however send me a copy of the hand-written notes, which I am unable to decipher in full, so I will refrain from quoting from them. To date, I'm still not in receipt of the typed version.

Although the LGO will not be considering my complaints against the HSE or the contractor, I trust the Ombudsman will appreciate that I need to make reference to all participants in this matter, as I feel the failings of all three parties are closely interlinked, and any one of them, acting in the appropriate manner and governed by current legislation, could have rendered any complaint from me totally unnecessary.

You will note in my letter of complaint to Mr. Hirst, which can be compared with Mr. Martin's notes of his inspection visit to the site on 25.11.08 (A10) makes a number of observations regarding the activities which are taking place, which are in clear contravention of Health & Safety legislation, the CDM regulations and the codes of practice for dealing with dangerous substances. All of these matters should have been dealt with prior to the work commencing, in compliance with the CDM regulations and

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the 1974 Health & Safety at Work Act. Neither the contractor nor the client provided a safe system of work, which continued for the duration of the contract.

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Prior to the HSE visit, a great deal of demolition work had already been undertaken. This work had been in progress for 22 days. It was a 7 day week operation with men working in excess of 12 hours per day. The following is a quote from the client's pre-tender documentation, showing the hours that should have actually been worked.

170A WORKING HOURS

Shall be normal working hours as defined below:

Where the works are to be executed adjacent to an occupied residential building work must not commence any earlier or later than as stated below.

Monday to Friday 8:00am to 6:00pm

Saturdays 8:00am to 1:00pm

Work will NOT be permitted on the following:-

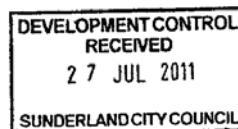
Sundays and Bank Holidays

Note: Christmas holiday period falls within the programme of this contract. Contractor to confirm to CA last day of working before break & date for restart of work after this period. Contractor to advise CA of actions to be provided for security of compound, cabins, skips, plant, machines, etc. & work areas for this "close-down" period.

In addition to the hazards associated with the burning of lead-coated steel and working in confined spaces, the work generated a great deal of dust – with steel being allowed to fall uncontrolled. The dust, in all probability, contained a cocktail of hazardous substances from all of the known and unknown contaminants within the building. If no dust sampling of any description had taken place, which appears to be the case, then it was incumbent upon both the client and the contractor, in accordance with the appropriate codes of practice to, *presume* that the dust contained dangerous asbestos and spores. Men working in close proximity to these operations did not wear protective clothing for dealing with these hazards, and the men who were actually engaged in the burning, had been supplied with the wrong type of respirator.

There is no evidence that the work-force ever received a proper induction before the work commenced. On the contrary, it is a fact that the men were given false information. It is the contractor's own evidence, supported by the client, that they believed the paintwork was lead-free, and would have conveyed this false information to the workforce, when in fact, according to the contract analyst,

'Samples contained significant levels of lead.'



6

I believe both the client and the contractor were aware of this before the samples were taken, before the work commenced, as the attached documents will show. Furthermore, the analyst paid regular visits to the site as a consultant, and the workplace risk assessment sheets No. SD021 states,

Hazards Identified.



Exposure to Lead.

Page 2 states,

'Ensure a survey has been carried out prior to any works commencing so as to ensure no operatives are exposed to asbestos based products or lead.'

The sheets are dated 03.11.08 (A5)

In addition to the above. Work-place risk assessment sheets No. SD007 state on page 1, under the heading:-

Hazards Identified,

'Exposure to lead-based paint'

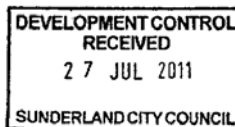
Page 2,

*'An assessment of the steel to be cut is to be made before any cutting work commences. This will allow the correct selection of RPE to be made (i.e. air-fed masks etc.)'
'Ensure ongoing health surveillance is carried out on all operatives from this task.'*

These sheets are also dated 03.11.08 which of course the client would have had in their possession before the work started. But both client and contractor ignored their own evidence.

I also draw the Ombudsman's attention to Squibb's, Health & Safety Action Plan, which is dated 26.11.08, which means that this certificate was made out, the day before paint samples were sent for analysis, and two days before the analyst actually sent off the result of the sample paint tests. How could Squibb do that if they didn't know if the paint contained lead?

Whereas the contractor claims they were not aware that the steel paintwork was lead-based, Squibb Demolition, according to their own literature, have over 40 years experience in the demolition industry, and therefore, with all the expertise at their disposal, would be aware of their lawful responsibilities under the various acts covering their industry. They would be conversant with all codes of practice covering hazardous substances. They would know that unless a substance is declared safe, they should *presume* it to be unsafe and act accordingly.



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There is no excuse for this company, they would know full well that what they were doing was wrong, and they knowingly allowed their employees to continue working in dangerous and hazardous conditions without protective clothing.

The contractor also knew, as did the client, that they had a statutory duty under the Health & Safety at Work Act, to make sure that people not in their employment, who may be affected by their activities, are provided with information and not exposed to risks to their health and safety.

Squibb Demolition, state in pages 9 & 10 of their 'Squibb Safety Plan Construction Phase:-



Works will inevitably impact on the adjacent properties, though this will be effectively minimized or obviated by means of the following:-

- *Dust Control.*
- *Noise Limitation.*
- *Traffic Management to adjacent roadways*
- **LLAISING WITH NEIGHBOURING PROPERTIES BY MANAGEMENT.**

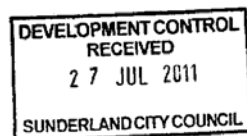
The process of notification shall be via site visits from Squibb Demolition Site managers, letter drops, as required, advising of the planned work activities.

No contact of any description was made to the adjacent residents, either by the contractor or the client, even though every attempt was made by the residents to obtain information. There was no dust control. There was no noise control.

At my meeting with Mr. Hirst of the HSE, he informed me that Mr. Martin Smith had stopped the hot-burn work because of what he had witnessed. I put it to Mr. Hirst that this had not been my observation and Mr. Smith made no reference to this in his report. Mr. Hirst said it was not necessary for him to do that. Mr. A.P. Bowen, head of property services for Gateshead Council in his letter to Mr. Hirst dated 6.3.09 makes the same claim and he states,

'When the error was pointed out by Mr. Smith as part of his inspection of the works; work ceased immediately.'

As I've said above, this did not concur with my observations, but more importantly for the Ombudsman is the recorded evidence of the contractors themselves. I refer the Ombudsman to A9 of the bundle, which are copies of the hot-burn certificate to work sheets which show quite clearly that on the 25th of November 2008; the day of Mr. Smith's inspection, work commenced at 7.am. and was not signed off until 6.30 pm. The following three days, the 26th, 27th and 28th of November followed the same pattern – there was no cessation of hot-burn work. The result of the paint sample tests was not sent off by the analyst until the 28th of November, after receiving samples on the 27th.



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Mr. Bowen makes other statements in his letter which are not supported by the recorded facts, he states:-

'The structural stability of the former incinerator building has never been in question.'

The Environment Agency in a letter to me states,

'The building is unsafe to enter.' (A2)



Squibb Demolition Ltd., state in their SAFETY PLAN CONSTRUCTION PHASE:-

'The majority of buildings on site are deemed to be unsafe to access due to the ingress of weather and the degrading of the structural elements.' (A8)

Squibb's workplace risk assessment sheet SD07 states – under the heading of,

HAZARD IDENTIFIED

'Unsafe building structure.'

Mr. Bowen's letter goes on:-

'The Council's Environmental Health (Pest Control) Officer has had no reports of rat infestation from any of the adjoining properties.'

I wrote to Gateshead Environmental Health, informing them, that in addition to other matters, rat activities were on the increase.(A2)

Gateshead EH was to inform me that the matter of rats and odours did not come under their control, and they referred the matter to the Environment Agency.

The EA responded by saying that whereas rodent control did take place in and around the temporary RubbShelter, no control took place within the former waste reception building as *'THE BUILDING WAS UNSAFE TO ENTER.'*

Squibb Demolition's Risk Assessment Sheet No. SD005 states under:-

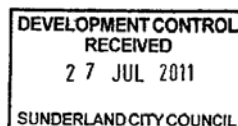
HAZARDS IDENTIFIED

LEPTOSPIROSIS – working in areas that are frequented by rats.

I also draw the Ombudsman's attention to the documentation attached to Mr. Bowen's letter (A3) which states, under the heading,

Sita Waste Transfer Station Type 3

Site walk through 30.5.08



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Main Site Risks –

Pigeon Droppings / Disease.

Rat Droppings /Disease.

Etc. etc. The document goes on: a lot of pigeon faeces and dead birds “there is also a possible rat population.”

You will also note in the documentation attached to Mr. Bowen’s letter there is an email which also makes reference to a complaint about rats, by an individual whose name has been blanked out. It is also clear from this email that the site operators leave a lot to be desired regarding their records of rodent control – the same applies to their general recording of on-site activities.

You will also note, apart from their other failings, that Squibb claim,

‘Pre-construction information received was inadequate regarding lead paint.’

‘Client potentially in breach of CDM Regulations 10 para. 2a.’ (A5)

You will further note that Mr. Smith sent an undated letter to Squibb (A11), which they said they received on the 1st of December 2008, but did not respond until the 22nd of December, in a letter dated the 12th December. Clearly another demonstration that Squibb do not think that the health, safety and welfare of its employees should be treated with any great urgency.

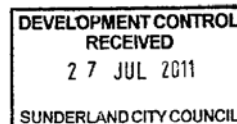
You will also notice in the bundle of documents (A3) a letter dated 19.2.09 from Mr. Bowen, apologizing for not responding to Mr. Smith’s letter of 28.11.08. It would appear that Mr. Bowen does not attach any great urgency to the matter of health and safety either.

It is also apparent that Mr. Martin Smith would not have received any response at all, if it had not been for my intervention, and letter of complaint, which prompted Mr. Hirst to make contact and meet with both the client and the contractor on the 18th of February.

What is also apparent from Squibb’s letter, received by Smith on the 22nd December and Gateshead Council’s letter of 19.2.09, is that Mr. Smith, who has sent off letters that one would expect required immediate responses, seems unperturbed by the fact that it’s almost a month before he gets a response from Squibb Demolition, and he does nothing at all when Gateshead Council do not even bother to send him an acknowledgement to his letter.

Mr. Bowen, in his letter of 19.2.09 states,

‘I refer to your letter dated 28 November 2008.’



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I apologise for the failure to respond to that letter as whilst the items you raised regarding site operations were dealt with immediately the letter had been filed without the necessary response having been made.'

How would Mr. Smith know that "matters were dealt with immediately"? Mr. Smith never visited the site again, this was confirmed by Mr. Hirst at my meeting with him. Mr. Smith didn't even bother to send Mr. Bowen a reminder. Mr. Bowen's letter of 19.2.09 is sent when work is almost completed. He writes again the 6th of March, after the work is completely finished, which I believe was always the intention.

I have already dealt with this letter previously, and I believe I have demonstrated, using a combination of the client's and contractor's own documentation, that virtually everything Mr. Bowen says in his letter is wrong, and not supported by client/contractor documentation.

When reading Mr. Smith's report of his site visit (A10), I don't think it was unreasonable of me to assume that he had actually witnessed work in progress. It appears that this is not the case. Following my meeting with Mr. Hirst and our exchange of correspondence, I received a statement from Mr. Smith. The sort of statement one would prepare for a court hearing (A11). What is evident from this statement is that Mr. Smith never witnessed any of the men working. He arrived on site during a tea-break and he spoke to the men in the canteen. As he never saw any men working, he must have left the site before the men's break finished.

Mr. Smith, as he freely admits, had no previous knowledge of the contractors, and he didn't know if this was a good or a bad company.

Mr. Smith says he did make a couple of 'phone calls, advising the recipients of his findings and making certain recommendations. Although there is no written record, it is claimed he prohibited the hot-burn work from continuing. If he did, then according to the site records, his instructions were ignored by the contractor and also by the client, who had an on-site clerk of the works.

Mr. Smith never saw the haphazard and unsafe way the contractor had been carrying out the demolition work on the previous 22 days before he visited the site – he never witnessed the operation in progress on the day of his visit. He never re-visited the site to ensure that the contractor was conforming to his instructions – or to the various health and safety regulations – or codes of practice governing the campground operation.

Even when both the contractor and the client failed to respond to his letters, it did not prompt Mr. Smith to consider a return visit.

According to Mr. Hirst, Mr. Smith's actions are perfectly acceptable and in keeping with the principles of a HSE Officer. If this is so, then I believe it warrants a thorough investigation into the HSE in general.

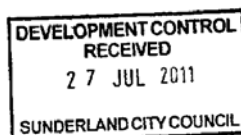
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Summary.

- 1) I believe my concerns and complaint, as set out in my letter to the Principal Inspector of the HSE, is both a fair and accurate account of the happenings at the Campground Site.
- 2) The building was dangerously contaminated throughout with all surfaces covered by a combination of:-
 - a) Pigeon faeces and dead birds.
 - b) Rat faeces and urine.
 - c) Asbestos in identified and unidentified areas.
 - d) Waste contaminates of all descriptions, some unidentified as a result of the building being used as a waste depository for many years.
 - e) All of the above combined into a dust cocktail, spread inches deep throughout the building, as a result of time, vandalism and weather ingress.
 - f) All water in pipes and pits contaminated.
 - g) The building was unsafe to enter because of all of the above, and according to the contractor, structurally unsafe.
- 3) All workmen entering the former Waste Reception Building, should have been supplied with full body-protection, disposable coveralls, including masks or respirators, gloves should have also been worn at all times.
- 4) Welfare facilities were inadequate. Men were changing and washing where they were eating. Rats identified at canteen area.
- 5) Lighting was inadequate in a building that was dark and dangerous, with walkways slippery with contaminated debris.
- 6) Project drawings were inadequate and not in keeping with current legislation.
- 7) There was no dousing safety shower unit to enable men to flush all contaminates from their coveralls and protective equipment before they stripped.
- 8) There were no dust preventative measures in operation. Because of steel-burning and traffic movement in and out of the building, dust was allowed to rise in clouds and be carried on the wind, thereby putting not only the site operatives at risk, but also the adjacent residents and school children.
- 9) There was no noise protection for adjacent residents – workmen did wear ear protectors.
- 10) Steel was allowed to fall in a dangerous manner. Apart from the dust that was raised, steel would miss the skips and ricochet in all directions which was a threat to those on the ground, and also those in the Cherry-picker, as a tyre could have been burst by the steel, causing the Cherry-picker to tip.



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- 11) As the documents show, the contractor did not conform to working hours, as stipulated by the client. The contractor worked 7 days per week, sometimes in excess of 12 hours per day, including Saturdays and Sundays.
- 12) Neither the contractor nor the client liaised with the adjacent residents as stipulated in their documentation.
- 13) The client refused to supply the residents with any information at all with regard to the details of the job or the working hours.
- 14) The Environment Agency refused to give any information or check the complaints of the residents, which was their statutory responsibility as this was an environment problem.
- 15) The contractor and the client, after being informed that the hot-burn operatives were working in an unsafe manner, without the appropriate respirators, allowed the work to continue after the HSE Officer left the site.
- 16) The contractor took almost a month to respond to the HSE Officer's letter, and only offered to send their safety officer sometime in the future for a site visit.
- 17) Gateshead Council did not respond to the letter they were sent at all. There was eventually a response dated the 6th of March, this was after all the work was finished and only because of my complaint, which had brought about a meeting with the Principal Officer of the HSE and Gateshead Council on the 18.2.09
- 18) Although the contractor now blames the client for potentially being in breach of the CDM Regulations, I believe both parties are equally at fault with regard to the CDM Regulations, also equally at fault and in contravention of the 1974 Health and Safety at Work Act, in that they failed to provide a safe system of work and they both compounded their failings by allowing the men to continue to work, even after they have been informed of the potential hazards. Furthermore I believe, and the contractor's own documentation shows, that they had already identified the hazards of lead before work commenced, and they had provided the client with this information in documents dated 3.11.08.
- 19) If the employees were inducted, then it was done so under false pretences. The men would have been informed by the contractor that the steel work was not lead-based.

In conclusion, I believe both the client and the contractor – with every expertise at their command to guide them – have acted with total disregard for the health and safety of the workforce/adjacent residents and the infant school children.
I believe the Health & Safety Officer, Mr. Martin Smith, may have touched on the reason for this, when he states that Gateshead Council have a number of duties as the client:-

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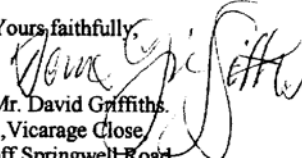
'A) To provide information necessary to allow contractors to tender realistically for the contract. The presence of lead may have a significant impact on the costing and timing of the work, the precautions necessary and the selection of operatives if flame-cutting is required.'

My observations were that this was a job that was being carried out with undue haste, with little or no consideration for health and safety regulations. Were the contractor and the client operating in such a manner just to avoid costs, or were they hell-bent on clearing the site as quickly as possible – because once the site is cleared, it is difficult to substantiate any complaints?

I also believe that the HSE officer, Mr. Martin Smith, failed to properly investigate and monitor the site. There were far more problems on this site than those proposed by lead or asbestos. However, these are matters for the appropriate authorities to investigate, but if I may just say in closing, if Mr. Smith had taken the time to examine the on-site risk assessment documents, he would have seen that both the client and contractor were aware that the steelwork was covered with lead-based paint.

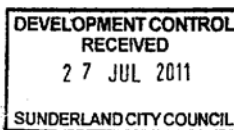
In the interest of public concern in these matters, I trust the Ombudsman will consider this a complaint for investigation.

Yours, faithfully,


Mr. David Griffiths
1, Vicarage Close
off Springwell Road,
Wrekenton,
Gateshead,
NE9 7AA.

Tel. 0191 4821920.

Enc.



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A 1

20th October 2008.

The Local Government Ombudsman.
P.O. Box. 4771.
COVENTRY, CV4 0EH.

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Dear Sirs,

Re. Waste Transfer Station, Campground, Wrekenton, Gateshead, 9.

I wish to register a formal complaint against the operators and associate authorities, in relation to the above waste transfer facility.

You will note from the attached bundle of documents that I list various complaints against the following:-

Sita UK. - Gateshead Council. - Gateshead Environmental Health Department. - Sunderland City Council. - The Environment Agency.

(1) Site Location. The site is located at the far north-west boundary of Sunderland City Council, and adjoins the south boundary of Gateshead Council. The north boundary of the site is actually situated on the aforesaid boundary, and also forms the boundary between my land and the waste transfer station (see site plan and Google ariel-view, pages 70 & 71 of bundle)) The plant is situated on green-field land, and is some ten miles from Sunderland and Durham.

(2) History. In 1968 Gateshead Council (a smokeless zone authority), applied for, and was granted, permission from Durham County Council to build an incinerator on the above site to deal with the disposal of refuse. The land in question, through constituency border changes, later came under the jurisdiction of Sunderland City Council. Gateshead's application to build the Incinerator created an anomaly whereby, as the owners, applicants, builders and users of the site, they were not obliged, under normal planning regulations, to inform their constituents of their intention to build the Incinerator, as the plant was situated within the Sunderland Boundary, they claimed then, as they do now, and I quote from the Leader of the Council's letter dated 19.8.08,

'The site is not in Gateshead Council's administrative boundary therefore Gateshead, as a local planning authority, has no jurisdiction in respect of the waste transfer station. Sunderland City Council is the planning authority responsible in this case, and they are therefore the appropriate enforcing body for any planning related matters involving the site.'

All very convenient for Gateshead Council! They have been able to operate the Incinerator and the site for over 35 years, without it seems, any controls or responsibilities placed upon them; even though the Incinerator poured out thousands of tons of noxious fumes onto Gateshead's constituents, over an area which they, the council, had declared a smokeless zone.



Sunderland City Council have adopted a similar policy as far as the residents of Wrekenton are concerned. And they too, like Gateshead Council, take advantage of the above anomaly, stating in the letter from Sunderland's head of planning and environment, coincidentally, also dated the 19.8.08,

'Your concerns about the effect upon your quality of life due to noise, vermin and odours are appreciated. However, although the site is within Sunderland, you, as the receptor of these effects, are a resident of Gateshead.'

From the beginning of its operation in 1973, the residents of Wrekenton and the surrounding area were concerned about the emissions from the Incinerator, and the effect they believed the emissions were having on their health and that of their children. This is a well documented episode in the life of the plant, and not the nature of my current complaint. Suffice to say the Incinerator ceased to operate in 1988; Gateshead council claiming it had reached the end of its operational life, the truth being it was shut down because of the unacceptable emissions.

The residents of Wrekenton hoped this was the end of the site altogether, but this was not to be. Without the submission of a planning application for change of use, Sunderland Council, in collaboration with Gateshead Council, agreed to operate a baling and waste transfer station.

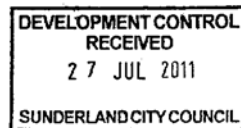
In March 2004, one of many fires over the years, destroyed the baling plant.

In December 2004 Gateshead Council and Sita UK, made a joint application for a temporary licence to operate a Rubb Shelter. This was granted in February 2005; the actual operation commencing sometime later.

The Complaint.

Early in 2007 it was noticeable that firstly, there was a gradual increase in both activity and noise coming from the site, particularly in close proximity to the north boundary of the site which is adjacent to our land; then after a while an increase in unpleasant odours. In the past we have experienced unpleasant smells from the plant, particularly if the wind was blowing in our direction. Now however, the stench was more or less permanent, regardless of which way the wind was blowing, and more so as the weather became warmer.

There was also a noticeable increase in rat activity, and daily sightings became the norm. Our observations, over a period of time, confirmed that household waste was being deposited on the roadway at the north boundary of the site; in front of the former waste reception building. This seemed to take place mainly at weekends. A clean-up operation would take place during the following week, and could take up to 2 or 3 days to clear, depending on the volume of rubbish that had been deposited. During one period in particular, the waste was allowed to build up over a 2/3 weeks period, which amounted to many tons, covering virtually all of the roadway to the north of the former waste reception building, which now stands derelict. At this point in time I was not conversant with the terms and conditions of the operator's licence or site working plan; but what was



happening now with regards to excessive noise etc. was far worse than anything else we had experienced in the past.



After two months or so of these activities – it was obvious that what was taking place on site was not just a short-term operation, brought about by some emergency, but this new practice had become part of the daily operation. The noise being generated was by much larger vehicles, which had not been used on site before, driving up to the north boundary which is the boundary between the site and residential properties; to deposit their load. To reach the north boundary, the wagons have to climb an incline which results in more noise and vibration being generated.

The clean-up operation involves the use of a driver-operated mechanical shovel; which creates a deafening racket when performing the clean-up. The operator will drop the bucket of the machine some 20 feet or more from the pile of debris with the most deafening thud which actually shakes our houses. The bucket is then scraped along the ground into the rubbish. The driver then lifts the bucket and reverses his machine, making a u-turn in order to line up with the skip. The nature of this operation during the clean-up process, means that the machine spends as much time in reverse as it does in forward gear. This brings the reverse warning signal into play, which was so loud it could be heard some 200 metres away, and is virtually constant throughout the whole operation. When depositing the rubbish into the skip, the driver will crash the bucket onto the rim of the skip a number of times, in order to clear the bucket. This is steel crashing onto steel, making the most horrendous noise. The driver will then reverse his machine and repeat the process again until the rubbish is cleared, but soon to be replaced by more rubbish.

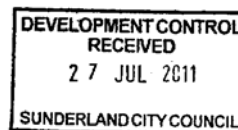
I might add that all of this activity takes place in front of the former, and now derelict, waste reception building which is of steel construction with tin sheet covering. This building acts as a sounding board which both magnifies and reflects the sound in the direction of residential properties.

If the above activities were to take place at the south side of the building (which I've suggested to site management), the building would act as a sound baffle and protect residents from excessive noise and vibration; which has the most profound effect on our quality of life and well-being, and indeed our health.

As I've said earlier, I was not aware at the time of the conditions of the licence or site operation plan, but I assumed at the time that the purpose-built Rubb Shelter was unable to contend with the volume of waste that was coming on site, hence the dumping of waste everywhere and anywhere on site.

With regard to the Rubb Shelter itself, whereas within its confines it is accepted that dust and odours could be effectively controlled, the same cannot be said of noise. The shelter is of canvas construction and affords no sound insulation; therefore noise generated within the shelter is not contained, as would be the case if the shelter had been constructed in line with Sunderland City Council's own guidelines, and constructed with brick or cement breeze blocks, with cavity walls and insulation.

What I and my neighbours did not know then, but have subsequently learned since raising our complaint, is that the shelter is designed to store some 400 tons of waste





which is constantly turned over, and then re-loaded onto larger vehicles for transport to land-fill sites. The mechanical shovel used for this operation is much larger than the one described above. As I've described in correspondence to the various participants, when this machine drops its bucket, it's like a bomb going off, that shakes the house, this is accompanied by the usual scraping and banging. During its operation, the machine also gives off a low rumbling sound which is rather like distant thunder.

This can be very disturbing, and I have learned from others, more educated than I in these matters, that this is referred to as 'Infrasound Vibrations' that can come from a number of sources, including the machine which I've described. All in all the noise and disturbance that now emanates from the site is far greater than anything we have experienced before. When the site operated as an Incinerator, any noise generated by the overhead crane feeding the furnace was contained within the waste reception building. Likewise, when the Incinerator was closed down and the baling station commenced its operation, we were not disturbed by any excessive noise. The baling plant was situated at the south east corner of the former waste reception building, therefore if any noise was generated by the baling plant, then the operation was out of both sight and sound; the residents being shielded by the waste reception building.

I wrote to Gateshead Environmental Health Department on the 14th June 2007, outlining my complaint against excessive noise, odours and rat infestation coming from the campground site. Although I have lived in Wrekenton virtually all of my life, and have owned the land on which I now live before the Incinerator was built; my letter of the 14th June 2007, was the first complaint I have made against the plant. I believe this fact goes some way to demonstrate that there must have been a dramatic change in the plant's activities to warrant me having to register a formal complaint.

An officer from Gateshead Environmental Health visited me on receipt of my letter, informing me first of all that she didn't even know that the plant existed. However, she informed me that she had visited the site that morning and, although rats and odour complaints did not come under her jurisdiction, she had raised the matter with management, and it was admitted that waste had been dumped at the north boundary; and she would refer the matter to the Environment Agency. She also said she had raised the question of noise, which did form part of her responsibilities, and management had agreed to substitute the reverse warning bleeper with a White Noise Box, which is less intrusive.

I then received a letter dated 3rd July 2007 (page (1) of bundle), from Ms. Alys Evans, Environment Agency Officer, advising me that my letter of the 14th June to Environmental Health had been referred to them. She explained the role of the Environment Agency, and what should be taking place on site with regard to dust and odour controls etc. However she advised me that,

'With regard to the noise problems you have described, this issue falls under the remit of the local council, i.e. Gateshead Council Environmental Health.'

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As I was not happy with the contents of Ms. Evans' letter, I wrote back to her on the 12th July 2007, outlining my disagreements and also requesting a copy of the operator's licence (see page (3) of bundle).

I received a response to this letter from Ms. Evans dated 19.7.07, together with copies of the licence/working plan, site plans, existing and proposed (pages (76/77) of bundle) which in the main, tend to contradict, and are in conflict with the statements Ms. Evans makes in her letter. By way of example she states,

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'The site is allowed to store road sweepings at the top bay, and have just begun to do so again after re-opening.'

The licence states,

'4.13.6 Gully emptying and road sweepings waste will be de-watered, by discharge into the sewer connection, prior to the solids being deposited directly into the waste transfer station main storage area.'

There are a number of Ms. Evans' statements which I challenge, and these are set out in my response to her in my letter dated 6.8.07 (page (7) of bundle).

I also wrote simultaneously to Ms. Louise Bilcliffe of Gateshead Environmental Health, on the 6.8.07 (page (8) of bundle), enclosing copy correspondence to date, and informing her that nothing had been done with regard to my complaint.

Ms. Bilcliffe responded on the 9th of August by enclosing a pamphlet entitled, **'Neighbour Noise Problems'**, this was the last time I heard from Gateshead Environmental Health Department.

I responded to Ms. Bilcliffe's letter of the 9th August, once again going over the problems (page (11) of bundle). There was no response.

I wrote to Ms. Bilcliffe again on the 5th October (page (12) of bundle) expressing our concerns that nothing had changed, and requesting to learn if she had had any further discussions on the matter. Once again, there was no response.

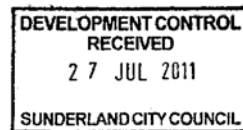
I received a letter dated the 20th August from Mr. Graham Siddle, Team Leader of Environment Agency Management (pages (13/15) of bundle), which was in response to my letter of the 6.8.07, addressed to Ms. Evans. Mr. Siddle responds to the points I raised in that letter, stating,

'I can confirm you are correct in your statement that the working plan states that road sweepings must be deposited within the transfer building.'

This of course contradicts the statement of Ms. Evans that,

'Road sweepings can be stored at the north boundary.'

Mr. Siddle goes on,



'The noise control at this site can be regulated by the agency or council (or both) depending on the circumstances surrounding the noise source.'

This also conflicts with the statement of Ms. Evans when she claims that noise is the remit of Gateshead Environmental Health.

Mr. Siddle's statement concurs with that of the operator's licence which states,

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'63 Control of Noise.'

'63.1 Although the transfer station is located close to properties, to date, concerns about noise have not been raised as being an environmental nuisance issue. In the event that this situation should change in the future, then appropriate control measure will be agreed with the Environment Agency and the local Environmental Health Department, and will be implemented and maintained throughout the operational life of the site.'

In the first place with regard to the above, which is a quote from the April 2008 licence approved by the Environment Agency, it is simply not true to say there were no noise complaints from residents. Our complaints were registered on the 14th June 2007, and are still ongoing some 16 months later. When 63.1 was drafted, all parties, as the enclosed correspondence will endorse, were aware of our complaints – SitaUK, Sunderland City Council, The Environment Agency, Gateshead Council and Gateshead Environmental Health Department.

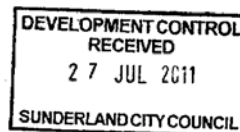
In addition to the above, the Environment Agency withheld this information from Sunderland Planning department when they submitted their comments on the 19th January 2008, with reference to the planning application for the extension of licence by Gateshead Council and Sita.

Secondly, with regard to 63.1 of the licence, both the Environment Agency and Gateshead Environmental Health, would be fully aware that they had an obligation to jointly deal with the complaints immediately. This they have failed to do, either as a result of gross negligence or, as subsequent events have led me to believe, a deliberately contrived act on behalf of all parties, in order to thwart the complainants in their attempts to obtain a satisfactory resolution to their problems.

I responded to Mr. Siddles's letter on the 28th of August, signed p.p. accepting his invitation to meet with him on site (page (16) of bundle). I wrote again to Mr. Siddle in October, clarifying a point he raised in his letter of the 20th August, and once again informing him I was agreeable to a site meeting (page (17) of bundle).

There was no response to my October letter. No date was offered for the proposed site meeting, in fact I never heard from Mr. Siddle again. I did write to him on the 9th of May 2008, but as the enclosed documentation will show, my letter of the 9th May was answered by Ms. Alys Evans.

Following my letter in October 2007, and in particular the weeks in the run-up to Christmas, there was a marked decrease in the activities at the north boundary of the site. Certainly during the Christmas period, running into January and February, activities had ceased altogether, and the noise from the Rubb Shelter was much reduced. I believed at the time that at long last the Environment Agency was having some effect on the



operators, and they had persuaded them to operate within the confines of their licence conditions. However, as subsequent events and the bundle of documents will prove, this was not the case, and what was subsequently to take place gave us even greater cause for concern.

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Notice was received from Sunderland Planning department, dated 29.1.08 that a joint application had been made to them by Gateshead Council/SitaUK, for an extension of the current operators licence at Campground, Wrekenton (Page (19) of bundle).

In my absence, a response objecting to the proposed extension was sent by my son, on my behalf and signed by my immediate neighbours (page (20) of bundle). There was no response to this letter.

On the 21st February, I wrote again to Miss Danielle Scott, Senior Planner at the Sunderland Planning department (Development & Regeneration Services) giving further and better particulars regarding our objections, as promised in my letter of the 11.2.08 (page (21) of bundle). This received a standard response.

I wrote to Miss Scott again on the 9th of May 2008, (page (22) of bundle), putting forward a number of suggestions that would minimize the problems we were having with the plant, should Sita be successful with their application. I concluded by saying,

'I would appreciate your acknowledgement to this letter.'

There was no response.

I wrote to Miss Scott again on the 23rd May (page (27) of bundle) stating,

'Further to my letter of the 9th of May which unfortunately has not been acknowledged, I enclose for your perusal copy correspondence and photographs which I have sent to the Environment Agency which I trust you find self explanatory.'

Once again there was no response.

In my letter to Mr. Siddle, also dated the 9th of May (page (23) of bundle), I describe that Sita have re-commenced their noisy activities – giving both times and dates, also enclosing photographs of these activities. I state in my letter,

'I have no doubt that once a new licence has been granted (if it hasn't already) Sita will very soon revert back to its original bad practices, etc. etc.'

I close by asking Mr. Siddle again, to arrange the site meeting.

I was not aware at this time that Sita were granted the extension to the licence in March, and did not learn of this until I met with Sita management on the 12th June 2008. I was also not aware, and did not learn until I received a letter dated 3.7.08 from Sue

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Longstone, North East Area Manager of the Environment Agency, that although I had complained about the unlicensed activities for over a year, the Environment Agency's solution was not to find ways and means of minimizing the problem, as the licence they approved stipulates, but to licence the unlicensed activity, then claim that the operators were operating within the terms and conditions of their licence and working plan. This is a ploy that the Environment Agency, as subsequent events and correspondence will show, employed on at least 3 occasions. A bit like the government declaring that burglary and drug smuggling are no longer criminal offences, then taking credit for reducing the crime rate, but the victims still have to suffer the consequences.



My letter to Mr. Siddle of the 9th of May, was not answered by him, but by Ms. Alys Evans in a letter dated 15.5.08 (page (24) of bundle).
Ms. Evans opens her letter by stating,

'I hope the council have responded to your concerns of noise on the above site.'

This statement immediately tells me that contrary to 63.1 of the licence, and Mr. Siddles's letter of 29.8.07 – later to be confirmed by Mr. Haswell, Site Manager for Sita, on the 12th June 2008, that the Environment Agency had done absolutely nothing about our complaints.
Ms. Evans goes on,

'Since our last letter we have been inspecting the site periodically and have not noted any licence contraventions.'

This is partly true, because, as I've mentioned previously, there was a lull in the activities at the north boundary, when indeed activities stopped altogether leading up to, and after Christmas. This, as I've also said earlier, I mistakenly believed was because of the intervention of the E.A. But as Ms. Evans' letter shows, and Mr. Haswell confirmed at the meeting of the 12th of June, the improvement was nothing to do with the E.A. Mr. Haswell had an ulterior motive, he had ceased the activities to ensure he would obtain the extension to the licence.

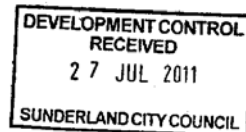
Ms. Evans' letter goes on,

'I understand that some rubble was temporarily stored in skips along the north boundary which I have asked them not to do.'

When Ms. Evans states,

'I understand some rubble etc.'

This confirms to me that she had not visited the site to check out my complaints, but had relied on what the operators told her – which was totally false.
Ms. Evans' letter goes on that she asked the operators not to store rubble at the north boundary, which I believed was in keeping with the operator's licence, but unfortunately,



as the attached correspondence will show, there was a complete reversal of this statement at the site meeting which took place on the 12th June 2008.

On the morning of this meeting, from 7 a.m. up until the commencement of the meeting at 10 a.m. the mechanical shovel had been busy clearing up the debris at the north boundary.

At the meeting, I raised this point immediately with the assembled personnel, and I was quite taken aback when the yard foreman, who was in attendance with Mr. Haswell, Sita's site manager, denied that any such activity had been taking place. I put it to the assembly, and in particular the yard foreman, that I had been observing their activity for over two hours prior to the meeting. But he vehemently continued with his denial, so much so that I'm sorry to say that I had no alternative but to call the man a liar. Mr. Haswell interjected, instructing his yard foreman to remain silent.

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Ms. Alys Evans, for the Environment Agency, who was accompanied by a male colleague, informed the meeting that Ms. Louise Bilciffe, Gateshead Environmental Health Officer, would not be putting in an appearance. She, Ms. Evans, would therefore not be discussing the question of my noise complaints. This was the main reason I was present, I had waited for some twelve months for this meeting and I'm informed it is not on the agenda. I put it to Ms. Evans that the E.A. had an obligation under the operating licence to investigate noise and this had been confirmed in Mr. Siddle's letter of the 20th August, 2007. Ms. Evans however, would not be moved from her position. Following this the discussion centred on the application for the extension of the operator's licence. Mr. Haswell informed me that Sita now had the licence, which he then produced for my inspection. I was really taken aback by this - I had been writing to both the E.A. and Sunderland planning department, as it had now turned out, after the extension to the licence was granted in March 2008. It was clear from my letters that I was not aware that the licence extension had been granted (see pages (22-28) of bundle).

Not only was I not informed that the extension to the licence had already been granted, but neither the E.A. nor Sunderland City Council, had even bothered to respond to my letters. I informed the meeting that I was not aware that the licence extension had been granted, and Mr. Steve France, principal planning officer for Sunderland City Council, replied by saying that I was sent a letter in April informing me that the licence extension had been granted in March. I refuted this, and I believe my unanswered letters, as mentioned above, support my claim that no letter was sent to me. I believe my claim was further substantiated when I received a letter from Sunderland's head of planning and environment, (with reference to the letter that was allegedly claimed by Mr. France, to have been sent to me in April) which states,

'However since that time the department's postal records have been examined and it is not certain that the letter was definitely sent out.'

I wrote to Mr. France after the meeting (page (31) of bundle), giving my reasons why I believed the letter he had referred to was never sent out to me. Mr. France did not reply to my letter. I wrote again on the 19th June 2008, there was no reply,

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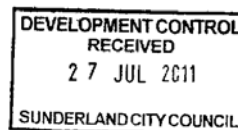
When Mr. Haswell showed me the new licence, he said that as he now had the licence, he would be resuming his activities at the north boundary – tipping anything and everything. Ms. Evans said Sita always had the right to tip at the north boundary, including road sweepings. This statement not only conflicts with her letter of 15/5/08 (page (24) of bundle) but also contradicts the statement of her team leader in his letter to me dated 20/8/07 (page (13) of bundle).

I asked Ms. Evans, if what she was saying was true, why had she asked Sita to stop tipping activities at the north boundary in her letter of the 15th, and why had the noisy activities, of which I'd complained, ceased for approximately three months? Mr. Haswell said this had nothing to do with the E.A. He had curtailed the activities, of which I'd complained, during the preparation and presentation of Sita's/Gateshead Council's extension application, in order to ensure the licence would be granted. This statement was made with total frankness, and one which I expected the E.A. and the planning officer to respond to, but none of them said a word. What Mr. Haswell had said, meant that any officer from planning or from the E.A. or indeed a noise assessment expert, would be given a totally false impression of activities or noise pollution that normally took place on site. Now that Sita had their licence, normal service had been resumed. Mr. Haswell had made his statement without fear of any repercussions, and none was forthcoming, certainly not from those officers sitting around the table. It appears from the reaction, or more correctly, lack of reaction, from these officers, that it's quite acceptable for Sita to cheat. On reflection, I'm at a loss to understand why Mr. Haswell bothered to curtail his activities at all – because on the evidence of my own eyes and ears, these people would have raised no objections at all to whatever Sita did on site, and the conditions of the licence/working plan appear to be totally meaningless to them.

While in discussion, I noticed that Ms. Evans had in her file photographs and rough sketches I'd sent to both the E.A. and Gateshead Environmental Health Authority. I asked if they were some of the photos. I had sent and was told they were. I took them and showed them to Mr. Haswell. From his expression, it was clear that he had not seen the photos before – so I asked him if he had seen any of the photos. I'd sent to the E.A., or my letters, and he said 'No'.

I asked Ms. Evans why the evidence I had been sending to the E.A. had not been put before Sita. She said it was to preserve my anonymity. I've said in my formal complaint against Ms. Evans, that I believe this was a pathetic excuse, in view of the fact that I was at a meeting with the company against whom I've been complaining for over a year. What I believe her statement did convey to me, taking on board her statements, both verbal and written:-

- 1.) Asking me in her letter of the 15th May, 'Has Gateshead EHA done anything about your noise complaint?'
- 2.) Informing me at the meeting, that noise did not come under her jurisdiction.
- 3.) Mr. Haswell's statement that the reduction in noisy activities was nothing to do with the E.A., but something he had introduced in order to assist him in obtaining the licence.



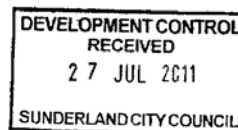
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- 2.) Informing me at the meeting, that noise did not come under her jurisdiction.
- 3.) Mr. Haswell's statement that the reduction in noisy activities was nothing to do with the E.A., but something he had introduced in order to assist him in obtaining the licence.



4.) Concealing from Sita the photographs etc. I had provided as evidence.

was that the E.A. and Gateshead EHA, had done nothing whatsoever regarding my complaints. My beliefs were reinforced when we left the meeting for a tour of the site.

Our first stop on the site tour was outside the former baling plant. It was explained that the baling plant was non-operational as it had been destroyed by fire. Tyres of various sizes were now being stored in this vicinity. On checking the site plan on my return home, the various depositories were clearly identified. The tyre depository was shown as the south east corner of the site, hidden from view by buildings to the south, and a 20ft. high wall to the east. Where the tyres were now being stored was in full view of potential vandals, and a potential fire hazard. The operators express in their licence at 4.12.1,

'Fires should not occur at the site unless deliberately started by trespassers.'

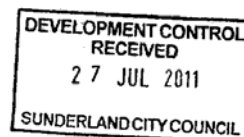
The site has a history of fires over the years. The former waste reception building is a burnt-out hulk, and condemned on health and safety grounds, as a result of those fires. The baling plant, which was incorporated as part of this building, is now non-operational because it was destroyed by fire. The site has always been an attraction for scavengers and vandals, as the debris that is discarded on the former mineral line and the surrounding area, after their excursion over the fence, will testify. It has always been my understanding that the best way to deal with fires, is to prevent them starting in the first place. Here you have the bonfire already prepared, and in full view of vandals – who are known on occasions to have set fire to stolen cars on the adjacent east field, and whom I'm sure will not require much encouragement to put a match to the tyres. Apart from the fact that the storing of tyres in this area is a flagrant breach of the licence, it appears to go unnoticed by the E.A.

Although I know as fact that this practice has been ongoing for at least 18 months, prior to the site visit on the 12th June 2008, Ms. Evans states in her letter of the 15th May 2008,

'Since our last letter we have been inspecting the site periodically and have not noted any licence contraventions.'

I did mention the above licence violation in my formal complaint against Ms. Evans, which resulted some months later, in the E.A., not as one would expect, instructing Sita to comply with its licence conditions and ensuring that the tyres are stored in the secure depository, as shown on the site plan – but granting permission for Sita to continue storing the tyres in an area, which I believe most reasonable people would regard as unsafe.

Our continued tour of the site took us to the north boundary and the remnants of the clear-up operation which had taken place that morning, and which the yard foreman had denied, were still in place. The pile of rubbish of approximately one ton, contained



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bricks and mortar, sanitary ware and the remnants of plastic bags. None of which was ever seen by the E.A. 'Inspections'.

We then moved on to the Rubb Shelter, where the larger of the two mechanical shovels was in operation. As the shelter affords no sound protection, the noise was deafening, normal conversation was not possible because of the noise and vibration generated by the machine. I did lean towards the E.A. officer and asked her, in a raised voice,

'How would you like this outside your bedroom window every morning?'



Ms. Evans made no response.

On the site plan shown to the Sunderland planning committee, it shows the entrance and exit to the Rubb Shelter, using just the one road which is on the western side of the site (pages 68/69 of bundle), this is false. Entrance to the Shelter is actually gained by using the roadway on the eastern side of the site, then swinging west across unmade ground to enter the Shelter – the vehicles then exit via the western roadway. To use the unmade ground, as both a roadway and tipping area, is a further violation of the operator's licence/working plan, which states,

'2.1 Site surface and drainage systems.'

'To reduce the risk of any pollution of surface water, the working areas of the facility will be surfaced with concrete or tarmacadam. The operational areas will be separated from the adjoining landscaped area by kerbs, as a means of directing rainwater towards the surface water drainage system. The surfaced area will have suitable gradients to promote run-off towards the drainage gullies.'

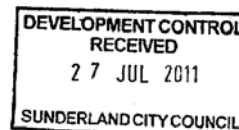
None of the above applies to the unmade ground. The applications that went before the Sunderland planning committees in 2005 and 2008, never gave any indication that the unmade ground would be incorporated into the working system. The applications were therefore false, as the applicants had deliberately concealed their intentions.

Apart from the wagons trundling over this ground and tearing it up, which results in the mechanical shovel having to level the land on a regular basis, tipping also takes place in this area. The operators state in their licence application,

'4.3.2 It is not reasonably practical for a visual inspection of each load to be carried out by the weighbridge attendant, and the main inspection will take place at the time of deposit.'

It therefore follows, that should any load be deposited onto the unmade ground, that should happen to contain contaminates, then these contaminates will not be dealt with as described under the **Site Surface and Drainage System**, but will leach into the ground. The same can be said of any leakages from the wagons, as they pass over the ground.

I assume that the surface and drainage system is written into the licence and working plan, for good reason. If the licence applicants intended to utilize the unmade ground



into their operational system, then I believe it was incumbent upon them to declare their intentions. I believe it was also incumbent upon both Sunderland City Council and the Environment Agency, to ensure that before the licence be granted, that the applicants are directed to make good the unmade ground so that it conforms to 2 - 2.1.5 of the Site Engineering for Pollution Prevention, and the operation to cease until the above had been complied with.

As it happens, the above has not been complied with for a number of years, therefore any contaminates will have been leaching into the ground all this time.

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What is not mentioned in any of the documentation dealing with planning applications for the Campground Site, is that this site is part of the catchment area for the River Don, (page (72) of bundle), which rises in close proximity to the Campground Site. It therefore follows that any contaminates that leach into the ground at the above site, will in all probability, percolate their way to the Don. The River Don is a tributary of the River Tyne, and is graded as grossly polluted. The Don joins other tributaries to the Tyne and it's not unreasonable to assume that it contaminates these also on its journey to the Tyne. The above activity as described, is a further contravention of the licence which has been ongoing since 2005, but unfortunately quite unnoticed by the Environment Agency.

I put it to Mr. Haswell that as they were now incorporating this land into their working practice, why did they (Sita) not properly prepare it? I put it to him that the two small dilapidated buildings, identified on the site plan as former gas bottle store and boiler house, be demolished - as they were unused and in a poor state of repair. This would provide additional space to store skips etc. which would dispense with the need to store them at the north boundary, and also dispense with the need to have rubbish deposited there, which is then loaded onto the skips with all the accompanying noise. My suggestion, if considered, would also have been in keeping with the recommendations of Ms. Marion Dixon, of Sunderland Council's Environmental Health, which states at pages (34/35) of bundle,

'Siting of machinery e.g. the use of available shielding such as walls or buildings, the judicious placing of materials stores and distance from noise sensitive premises.'

This suggestion, and others, were sent by Ms. Dixon to Sunderland Planning Department on request, but never put before the planning committee. Mr. Haswell's response to my suggestion was to ask,

'Do you have £20,000?'

I put it to Mr. Haswell that it was not for me to finance Sita's work, that should have been done prior to them using the unmade ground. I then asked Mr. Haswell about the reversing bleeper on the mechanical shovel, surely it would have been a simple matter to exchange this for something more acceptable. Mr. Haswell said he would look into it. Although I did not ask him the question directly, it was obvious from his expression that he had not had this put to him before.

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I subsequently received a letter informing me that the bleeper would be replaced at the machine's next service, which it was, four weeks later.

I believe the above demonstrates that the Environment Agency and Gateshead Council's Environmental Health Department, in a twelve months period, had done absolutely nothing regarding my complaints. My asking about the bleeper concluded the site tour. Although it was obvious to me that contraventions of the licence were visible and ongoing, not one word was said by the Environment officers, or the officer from Sunderland Planning Department, as we toured the site. When leaving, I informed Ms. Evans that it was my intention to formally complain about her conduct.

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This I did, setting out my complaints to her in a letter dated 18th June 2008, giving her the opportunity to respond to my criticisms. A copy of the letter and a covering letter were sent to Mr. Graham Siddle, Team Leader of the Environment Agency (page (30) of bundle), copies were also sent to Mr. Haswell and Mr. France. Neither Ms. Evans nor Mr. Siddle responded to my letter, but I did receive a reply from Ms. Sue Longstone, North East Area Manager for the E.A. (page (39) of bundle).

I responded to Ms. Longstone's letter on the 11/7/08 (page (40) of bundle). You will note from my letter that I found her excuses for not responding to my letters to be simply that, excuses; and not very good ones at that. Her letter is also contradictory with that of Ms. Evans, and which she appears not to have read. Ms. Evans gives entirely different reasons why she did not reply to me. Also Ms. Evans says that she asked Sita to stop storing rubble at the north boundary. Ms. Longstone says,

'However we should have also explained that the latest working plan that was approved in December 2007 does allow for rubble or aggregates to be stored at this location.'

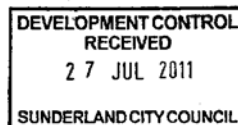
Not only is this a contradiction of Ms. Evans letter of the 15th May, but it also brings to light a further deception perpetrated by the Environment Agency.

It would seem that although I was complaining against the activities at the north boundary, and that complaint was ongoing, the E.A. had given permission for Sita to continue tipping without informing the residents. If, as Ms. Longstone states, the E.A. were giving permission to deposit in December 2007, this would confirm that the activities of which I had complained since June 2007, were in contravention of the licence. Of course Ms. Longstone's statement contradicts that of Ms. Evans in her letter of the 15th May, when she states,

'I understand that some rubble was temporarily stored in skips along the boundary which I have asked them not to do.'

Her letter goes on,

'I will remind Sita that it is not acceptable to store waste in this area.'



As I've said earlier in my statement, this changed again at the meeting of the 12th June, when Ms. Evans stated that,

'Sita always had permission to store rubbish at the north boundary, including road sweepings.'

As I've said above, we were never informed of the alleged licence change by Ms. Longstone, nor does it appear in the licence dated 29th April, 2008. Nor was it mentioned by the E.A. Officers at the meeting of the 12th of June. It seems to me that there is no continuity between the various E.A. Officers, and they appear to make up rules or licence changes 'on the hoof' and I believe subsequent correspondence from the E.A. confirms this.



I did not receive a response from Ms. Longstone, to my letter to her dated 11th July 2008 but instead received a letter from a Mr. Toby Willison, Regional Director of the Environment Agency, who informed me that my letter of the 11th had been lodged as a formal complaint and a Mr. John Hogger, Environment Manager, was looking into my complaint and stating,

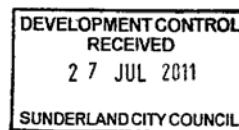
'Once our investigations are completed we will write to you further. You can expect a response by 31st July 2008.'

I did receive a response from Mr. Willison, on the 2nd of August, informing me that the matter would take longer than expected and a Mr. Mike McNulty, Project Manager, would now be handling the investigation, instead of Mr. Hogger, and I could expect 'a substantive response' by August 8th.

I did receive a letter dated 8th August from Mr. McNulty, far from substantive, but explaining

'We will provide you with our findings and position on these matters by 5th Sept. 2008.'

As Mr. McNulty's findings were incomplete, I did not respond, but awaited his letter of the 5th of September. However, I would just like to comment at this point, on the difficulty in dealing with the Environment Agency. It is difficult to pin down just one individual officer. When I write to one officer, I get a response from another. By way of example, when I write to Alys Evans, I get a response from Graham Siddle, I reply to Graham Siddle and I get a response from Alys Evans – sometimes no response at all. I write to both Evans and Siddle simultaneously – and get a response from Sue Longstone. I write to Sue Longstone and I get a response from Toby Willison, informing me that a Mr. John Hogger will be looking into my complaint. I get another letter from Toby Willison, informing me that Mike McNulty is now handling the matter, and I will receive a substantive report by the 8th of August. Mr. McNulty writes to inform me that he needs more time. Added to all of this is the fact that my complaint is also referred to two more offices, out of the area completely, namely Leeds and Stockton on Tees.



The Environment Agency are not alone, both Gateshead and Sunderland Councils have adopted a similar strategy. I did receive Mr. McNulty's second letter on the 7th of September which appears at page (46) of bundle, with my response at page (47).

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Following the Campground site meeting on the 12th of June, I wrote to both Gateshead and Sunderland Council's Leaders, and there has been an exchange of correspondence between us for some four months, and these letters appear in the bundle for your perusal (pages (36-38 & 48-55 & 80-81).

The general theme of all concerned is to claim absolution, which they have all maintained since I first registered our complaints in June 2007.

Gateshead Council claiming, that although they are recorded as users, landlord, joint applicants and joint operators of the site, they are not responsible for the site operation, as it is outside of its jurisdiction, and therefore a matter for Sunderland City Council and the Environment Agency

Sunderland Council claiming, that I have no say in the matter as I do not reside in the Sunderland Borough, and my complaints are a matter for Gateshead Environment Health Department and the Environment Agency.

The Environment Agency claiming, that neither noise nor planning complaints are matters for them, but for Gateshead Environmental Health and Sunderland Council.

Gateshead Environmental Health Department absolved themselves from all responsibility from June 2007, and have been incommunicado ever since.

Since first registering my complaints of noise etc. in June 2007, against what have proven to be unlicensed and unacceptable activities, it has been shown that Sita operates with total impunity, without any fear of reprisals from either Gateshead or Sunderland Councils, and they are afforded every protection from Gateshead Environmental Health, and in particular from the Environment Agency.

The Ombudsman will glean from the bundle of documents, that the E.A. have claimed for over sixteen months now, that they never notice any licence contraventions on their periodic visits. This is simply a lie. I use the word lie without any apology, as I've said so in my correspondence, and the E.A. are not the only ones who have been prepared to stoop to such tactics.

When Sita started dumping large quantities of waste at the north boundary in or around April 2007, this, as subsequent correspondence was to prove, was in contravention of the licence. Sita never denied the unlicensed dumping, and confirmed it was taking place to an officer of Gateshead Environmental Health. The E.A. repeatedly informed me that they had officers on call 24/7, and to keep them informed. This I did, keeping them informed of dates and times, sending them photographs and rough sketches. But contrary to their claims of 24/7 cover, it appears that no visit took place at all, and they would rely on what they were told by the operators - and if they did put in an appearance,

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it was always after the rubbish had been cleared. As the Ombudsman will note from correspondence, a visit from the E.A. could be many days after a complaint was lodged.

As I've already described, on the day of the site visit, tyres were being stored, not in one of the three secure depositories, as shown on the site plan, but outside of the baling plant, in view of vandals – and an obvious fire hazard. This had been going on since before the new licence was issued in March 2008, and quite clearly in contravention of Sita's licence. The E.A. reported no licence contravention.

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The wagons, contrary to the planning application, and in contravention of 2.1.1 of the licence, gained access to the Rubb Shelter over unmade ground. This also had been taking place prior to the March licence, and in all probability, since the inception of the Rubb Shelter, but the Environment Agency have not noted any licence contravention.

The E.A.'s response when I report the unlicensed tipping of waste, the unlicensed storing of tyres, and violation of 2.1.1 of the licence, was to retrospectively grant licence to the unlicensed activities – Ms. Longstone's letter of 3rd July, 2008 (Page (39) of bundle). Mr. McNulty's letter of the 5th September 2008 (Page (46) of bundle).

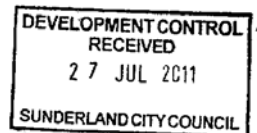
The licence, in reality, is not worth the paper it is written on.

What has been demonstrated by the E.A. over the last 16 months, and the facts are indisputable, is that E.A. officers turn a blind eye to any violations of Sita's licence and working plan, and are prepared to falsely claim that no contraventions of the licence have been noted. If these contraventions are reported by a third party, then the ploy is to grant licence to Sita's unlicensed activities – in order to nullify the genuine complaints of a resident – and also to provide some sort of cover for the gross negligence and false reporting of their officers.

My experience over the past 16 months is that the operators pay very little, if indeed any, observance to the conditions of the licence – and those entrusted with the authority of policing the activities of the site operators, are either grossly incompetent, or for reasons best known to themselves, deliberately prepared to cover Sita's licence contraventions, and are themselves guilty of licence contraventions as documentary evidence confirms. The Environment Agency is either unwilling or incapable of conducting a proper investigation into the complaints against its officers, and I refer to the regional Director's statement in his letter of the 31st July 2008,

'Again, I am sorry for this further delay but trust you will understand that we would prefer to make a thorough response rather than leave issues unresolved.'

If Mr. McNulty's letters of the 8th of August and the 5th of September constitute a **thorough response**, then quite clearly it is not the result of a **thorough investigation**. More like 'Inspector Clouseau' than 'Sherlock Holmes', and it does no credit to either Mr. McNulty or the Environment Agency, and quite clearly, as this letter demonstrates,



'issues are far from resolved.' Mr. McNulty's letters are pages (45/46) of bundle, with my response at page (47).

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As I've informed the Ombudsman, following my site meeting on the 12th June, I wrote to all those involved in the meeting, in addition I wrote directly to both leaders of Gateshead Council and Sunderland City Council. All letters form part of the attached bundle. Throughout these exchanges, Gateshead Council has always maintained that, contrary to their joint planning application particulars, they are not joint operators of the plant, it is outside their jurisdiction and my concerns are not a matter for Gateshead Council, but should be referred to Sunderland City Council and the Environment Agency. However, what has been confirmed, is the fact that they are land owners and landlords of the Campground Site. This being so, I did request in my letter to Councillor Mick Henry, Leader, permission to view the Lease Agreement. Councillor Henry confirmed by letter 19.8.08 that my request was covered by the freedom of information regulations and stated,

'The process may take a short while but we will respond to your request in a separate reply by the relevant officer to update you on progress.'

I did receive a letter from Tanya Rossington of Gateshead Council, informing me,

'We are extending the time limit in which to respond to 40 working days. We have been unable to consider whether or not the information requested can be released. We will respond by 16th of October at the latest.'

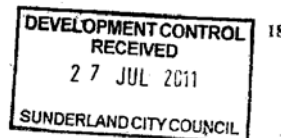
At the time of writing, 55 working days have lapsed, 75 days in total have gone by since my request.

Turning to my letters to Mr. Paul Watson, the leader of Sunderland City Council, these can be found at pages (36,80 & 81) of the bundle for your perusal.

You will note in my correspondence that I call for the planning committee to rescind the extension of the licence that was granted in March 2008, as I believe it was obtained under false pretences.

I deal with my objections to the licence in some detail in my response (page (63) of bundle) dated the 11th of September, to a letter from Mr. M. Mattock head of Planning and Environment for Sunderland C.C. (Page (62))

Over the years I have had some dealings with planning authorities, and it is my experience that planning departments are extremely thorough when assessing an application. My experience is that planning departments will meticulously scrutinize application documents, ensuring that planning regulations are adhered to. If plans contain any inaccuracies, these inaccuracies are questioned and if necessary, plans and documents are returned to the applicants for corrections, and they will not accept an application for presentation to the planning committee until such time as they are satisfied that all the details in the application are correct.



At least that is the position as far as ordinary citizens are concerned, but not, it seems, if the applicant is the council, or the council are beneficiaries of a successful application. Added to this of course, is the fact that the planning department personnel are employed by the council.



The joint application of Sita/Gateshead Council, that went before Sunderland planning committee on the 26th February 2008, is riddled with inaccuracies, untruths and deliberate omissions of facts, any one of which, in normal circumstances, would have compelled the planning department to propose rejection. I draw the Ombudsman's attention to the following:-

1.

The proposal states in the first paragraph that the building is situated at the south-west corner of the site. This is not true, the Rubb Shelter is situated in the north-west corner of the site, which of course is nearer to residential properties.

2.

The Rubb Shelter is referred to as 'a building', this is misleading. The shelter comprises of a frame with fabric covering.

3.

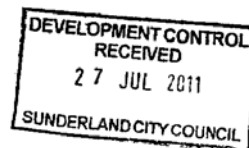
Sunderland City Council stipulates that planning applications will only be considered within the guidelines of its Unitary Development Plan. This was a stipulation with reference to Sita/Gateshead Council's, January 2008 application for an extension of licence. The Rubb Shelter does not conform to the Building Regulations requirement for sound insulation, chapter 9.4.

4.

The site plan of the January 2008 proposal, shows the shaded access and egress to the Rubb Shelter. This is false, the shaded area is only the exit from the shelter. Access to the shelter is via the road to the right of the site plan, with a left-hand turn across unmade ground. This land, which I've etched in blue (page (69) of bundle), is on the south side of the former waste reception area. This ground, over which wagons now travel, is also used for storage of waste materials. As it is unmade ground, it does not conform to the requirements of section 2 of the licence which states, 'to reduce the risk of any pollution to surface water, the working areas of the facility will be surfaced with concrete or tarmacadam.' and is therefore in contravention of the licence. The applicants should have declared their intentions to incorporate this area into their working plan. Failure to do so is in further contravention of 1.8 of the licence, 'Notification of site development works 1.8.1 the Environment Agency will be informed in writing, prior to any development or preparatory works being undertaken.' Failure of the applicants to declare their intentions to Sunderland planning committee, constitutes a fraud.

5.

The joint applicants for the licence, Sita/Gateshead council, are also recorded on the application as joint operators of the site. According to written statements by the leader of Gateshead council, this is not true. Mr. Henry states, 'The operation of the waste transfer facility is entirely a matter for Sita under the waste management licence and working plan.' It would appear, that to record Gateshead council as a joint operator of



the site is also false. Naming Gateshead council as operators would give a great deal of credence to a planning application, particularly with regard to section 1.7 of the licence. *'Maintenance of Financial Provision'*, as Gateshead council have declared themselves not to be operators of the site, has this fact been formally declared to the Environment Agency and Sunderland City Council? If not, there is a possible contravention of 1.5 of the licence, *'Changes in Technical Competent Persons'*, 1.5.1 *Any change to the situation regarding Technical Competent Management of the site, will be notified to the Environment Agency within a period of 7 days of the change being implemented.'* Apart from the obvious financial backing Gateshead council would be able to provide, as operators they would also be able to provide technical competent management. As Gateshead council have declared themselves not to be operators, which is contrary to their recorded status held by Sunderland City Council, it appears that neither of the above are applicable.

6.

I draw the Ombudsman's attention to the Environment Agency's comments regarding the extension of licence application No. TW187SL. You will note, that although the E.A. were fully aware that a residents' complaint had been lodged with them regarding excessive noise, and the noise complaint is a result of the unlicensed tipping of refuse at the north boundary – they make no mention of this in their comments. This is not an omission by accident but a deliberate act of deception which is continued into the actual licence of the 29th April 2008, when the Environment Agency states at 6.3.1, *'Although the transfer station is located close to properties, to date concerns about noise have not been raised as being an environmental nuisance issue.'*

The above statement is simply a lie.

7.

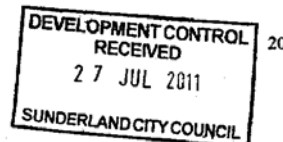
Item Nos. 34/35 of the bundle contains the comments of Marion Dixon, Environmental Health Manager for Sunderland City Council. Although requested by Sunderland planning department, Marion Dixon's comments and recommendations were never put before the planning committee. Because of everything that has transpired over this affair, I believe it not unreasonable for me, or indeed anyone else, to come to the conclusion that this was a further and deliberate act of deception.

8.

The proposal and application that went before the committee, is further misleading with the claim, *'The number of heavy goods vehicles has been reduced.'* The facts are that much larger vehicles now use the site. Furthermore, every ton of waste that now comes onto the site has to be transported off again; which in fact, in comparison to the Incinerator which naturally disposed of the waste, means that twice the tonnage is manoeuvred around the site.

9.

The planning department proposal concludes, *'The few issues that have been raised by residents appear to have been resolved either by the site operators, the environment agency or planning authority.'* I believe the bundle of documents before the Ombudsman is testament to the fact that the above statement is a complete and total fallacy. Far from being helpful, all of the aforementioned have thrown every obstacle in the way of reaching a solution to the problems that were raised through the proper and appropriate channels. I have put proposals forward for discussion, but none has been





acknowledged. I believe that all of the aforementioned, because of their experience, were aware that the introduction of the Rubb Shelter, and the new method of waste reclamation would create a problem. Whereas we as residents had no idea of what a Rubb Shelter was, all of those involved in its introduction would be fully au fait with the system. They would be aware of the noise generated by the teleporters, and they knew that the shelter itself had no sound-proofing qualities.

I draw the Ombudsman's attention to 6.3.1 of the operators licence, prior to the introduction of the Rubb Shelter, which states,

'From the 25th February 2002 measures shall be implemented and maintained throughout the operational life of the site, in accordance with this condition and section 6.3 and 4.14 of the working plan, to control and minimize the levels of noise of operations on the site beyond the site boundary.'

The Ombudsman will note there is a subtle change to 6.3.1 of the licence when the Rubb Shelter was introduced in 2005,

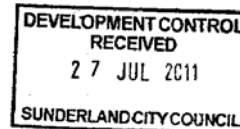
'6.3.1 Although the transfer station building is located close to properties, to date, concerns about noise have not been received as being an environmental nuisance issue. In the event that this situation should change in the future, then appropriate control measures will be agreed with the Environment Agency and the local Environmental Health Department and will be implemented and maintained throughout the operational life of the site.'

I believe all those connected with the site, knew that 6.3.1 of the pre-2005 licence could not be maintained with the introduction of the new method of operation. They knew in advance, from their own experience, that noise would be a problem beyond the site boundary, hence the subtle change to 6.3.1 in 2005.

I believe this whole affair could have been avoided, if the Rubb Shelter had been erected, as originally intended, at the south-east corner of the former waste reception building, or indeed if the officer from Gateshead Environmental Health, had had the courage to carry out her duties and responsibilities.

When I first registered my complaint with G.E.H. of noise, vermin and stench, as the facts have been proven, it was the result of the unlicensed tipping of waste at the north boundary. The noise of which I complained, was brought about by the tipping and then the subsequent clean-up operations. The officer had the authority to act on noise violations of the licence, and she had the authority to impose a ban on the unlicensed activity, as a result, the stench and vermin problems would have been automatically eradicated also. Instead G.E.H. officer ran away from the problem, as did Ms. Alys Evans of the Environment Agency.

It is now my firm belief that the two officers were not totally and completely incompetent, as my accusations might suggest, but I believe both these officers were acting with the full approval and direction of their superiors.



In conclusion, I believe there is a resolution to this problem, which would be in keeping with the recommendations of Ms. Marion Dixon's (pages (34/35) of bundle), and also with those I put forward to site management.

COPY

The unmade ground to be properly made-up, as stipulated in the licence. And the two small derelict buildings be dismantled, which would provide sufficient space for the storage of skips, thus dispensing with the need to continue with the activities at the north boundary. Using the land at the south side of the former waste reception building, would not only provide additional space, but would move the activity further away from residential properties by some 80 metres, and the building would act as a sound buffer.

A sound and vibration buffer to be erected at the north side of the Rubb Shelter, in order to contain the noise from the Rubb Shelter within the site boundary. The two teleports to be substituted by electrical machines.

I trust the Ombudsman will be able to give us some assistance in this matter, and hopefully bring to an end the anger, frustration and pressure we have been subjected to over the last sixteen months.

All of which has been brought about by the unlicensed activities of Sita, aided and abetted by Gateshead Environmental Health Department, Gateshead Council, Sunderland City Council and the Environment Agency.

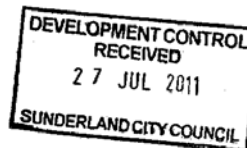
Yours faithfully,

Mr. David Griffiths.
1, Vicarage Close,
off Springwell Road,
Wrekenton,
GATESHEAD,
NE9 7AA.
Tyne & Wear.

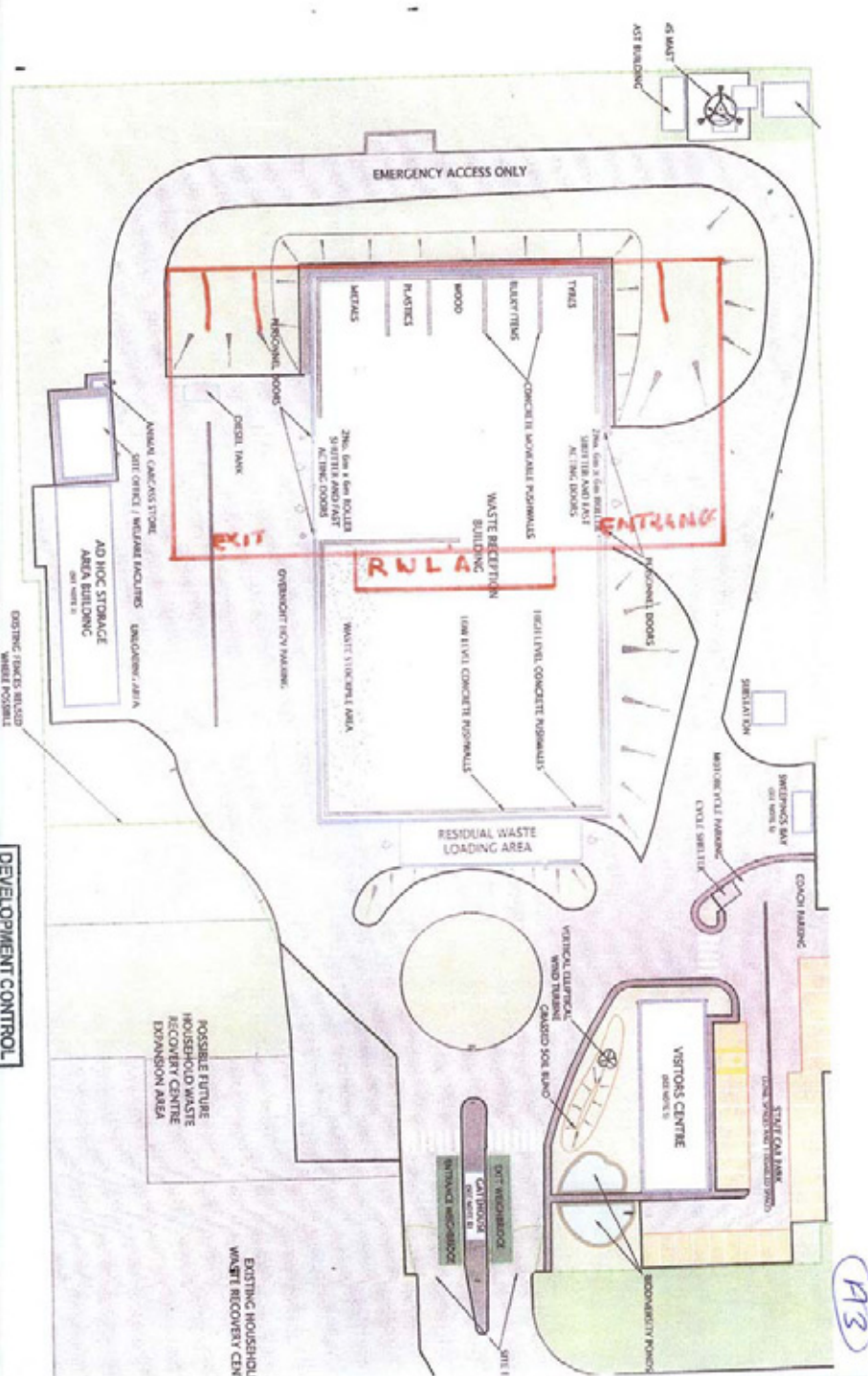
Enc.

P.S. I regret having mislaid the copy letter of the original complaint to Gateshead Environmental Health Department dated 14.6.07, but the existence of it is referred to in the first letter on page one of the bundle from the Environment Agency

c.c to Sita Uk. - Gateshead Council - Sunderland City Council. - Environment Agency.



22



DEVELOPMENT CONTROL
 RECEIVED
 27 JUL 2011
 SUNDERLAND CITY COUNCIL

A3

A4

14th July 2011.

Ms. Corrina Scott-Roy,
Planning Manager.
Sita UK.
North Tyneside Transfer Station.
Wallsend Road, North Shields.
Tyne & Wear. NE29 7SH.

DEVELOPMENT CONTROL
RECEIVED
27 JUL 2011
SUNDERLAND CITY COUNCIL

COPY

Dear Ms. Scott-Roy,

Proposed Re-development of Campground Site, Wrekenton, Gateshead, 9.

I write in response to your letter dated 27th June 2011, which I received Monday 4th July, and which I have read with some incredulity. I simply cannot understand how you can come to the conclusion that you have gone some way in alleviating our concerns, when on the contrary, after each time we have met with you we have left the meetings even more concerned than when we entered the room.

I have discussed your letter with others who have met with you and who like I, have formed the opinion that the whole exercise has been nothing more than a charade. An absurd pretence that you were engaging in meaningful and constructive discussions with residents, when in fact you have demonstrated from the offset that anything we may say would have no bearing whatsoever on the application going forward in its current form.

What you have repeated every time we have met is,

'I've spent a lot of time and put a lot of work into this.'

as though this in itself was sufficient for residents to go along with what you were proposing, and they should accept the application because you know best.

You now compound this arrogance by attempting to give the impression in your letter that you have alleviated our concerns in respect of the proposed redevelopment of the Campground site. Not only do we, the residents, refute this statement, which we believe was clearly demonstrated at our last meeting, but Mr. Jeff Moffitt, Waste, Recycling & Contract Manager for Gateshead Council, does not concur with your statement either. Mr. Moffitt states in his letter to me dated 28th June 2011,

'It is regrettable that at a meeting on 21st June 2011 we did not share the same views in relation to the redevelopment of the Campground site, and its perceived impacts.'

Mr. Moffitt goes on,

'Therefore I suggest that you put all of your concerns regarding this planning application to Sunderland City Council, as the Local Planning Authority (LPA), to be considered in the formal consultation process as part of the planning application determination.'

The above is a true assessment of not only our meeting on the 21st June, but also the previous meetings we have had.

We may have had some respect for you, and saved a great deal of time, if you had informed us from the very beginning that you have already had discussions with the planning authority, and more or less been given the green light by them. And the plans you were displaying were the plans that would be going to Sunderland City Council for approval, regardless of what we may say, which has turned out to be the case.

It was obvious within a few minutes of our meeting on the 21st June, of what your prepared strategy for that meeting would be and that was in the form of a statement that was repeated time and time again,

'We have listened to your comments but we will just have to agree to disagree, now let's move on.'

But I believe the statement that really summed up both your arrogance and that of Sita, which has been demonstrated towards residents over the last four years, was when Mr. Brass, expressing his concerns not only about the proposed development but his experiences ever since Sita came onto the Campground site, was informed by you,

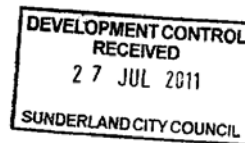
'You should move house.'

When you said this there was an audible intake of breath followed by what I can only describe as a moment of stunned silence from all those sitting at the table. I believe your colleagues were just as shocked at this remark as was the delegation of residents. This was the true face of Sita, the mask had slipped. Gone was the pretence of 'the friendly neighbour' Sita tries to portray in their literature. More was said about Sita in those four words, 'You should move house' than in all the artist's impressions of the proposed development or the 250 page supporting statement. This was Sita as we know it and have experienced over the years. This was Sita, that not only has no regard for its residential neighbours, but also no regard for the planning authority or the conditions of its operating licence, which it breached with total impunity over the years, causing a great deal of distress to adjacent residents. Of course when you were telling Mr. Brass that he should move house, your statement wasn't made for him in isolation, it was meant for all of us, and anyone who may have complaints or concerns regarding Sita's activities.

Turning to your letter of 4th July, which I received on the 9th July.

Communication with Stakeholders.

I note your comments in this regard, but I can only reiterate the information relayed to me after the event as I was out of the country at the time.



2

COPY

It was put to you by residents at the drop-in that they had not received any notification regarding the exhibition, and it was only by good fortune that they had spotted a small item in the Chronicle on the 24th May.

This was put to you again by the delegation of residents at our meeting at your Sleekburn site, and you responded by saying you would investigate the matter – they heard nothing more.

You also refer in your letter to residents being ushered into another room. This was also raised again by the delegation at the Sleekburn meeting, and I believe the delegation made it quite clear that you were reluctant to have an open, honest and transparent debate on Sita's proposed application, and your strategy was to only have one-to-one discussions on the project.

With regard to our visit to your Sleekburn site, I believe we have made it quite clear that no comparisons can be made between the Sleekburn and Campground sites, for the many reasons I outline in my letter to you on the 17th June, and nothing you have said since has gone any way to alleviate our concerns.

Site design.

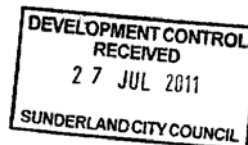
I note your comments regarding the above and I believe I have also dealt with these in my letter of the 17th June and subsequent meeting.

However, I note that whereas there was a great deal of confusion regarding the annual tonnage, between Sita and Gateshead Council, and this is referred to in previous correspondence, you are now claiming, quite assuredly, that the existing facility is for 90,000 tonnes per annum.

As this differs from my understanding, I would be most grateful if you would furnish me, by return, with a copy of your licence showing your authority to handle 90,000 tonnes.

I note your comments that *'the building is designed to provide operational space etc.'* This raises a number of points,

1. As the floor area of the proposed new build is almost 4 times the area of the Rubb Shelter, and your proposed tonnage increase is a maximum of a further 15,000 tonnes per annum, simple mathematics would indicate that there would be a lot of spare space. The question therefore remains, why do you want a building four times the size of the current Waste Reception Building if you only wish, as you put it, *'To increase the intake of waste by a small amount.'*?
2. It is quite evident that to turn the proposed building 90 degrees would actually create a great deal of more space, without any need to move the building northwards. This would not only afford additional noise protection from all of the traffic south of the building, but would alleviate as you put it, *'The heavily constrained southern boundary.'* This is not only mine but a competent Architect's opinion, which is supported by recommendations from Sunderland's Environmental Health Authority, that residents can be protected from excessive noise by using buildings as a shield.



3

COPY

My reason for proposing that vehicles are garaged overnight within the confines of the Waste Recycling Building, would be to protect them from vandals, which have been a scourge of the site over the years. Also, these vehicles starting up in the morning from your proposed parking area will create a great deal of noise and vibration, this could be partially eliminated if they are properly garaged.

COPY

Noise.

I find your comments and recommendations regarding noise reduction quite pathetic. The main source of noise and vibration will be generated inside the Waste Recycling Building as happens now with the Rubb Shelter. The proposed building (apart from the Rubb Shelter, which is now accepted as not fit for purpose) in acoustic design, is not much better and any half competent Architect will confirm this. If the building is designed to contain dust and odours, then it should also be constructed to contain noise which is a very simple matter for right-thinking people, but not, it appears, for Sita. I'm therefore not assured, either by you or your consultants, that what you are proposing would go any great way in minimising the adverse affects from which we have suffered ever since Sita took occupation of the Campground site.

Yours sincerely,

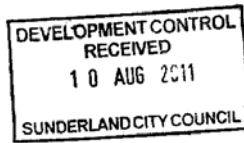
Mr. David Griffiths.
1, Vicarage Close,
off Springwell Road,
Gateshead,
NE9 7AA.



c.c. to Mr. Jeff Moffitt.

vri Objection Ack 11/8/11
cw
11/01980/Fu
11/02076/Fu

Debra Coxon
1 Long Bank
Wrekenton
Gateshead
Tyne and Wear
NE9 7HE
10.08.2011
To Vicky Rising
Senior planner Development control



I write to you on behalf of the residents of Wrekenton and the surrounding area.

Application numbers 11/01980/Ful and 11/02076/Ful

You will be aware of the recent applications from SITA UK to re develop the former Incinerator located at the Campground Site in Wrekenton.

At this juncture it is impossible to provide you with the detailed, authenticated, legal documentation we have in our possession to substantiate the following claims however, this information is at your disposal to read at length including a 47 page objection already listed on the Sunderland.gov website.

The collective documentation to which I refer comes from Gateshead Council, Sunderland Council, SITA UK, The Local Ombudsman, The Parliamentary Ombudsman and The Health and Safety executive and is a matter of record

I would take this opportunity to outline the salient points.

To date a four year debacle has continued with residents from Wrekenton regarding this site, originally the work of one man raising concerns arising from the site that impacted upon his own home, however over the course of time, one resident has discovered many more problems that impact upon hundreds

of residents and children within the area, all of whom are being continually denied a voice by both Gateshead Council, Sunderland Council and SITA UK.

One of the biggest problems that continually blight's the residents attempts at rectifying matters is that the planning applications to which I refer must go via Sunderland CC when in fact the people suffering from the detrimental impact of same are the people living in the Wrekenton area hence they are constituents of Gateshead and not Sunderland.

That said we are unable to gain any response to afford us full and frank consultation with Sunderland as we are repeatedly told that, as Gateshead constituents, Sunderland Council has no duty or responsibility to us.

On the other hand Gateshead Council informs us that as the planning application is through Sunderland CC Gateshead also have no responsibility to assist us with our plight.

Quite clearly each council has abrogated any responsibility to these residents who are many in number. We the resident's believe that as none of Sunderland's residents will suffer any impact from the site, Sunderland Council are deliberately turning a blind to this potentially very dangerous situation. The site already provides residents with contaminated land, noise and excessive traffic in a small village.

The village does not have the infrastructure to cope with the current traffic situation let alone the proposed increased volume of 40 percent more traffic according to SITA UKs application. We notice that Sunderland have been very careful in ensuring that none of these large vehicles are allowed through Springwell Village and rightly so, but why does Sunderland Council see fit to sacrifice the quality of life of Wrekenton residents in favor of Springwell Village residents and more importantly why do Gateshead council allow us to suffer in this way.

Gateshead council should be bound to take care of its own constituents however the anomaly that currently exists between Gateshead and Sunderland preventing us from being heard is, we believe, a deliberate attempt from all involved to stymie our efforts to protect our village, all in the name of profit for SITA and protection for Sunderland residents.

We have had some opportunity to discuss matters with Gateshead Council and Gateshead Environmental Services however both bodies would have us believe that each small delegation they

have met with concerning these issues have been" the only complainers". We do accept that given the lengths that SITA UK Have gone to, to hide the truth from us, has ensured it has taken quite some time for the true facts to filter through to residents and therefore it did appear during SITAs consultation period that there were few objectors, this is not now the case.

Last night at a public meeting held in Wrekenton 08.08.2011 it became clear that all concerned with the application have gone to considerable lengths to keep all objectors separated so as to portray a small minority of complainants, this is clearly a false representation of the strength of feeling in Wrekenton.

At last night's meeting it was also discovered and we are led to believe that Low Mount Farm which lies on the border of Gateshead and Sunderland Boroughs adjacent to the Campground site have also suffered substantial damage from the Campground site including flooding to their land from soak ways on the site that delivers contaminated water onto their farm land affecting the food chain, among other things.

Added to this SITA UK in their planning application describe that same farm land as civic amenity land not belonging to the farm, another clear and deliberate act of untruth to assist with their planning application.

Further the area surrounding the farm and adjacent to the Campground site houses Wrekenton NU Camp Football Ground where some 200 plus youngsters play football on a weekly basis this increases to 400 plus per week when football tournaments, are held, clearly this land holds possible dangers from contamination and yet those children and their parents had no idea that this was the case.

Residents from the Galloping Green area, also present at the meeting told of their continued complaints to the council arising from the campground, the eyesore that is the site, blighting this semi rural area, destroying beautiful country walks, the smells coming from the plant, the increase in allergy incidents from the dust and emissions coming from the plant including toxic gasses, yet SITA UK informed us the residents from Galloping Green are delighted with the proposed plans, according to the residents in attendance this is not true.

Wrekenton had high rates of cancer incidents after the installation of the incinerator, the effects of which are still embedded in the soil and land of the area and will be for years to come.

The incinerator may have gone and residents did have some relief from this but it was short lived, only to be replaced by a modern substitute in the form of a waste transfer station, with the same horrendous implications if not worse.

As stated, historically we have suffered for forty years with regard to the Campground Site and it beggars belief that somewhere "the powers that be" see fit to continue to use Wrekenton as a dumping ground in the literal sense, I put it to you on behalf of all residents that there is a moral obligation here, a duty of care and certainly there is the question of our human rights that must now be addressed by all concerned with regard to our right to quality of life.

It is not acceptable for any council to hide behind loop holes when people's lives and their quality of life are at stake. I implore you to speak to your cabinet and liaise with Gates head Council to move matters forward and allow us a voice, I am sure you will agree that in the circumstances the obligatory 3 minutes allocated to individuals so as to voice their objections against the planning application, is not acceptable in the current circumstances as we have not yet been given an opportunity to be heard in full.

As a Community we are of course staggered that despite all we have suffered these past forty years our village is once again earmarked as the prime site for continued suffering of this type and that we should be subjected to further, enforced poor quality of life.

After the public meeting on the 08.08.2011 we are all now agreed that we shall pursue this current situation as far as need be including seeking government and legal intervention.

Having made Herculean efforts to date establish joint dialogue between both councils to no avail, on behalf of the residents I make the following formal requests as part of the planning application policies and procedures, I would point out that my formal request is "In Time" having been submitted on 09.08.2011.

1. A delegation of Sunderland Council Officers and Councilors to visit the proposed site and witness first hand the negative impact that already exists as the result of current operations at the Campground site and the increase of same should this application be allowed to proceed in its current form.

2.. Gateshead Council, Sunderland Council agree to a joint meeting with a delegation of residents from the Wrekenton area, to discuss this application prior to Sunderland Council making its final decision and for Sunderland CC to halt SITAs application until such times as we have had an opportunity for discussions with Sunderland CC.

Of all of those in authority that were invited to attend our meetings: Gateshead and Sunderland Councilors, SITA UK, Only one councilor put in an appearance, so much for representation.

I would take this opportunity to thank you for your assistance with my request on behalf of the residents of Wrekenton and do look forward to your response

Yours sincerely

Debra Coxon

A handwritten signature in black ink, appearing to read 'Debra Coxon', written in a cursive style.

VRI Objection Ack 11/8/11
11/01980/FUL
11/2076/FUL

REF: 11/01980/FUL

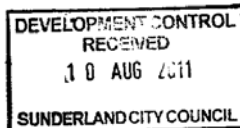
Redevelopment of existing household waste and recycling centre
At campground, Springwell Road NE9 7XW

REF: 11/02076/FUL

Redevelopment of campground waste transfer station
At Springwell road, NE9 7XW

To Vicky Rising
Sunderland Development control Section

10.8.2011



I wish to formally lodge my objection to the above named planning applications from SITA and Gateshead Council.

The designated site for the application has historically brought misery to the community of Wrekenton and surrounding areas. Formerly an incinerator the site is well known for the associated health problems and cancer clusters in the area as a result of years of spewing out toxins.

Once the incinerator had gone the community breathed a sigh of relief as we believed the site had come to the end of its life but to our horror and without our knowledge it was replaced by the SITA waste transfer station along with a huge telephone mast as well as the household waste centre. We have since had to endure vermin, odors, noise, vibration, regular infestation of flies along with the constant movement of wagons through Wrekenton which leave a trail of rubbish and stench behind.

The site is situated in Sunderland on the border of Sunderland and Gateshead and the planning officers in Sunderland seem to think that anything goes as long as their residents are not affected. To date they have shown no consideration whatsoever for the neighboring residents of Gateshead.

Not only has this community had the Campground site to put up with but also that of the old Springwell quarry which became a landfill site bringing with it its own problems. This is now the Thompsons reclamation site and again brings with it many problems for the residents including noise from wagons, extensive Traffic (which is not allowed through Springwell village who just happen to be residents of Sunderland) and dust.

There were other sites considered for the new waste transfer station one of them being felling in Gateshead. The residents of felling were informed that there may potentially be a new recycling centre coming their way. They were informed that they were just one of several options.

Wrekenton were never informed that they were one of these options.

Instead Wrekenton got a few days notice to attend a drop in session where they were TOLD that they were getting the new waste transfer station. The new plans all singing and dancing were on display. Sunderland planning had already given SITA the green light to go ahead with their planning application. When it was suggested to the planning manager from SITA to move the new SITA site elsewhere the reply was "That's not an option. That's not going to happen" So clearly once again it's would seem that it's a done deal and the local residents are expected to put up and shut up.

What makes it even worse is that SITA was under investigation from the ombudsman who criticized and reprimanded them for operating outside of their license agreement and yet they were the company awarded the new contract to manage the waste for all three authorities.

I feel very strongly as do many of the hundreds of residents who have signed the petition that Wrekenton has done their bit as far as waste management is concerned. Whilst it is a fact that waste has to be dealt with and recycling plays an important part a facility like this should be built away from a residential area.

In an attempt to lessen our concerns we were taken to visit the SITA site at Sleekburn. There turned out to be one massive difference at this site .That was that it is situated straight off the motorway, In the middle of an industrial estate without having to travel through residential properties. The closest residents are situated much further away than they are at Wrekenton. It was a perfect example of where a waste transfer station should be situated.

The site has to be built from scratch as a brand new development so now is the time to consider its relocation.

Gateshead put a compulsory purchase order on what was once farmland in order to give them the location they wanted to build the incinerator which is now the current SITA site. They have demonstrated they can build what they want where they want so it is not so farfetched to suggest they relocate the site.

SITA have put every effort into trying to convince residents that they are getting a nice new face lift to the current facility when in fact they are being duped into accepting a brand new waste transfer station which is to serve three authorities for the next twenty five years without Sunderland city council or South Tyneside having to suffer the consequences.

Residents have put their concerns to SITA and Gateshead council and have tried to work with them and suggested changes that would make the site more acceptable if it were to go ahead but everything to date has been ignored.

This proves that once again as soon as SITA have their planning permission the resident's quality of life is of no concern to them.

The visual aspect of the new development is the only improvement.

I have very strong objections to the new visitor centre as do many other residents. This is something that has never been part of the site before. Building the visitor centre means the location of the SITA building and Gateshead Council's household recycling centre become even more of a problem to residents not an improvement.

When concerns were expressed about the increase in traffic the visitors centre will bring, SITA tried to convince us there will only be one coach a week coming to the visitor centre. If that were true then that is a lot of money spent on a visitors centre for one visit a week which would be better spent making the site more acceptable to residents by way of sound proofing the building and changing the layout of the site.

Ironically the one visit a week is supposedly to educate school children. What a joke this is when neither Sunderland, Gateshead or SITA could care less about the children in Fell Dyke school who have been subjected to all of the previously mentioned problems as well as having pollutants on the surrounding playing fields and a telephone mast placed overlooking them from only 85 meters away when even Sunderland council say the mast should be more than 150 meters away

Wrekenton is a small village and is not in any way built to deal with the current traffic problems let alone the projected traffic problems we will be faced with should this planning application be allowed to proceed. At a recent meeting with Jeff Moffitt from Gateshead Council environmental services which included some of his colleagues I was staggered to learn that Gateshead Council have carried out a traffic study of the area in conjunction with SITA's planning application and concluded that the increased traffic does not pose a problem. To my horror I discovered that the people consulted over the issue were Gateshead council officers. Surely this consultation should have included local residents, shops businesses and all those affected by the traffic problems, not Gateshead council officers who sit and make these decisions from their desks, without any experience of living in the area therefore without any possible insight into the reality of the situation we are faced with day in and day out. If they were they would have no choice but to say no way can't this village take any more traffic or the whole place will just come to a standstill.

At our last residents meeting a local Gateshead councillor informed us that he had attended the joint SITA and Gateshead council drop in consultation and admitted that he left feeling very content that visually it would be a great improvement. This is exactly what SITA intended. By the end of the residents meeting and having seen evidence for himself he left with a completely different opinion.

As more and more residents have come together presenting and exchanging written evidence there is a clear picture emerging on just how badly this community has been treated.

There have not only been two complaints from residents which were dealt with immediately as Gateshead and SITA would have you believe there have been many over the years. As you can see from

the petition which was only on display for two days (due to the short notice the residents have been given) received more than three hundred signatures to date and will continue to grow. These too will be passed on to you.

The residents will continue to pursue their investigation into the history of this site and the appalling way that the residents of Gateshead particularly Wrekenton and the surrounding areas have persistently been kept out of the loop with regards to planning applications

until the whole truth is brought out into the open.

The current planners may not be responsible for what has gone on in the past but they are certainly responsible for what happens to this community in the future.

Before Sunderland planning officers make a decision I am formerly requesting a site visit in keeping with planning policy.

Yours Sincerely

Mr. S Brass

The Old Vicarage
Springwell Road
Wrekenton
NE9 7AA

I

Petition Ack 11/8/11
11/01980/FUL CW
11/02076/FUL

Please find enclosed objections to date against planning application number

11/01980/FUL AND 11/02076/FUL

As we have until the 15th of August for objections there will be more signatures to follow.

VR1



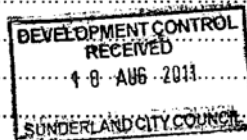
**PROPOSED REDEVELOPMENT OF REFUSE DISPOSAL WORKS
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APPLICATION NOS. 11/01980/FUL AND 11/02076/FUL.**

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
SHAWN ARMSTRONG	12 BRINKBURN	[Signature]
MALCOLM LAWLEY	ALBERT AVENUE	[Signature]
Sarah Wilson	3 ERINA CRES	[Signature]
Kath Patten	155 BELL LANE	[Signature]
POUL MCNALLY	22 LINDEN	[Signature]
Kayleigh Scott	7 QUEENSSQUARE	[Signature]
Kerry McCartney	27 BRIARSIDE	[Signature]
P. Taylor	37 WALLACE	[Signature]
J WILDISH	93 FLENDARE	[Signature]
B. BRAY	18 SARWELL	[Signature]
V. BRAY	18 SPRINGWELL TERRACE	[Signature]
E. BRAY	48 SEABURN	[Signature]
DES-BLOWE	10 CR-CHOPWELL	[Signature]
J. Mann	51 WALLACE CWS	[Signature]
Pan Smit	39 MAUREL SQ	NE9 7BS
L. Moulding	14 STILEFORD	NE10 8US
J. BRAY	NE9 7AA	[Signature]
S BRASS	NE9 7AA	[Signature]



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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
PETER WATERS	48 STANWAY	P. Waters
John NICHOLSON	3 LEANVALE	E. NICHOLSON
John [redacted]	[redacted]	
Sandra Stevenson	Hawksfield	S. Stevenson
Lauren O'Brien	16 LAVERICK	L. O'Brien
FRANK SOUTHERN	16 LAVERICK	F. Southern
Wendy STEVENSON	55 RICKGARTH ROAD	W. STEVENSON
ROB STEVENSON	55 RICKGARTH ROAD	R. STEVENSON
JEAN Thompson	5 Springfield Leam Lane	J. Thompson
S. Hall	Springfield Leam Lane Est	S. Hall
Liam Hall	5 Springfield Leam Lane Est	L. Hall
SEAN STEVENSON	11 HAWKSFIELD	S. STEVENSON
STEVE [initials]		
EVE COGAN	48 STANWAY	E. COGAN

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
D Culbert	30 Balmoe	<i>[Signature]</i>
B DENTON	38 FABINATION AVE NEA-Y.H	<i>[Signature]</i>
W GRAHAM	24 BEAMISH GDNS	<i>[Signature]</i>
M. Gill	GATESHEAD	<i>[Signature]</i>
J HARRISON	38 CHOPWELL GDNS	<i>[Signature]</i>
R. TERRY	136 BLACKHILL CRGS	<i>[Signature]</i>
D. Robbins	3 WESTWOOD GDNS	<i>[Signature]</i>
J DODSON	9 FINCHALE GDNS	<i>[Signature]</i>
K. MOIRE	58 SEAHAM GDNS	<i>[Signature]</i>
E WOOD	18 BEAMISH G	<i>[Signature]</i>
J MUSGRAVE	SPRINGWELL INN	<i>[Signature]</i>
M TEMPEST	7 BOYSTONES COURT	<i>[Signature]</i>
Julie Robertson	62 Rugby Gardens	<i>[Signature]</i>
Norman Bann	7 SHERBURN TCE	<i>[Signature]</i>
S DUNN	13 ROSEMARY GARDENS	<i>[Signature]</i>
D WOODART	14 HAMSTLEYS	<i>[Signature]</i>
MALCOLM VAIL	23 EBURNE	<i>[Signature]</i>
D. RIDD	25 SJAERIDGE	<i>[Signature]</i>
MRS K. GRIFFITHS	16 CASINGTON AVE	<i>[Signature]</i>
MR P. GRIFFITHS	16 CASINGTON AVE	<i>[Signature]</i>

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
K. MOUNTFORD	WINGATE GONS	
D. MOUNTFORD	EASEDALE GONS	
P. MOUNTFORD	WINGATE GONS	
A. SOULSBY	WINGATE GONS	
P. SOULSBY	WINGATE GONS	
J. Blackburn	11 Wingate Gdns	
E. Turner	22 Trevelthick St	
Amy Turner	14 Trevelthick St	
MARC MOUNTFORD	EASEDALE GONS	
Tim BATEY	HAIG ST DUNSTON	
H. MOUNTFORD	HAIG ST DUNSTON	
P. GUTHRIE	HAIG ST DUNSTON	
IAN JESLAR	EASEDALE GONS	
DENNY KELLY	EASEDALE GONS	
ALFIE KELLY	EASEDALE GONS	
ANN CHAPMAN	EASEDALE GONS	
ALLAN CHAPMAN	EASEDALE GONS	
ALAN CHAPMAN JR	EASEDALE GONS	
S. BOYLIE	11 BRACCA RISE	
ANN WARD	LOWMANT FARM ^{SPRINGHEAD}	
LISA WILD	58 HEUGH HILL	
STEPHEN SWINGSWEN	58 HEUGH HILL	

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
DARREN COOKE	96 WREKENTON CRESCENT	<i>[Signature]</i>
SOE QUINN	39 LANCHESTER AVE	<i>[Signature]</i>
Edna Atkins	114 Springwell Rd	E. Atkins
P. Johnson	11 W. HITCHHOUSE GUEST	
B. Johnson	87 LANCHESTER AVE	
J. MISSGARD	148 =	J. Missgard
M. Gumbie	12 FIGHTON TOLL WREKENTON	M. Gumbie
J. DONNIBY	16 LANCHESTER AVE	<i>[Signature]</i>
P. SHOOTON	14 EIGHTH TERRACE	<i>[Signature]</i>
D. TURNER	14 WINGATE	<i>[Signature]</i>
A. REAY	50 LANCHESTER	A. Reay
N. EDWARDS	32 LANCHESTER	N. Edwards
S. HINLEY	126 Springwell Road	
S. GILL	139 SPRINGWELL ROAD	
M. GARDNER	139 GREENSWOOD ROAD	
LISA PHILLIPS	6 Seaborn Gardens	
John	9 Wingate	
Kaaron Arrell	18 Bandon Gardens, Wrekenton	
A. KANE	8 CLEADON GARDENS WREKENTON	A Kane
S. TAYLOR	18 SEABORN GARDENS	<i>[Signature]</i>
M. STONE	32 OAKWOOD AV. NE29 6PR	
A. Stone	58 St. Edmunds drive NE10 4AE	

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
MAHIT KAUL	SPRINGWELL STORE	<i>mk</i>
GURPREET SINGH	SPRINGWELL STORES	<i>GS</i>
BRANDAN HOWARTH	123 Springwell Gardens	<i>BH</i>
K. Williams	Springwell	<i>KW</i>
R SPRAGGON	112 SPRINGWELL RD	<i>RS</i>
K ELLIOTT	Springwell Est.	<i>KE</i>
A CLATTON	13 LANCHESTER AVE	<i>A Clatton</i>
E Dent	2 Springwell Ter.	<i>ED</i>
P KERR	40 LANCHESTER AVE	<i>P Kerr</i>
B KERR	45 LANCHESTER AVE	<i>B Kerr</i>
C BROWN	4 BRANMAN	<i>CB</i>
J BROWN	6 Eighton Tce	<i>J Brown</i>
MICHAEL NEWTON	123 SPRINGWELL RD	<i>M Newton</i>
E BROWN	11A LANCHESTER AVE	<i>E Brown</i>
A SWAN	1 ACORN CLOSE	<i>A Swan</i>
P CHAPMAN	Luddock	<i>PC</i>
S BELL	115 Springwell Rd.	<i>SB</i>
F WHITE	125 SPRINGWELL ROAD	<i>FW</i>
K BARKER	6 CLADON CR.	<i>KB</i>
D BROWN	26 Prandian Gardens	<i>DB</i>
Mae Avenor	26 SEVEN GWS	<i>Mae Avenor</i>
KRAUL	DUNKINSON	<i>K</i>
J ALBERTS	89 LANCHESTER	<i>J Alberts</i>
D ALBERTS	71 BLACKHILL	<i>D Alberts</i>

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
DAVID HARMER	16 Falskone	[Signature]
Anthony Richards	82 Bedale	[Signature]
Eddie Weller	97 Weller	[Signature]
Rachel O'Brien	88 Seaham	R. O'Brien
M Babbidge	The Wilton Road	M Babbidge
J. Anderson		[Signature]
X. [unclear]	21 RUGBY	[Signature]
K. Kuli	Wrexford	[Signature]
MRS M HALE	99 Springwell Road	MRS M HALE
Michael	81 Blackburn Rd	Michael
P. Culliford		[Signature]
DAMON BEATTIE	16 Falskone	[Signature]
SARAH COX	2. [unclear]	[Signature]
Pegg	Galloway Green Rd	[Signature]
KATHleen wilkinson	23 Seaton	K wilkinson
Kayleigh Wilson	LANCHESTER AVENUE	K wh
[unclear]	53 [unclear]	[Signature]
J. Calvert	Malton Grn	J. Calvert
M. Beck	Tanfield Rd	M. Beck
C. Mead	1 NE9 7J5	[Signature]
Pan Thompson	LANCHESTER AVENUE	[Signature]
Mr Gray	13 Larkspur	Mr Gray
L. BOYLE	NE9 6RJ	[Signature]

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
A. Hagan	65 LANCHESTER AVE	A Hagan
A. Gallon	4 Wolsingham Gdns	A Gallon
E. Brown	36 AYLIFFE CRESCENT WREKENTON	
E. Powell	15 Ryhope Gdns	Springwell
C. Powell	39 EBCHOTEK AVE WREKENTON	
D. Coulton	53 AYLIFFE CRESC NE9 7DD	
M. O.	8 Wolsingham	NE9 7LS
D. Steele	11 WOLWISTON Gdns WREKENTON	NE9 7LW
C. Jones	11 BURNMOR	WREKENTON
B. Evans	3 Worsley Gdns	WREKENTON NE9 7LW
C. East	45 BRAMHOPE GREEN HARLOW GREEN	
J. Perry	45 BRAMHOPE GREEN, HARLOW GREEN	
L. Armstrong	2* McMoock Gdns	NE9 7HS
L. NICHOLSON	21 LINDEN BEACON LOUGH EAST	NE9 7DR
L. Hughes	5 CHAMBERLY CLOSE	SPRINGWELL VILLAGE
C. ALLAN	7 CYPRESS ROAD EIGHTON BANKS	C. Allan
D. WALKER	7 CYPRESS ROAD EIGHTON BANKS	D. Walker
C. Bann	EBBINGTON AVE WREKENTON	C. Bann
K. Nesbitt	7 EASINGTON AVE	Gateshead
M. Phillips	2* SPRINGWELL RD	NE9 7JN
D. Coulton	Darren's Gents Hairdresser's	
S. Hammett	44A LANCHESTER AVE	
D. Perkins	17 CHOPWELL Gdns	
G. Robinson	6 Sullerworth Gdns	
K. Robinson	11 HEATHWATER	SPRINGWELL VILL
M. Webber	10 ELLISON PK	Gateshead

leannemarshal 39 EDGEWARE ROAD I-marchem

[Faint, illegible handwritten notes or a list of items, possibly bleed-through from the reverse side of the page.]

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
G. Gibbin	16 Whitehouse Crescent	G. Gibbin
M. Maty	83 Kingdon Rd	M. Maty
S. Connell	4 HAMSTERLEY	S. Connell
K. Kenton	25, HAREWOOD, GLEBE	K. Kenton
S. HARP	52 MYCLIFF	S. HARP
S. Barnes	48 FERRISS	S. Barnes
P. Barnes	"	P. Barnes
B. Kaiser	27 HAMSTERLEY	B. Kaiser
M. Johns	9 Whitehall	M. Johns
C. Dutton	15 Westview	C. Dutton
M. Turner	171A HIGH ST	M. Turner
D. Relf	30 Hamsterley	D. Relf
D. Galt		D. Galt
H. C. Kendale	6, Tanfield	H. C. Kendale
C. Bell	67 MYCLIFF	C. Bell
C. McKee		C. McKee
T. Brooks		T. Brooks
L. GAGG	24 Sheburn	L. GAGG
D. Hutton	27 Binsky	D. Hutton
J. Veitch	51 BECON COURT GVE	J. Veitch
VEITCH		
W. H. W.	10 Wincake Coods	W. H. W.
DAVID BENTHE	17 Whitehall	DAVID BENTHE

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
R. FORSTER	187 AXHILL CRES	R. Forster
G. HOPE	11 GREEN BOWNE NE09TD	G. Hope
B. RIPLEY	5 SPRINGWATER	B. Ripley
S. GRIBBIN	10 WHITEHOUSE CRES.	S. Gribbin
J. GRIBBIN	10 WHITEHOUSE CRES.	J. Gribbin
Jamie Gribbin	10 WHITEHOUSE CRES.	Jamie Gribbin
PATRICK HEPPLE	50 SEABURN QD	P. Hepple
I. Peal	1 WINGATE Gdns.	I. Peal
E. PEEL	1 WINGATE GARDENS	E. Peal
W. CRANNEY	50 SEABURN QDS	W. Cranney
Emma Peal	18 WALLACE Gdns	Emma Peal
C. Ford	117 WALLACE Gdns	C. Ford
M. Ford	117	M. Ford
G. GALLAN	92 Whitehouse Cr	G. Gallan
G. Gribbin	16 Whitehouse Cres	G. Gribbin
S. Lyson	16 Whitehouse Cres	S. Lyson
L. Finley	74 Whitehouse Cres	L. Finley
J. Finley	74 Whitehouse Cr	J. Finley
D. Finley	111 Landster Ave	D. Finley
A. Jackson	111 Landster Ave	A. Jackson
A. Jackson	115 Lanchester Ave	A. Jackson
K. Gallan	113 Lanchester ave	K. Gallan
M. Gellan	113 Lanchester Ave	M. Gellan

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
K. Taylor	18, NE9 7AU	K. Taylor
M. Smiles	18, NE9 7AU	M. Smiles
S. Finley	30 NE9 7DD	S. Finley
M. Finley	90 NE9 7DC	M. Finley
M. Smiles	10 NE9 7BD	M. Smiles
W. Smiles	22 NE9 7BD	W. Smiles
S. Finley	30 NE9 7DD	S. Finley
S. Birkbeck	31 NE9 7AJ	S. Birkbeck
A. Knox	15 NE9 7BT	A. Knox
C. Nicks	13 NE9 7BB	C. Nicks
R. Farnpole	86 NE9 7AN	R. Farnpole
J. Musgrave	148 NE9 7AN	J. Musgrave
M. Nicks	13 NE9 7BB	M. Nicks
C. Birkbeck	31 NE9 7AJ	C. Birkbeck
P. Hills	4 NE9 7LQ	P. Hills
L. Birkbeck	31 NE9 7AJ	L. Birkbeck
D. Birkbeck	31 NE9 7AJ	D. Birkbeck
S. Birkbeck	31 NE9 7AJ	S. Birkbeck
L. Hodgson	2 NE9 7AJ	L. Hodgson
S. Ratcliffe	103 NE9 7AA	S. Ratcliffe
C. Howarth	187 NE9 7DA	C. Howarth
D. Howarth	108 NE9 7DA	D. Howarth
I. Corbett	7, NE9 7BA	I. Corbett

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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
S Gullin	115 Inceholme	[Signature]
A Butkbeck	118 Springwell Rd	A. BUTKBEK.
J Butkbeck	118 Springwell Rd	J Butkbeck.
M Butkbeck	118 Springwell Rd	M Butkbeck
G Langley	3 Wingate Ct	[Signature]
I Hall	12 Seaburn Gdns	[Signature]
C Hall	12 Seaburn Gdns	[Signature]
S BROWN	85 STANLEY	[Signature]
A CHAMBERS	47 COLTSFOOT Gdns	[Signature]
L M/R	4 LANCHESTER AVE	[Signature]
C Fenwick	23 Larkspur beacon lough	[Signature]
B KEENAN	45 LANCHESTER AVE	B Keenan
J BROWN	6 ELKTON TCE	J Brown
JOE BROWN	6 ELKTON TCE	J Brown
Chris Pearson	38 Aycliffe crescent	[Signature]
BARRY ROBERTS	55 WALLACE GARDENS	[Signature]
ERNE HUTCHINSON	21 CHURCH VIEW.	R. Hutch -
S STEVENSON	29 AYCLIFFE AVE	S Stevenson
R. Forrest	29 AYCLIFFE AVE	R Forrest
A. Finley	115 LANCHESTER AVE	A Finley
A SHAUGHNESSY	14 AYCLIFFE CRES.	[Signature]
B Moulding	141 AYCLIFFE CRES	B Moulding
A Moulding	141 AYCLIFFE CRES	[Signature]

**PROPOSED REDEVELOPMENT OF REFUSE DISPOSAL WORKS
CAMPGROUND SITE, WREKENTON, GATESHEAD.
APPLICATION NOS. 11/01980/FUL AND 11/02076/FUL.
OBJECTIONS.**

We the undersigned, wish to register with Sunderland City Council Planning Authority, our most profound objections to certain aspects of the above applications, as submitted by Gateshead Council and Sita UK.

Our objections are those set out in detail in a letter dated 26th July, signed and sent by Mr. D. Griffiths on our behalf.

<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
John Maddison	Makepeace	John Maddison
IMMAN BARGE	FELL HOUSE CARE CENTRE	ipating
Ms Susan Kendall	48 VENTNOL CRT NE9 6DY	Susan Kendall
DAVID A KENDALL	48 VENTNOL CRT NE9 6DY	David A Kendall
KERRY PROCTOR	1 CARLTON TER NE9 7SB	K Proctor
Proctor	1 Carlton terrace NE9 7SB	Proctor
MARGARET CROOK	17 RAGLAN OXCLOSE	M Crook
Graham Crook	17 Raglan Oxclose	G Crook
Lauren Huddleston	Bellmount Springwell	L Huddleston
Karen Huddleston	Bellmount Springwell	K Huddleston
Susan Huddleston	Bellmount Springwell	S Huddleston
Danielle Huddleston	Bellmount Springwell	D Huddleston
Brian Proctor	Whinley Road	B Proctor
Aine Proctor	Whinley Road	A Proctor
Annie McLeod	Felling	A McLeod
MICHELLE BOSWORTH	SPRINGWELL VILL NE9 7QB	M Bosworth
ANDREW BOSWORTH	QUERTFIELD TERR. S. VILL. NE9 7QS	Andrew Bosworth
HAZEL BOSWORTH	SPRINGWELL VILL NE9 7QB	H Bosworth
Josephine M. Pacote	Fell House care home	J Pacote
ROSE PEEGE	Fell House care home	R Peege
Sam Taylor	Heugh Hill	S Taylor
Sean McCysens	Heugh Hill	S McCysens
Kenny Wright	Heugh Hill	K Wright

**PROPOSED REDEVELOPMENT OF REFUSE DISPOSAL WORKS
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<u>Name.</u>	<u>Address.</u>	<u>Signature.</u>
Al Thompson	9, SEATON Gdns	A Thompson
ALAN THOMPSON	9, SEATON Gdns	A Thompson
JOSEPH RIDLEY	14, WALLACE Gdns	J Ridley
Claire Thompson	16 Wrekenton Row	C Thompson
ALAN THOMPSON		A Thompson
J. Taylor	10 SATLEY Gdns	J Taylor
A. Brown	"	A Brown
C. Green	16, MANSKED	C Green
P. Blair	306 SARGENT RD, S	P Blair
E. Jones	11 Bolemore	E Jones
H. Campbell	6 Finchale	H Campbell
B. Small	15 BEATONS	B Small
D. Nicholls	6 Waldridge	D Nicholls
C. Nicholls	6 Waldridge	C Nicholls
S. Cribbin	10 Whitehouse	S Cribbin
J. Cribbin	10 Whitehouse	J Cribbin
J. Tyson	16 Whitehouse	J Tyson
A. CRYSER	11 LINDEN WAY	A Cryster
K. CRYSER	11 LINDEN WAY	K Cryster
J. Peats	15 Gullings Green Gts	J Peats
M. Buge	8 Cypress Road	M Buge
R. Buge	8 Cypress Rd	R Buge

Lisa Wild
c/o Low Mount Farm
Springwell Village
Gateshead
Tyne and Wear
NE9 7YX

25th August 2011

City of Sunderland Planning Department
Civic Centre
Sunderland
SR2 7DN

Application 11/01980/FUL

Notice of objection

I write on behalf of the Swinburn family who reside at the above address, they object to the above application mainly because of the lack of information over the drainage system on both the site and the entrance road, the amount of traffic already using the site and the rubbish which blows from both the site and vehicles using it.

Also at no point within the application is the farm as either a dwelling or a working farm mentioned.

There are also several areas within the application where the information provided is inaccurate or untrue.

I include sections below demonstrating these.

Incorrect Statements

Environmental Appraisal – no information on the agricultural status of the adjacent land, Low Mount Farm not mentioned at all.

The farm was present in 1862, but again not mentioned in this reference made to the first ordinance survey map.

Supporting Statement

1.02 – incorrect the site is not in Wrekenton, it is in Springwell Village.

1.07 – makes reference to a ramped area, no information of the drainage of this raised area

3.0 – Ecological Assessment – no mention of Low Mount Farm

4.2.3 – No mention of the drainage system on the entrance road, or the hard standing area. Also no mention of the fact the road does flood in times of heavy rain. Water to be “contained on site”. How and where? There is no Northumbria Water off site system, the surface water on the B1288 drains into the Springwell pond on Low Mount Farm. A new soak away is not acceptable due to the current flooding issues.

4.3.3 - Storage ponds are not acceptable as they would be ABOVE our land.

The current drainage system does not work and constantly drains onto Low Mount Farm. There is also no mention of the “mineral safeguarded area” next door to the site, how can surface water be expected to percolate through sandstone?

4.4 – an untrue statement, the water from the site and the entrance road drains onto Low Mount Farm, then into our pond, the pond drains into the River Don.

5 – Land contamination, water draining from the site carries contaminants which are finding their way onto the agricultural land at Low Mount Farm, the field next door to the Camp Ground is currently being prepared for wheat intended for human consumption. Therefore our crops risk being contaminated.

5.3.2 – Demolition – no mention of the survey required by Gas Networks when any demolition is carried out near one of their high pressure pipes, one is situation on the land next to the campground.

5.3.4 – the drainage sump area identified as “contaminated” this is NOT acceptable when the water from the site is draining through this facility.

8.2 - we were unable to attend the one evening viewing, but yet we were not offered an additional viewing.

Further references.

Drainage plan – no real information at all on this plan.

Ecological Survey

2.2 field survey which claims it carried out a visit which included land 50m outside of the site. No contact was made by Entec to gain permission to enter the land.

3.1 No mention at all of Low Mount Farm yet properties over a mile away are mentioned

3.3 Field survey, reference to “Amenity grassland” to the south, this is agricultural land and part of a working farm. A map coloured yellow demonstrates this “poor amenity grassland”.

There is no direct reference to the “Springwell” pond which is on our land, this is the “Springwell” from which the village takes it’s name, and it is also shown on current and historic maps.

At no time have we been approached by Entec so they could visit the farm and carry out a complete survey. Therefore as the survey provided excludes Low Mount Farm we feel it should be rewritten and submitted again.

We suffer constantly from the litter that escapes from both the site and the wagons entering the site. The paddocks adjacent to the B1288 road are littered with rubbish which is a danger to the animals grazing these areas. The hedge rows are also filled with litter and debris.

The B1288 road is not substantial enough for the amount of HGV wagons using it. One of our stable blocks actually supports the road and this building is now showing signs of stress due to the amount of lateral pressure placed upon it by

the weight of the wagons. Further along this section of road concrete reinforcements have already been put in place, sadly these too are now failing.

To date I am still awaiting a response from the Environment Agency regarding their involvement over the flooding problem from the site, they are continuing their investigation.

I wish all of the information we have provided to be taken into consideration before a decision is made over this application.

It is bad enough that we have quarry traffic, recycling traffic and the debris they produce six days a week from the Thompon's site, without now knowing the Camp Ground intend to continue operating into the foreseeable future. Is it acceptable that any member of the public be subjected to life in the middle of two waste sites, and expected to live with it?

Regards

Lisa Wild
On behalf of the Swinburn Family

APPENDIX 2

The report set out below addresses the objections received in connection with planning applications 11/01980/FUL and 11/02076/FUL. The report below should be read in conjunction with the main reports to Planning and Highways Committee.

4 representations in objection to planning applications 11/01980/FUL and 11/02076/FUL were received in response to consultation. The letters received related to both planning applications and in general did not distinguish between the two schemes. Consideration of the content of the representations received has therefore been carried out with respect to both planning application 11/01980/FUL and 11/02076/FUL. These considerations are set out below. To avoid repetition the content of all letters of objection received has been addressed together.

Members should also note that a petition containing 307 signatures has been received in objection to the proposed developments.

Previous Use of Site

Objection on the grounds that the application sites had historically (and allegedly) created health problems for those living in close proximity to them due to their use for waste treatment/handling purposes.

However, the effect of previous uses that may have occupied the application site(s) cannot be considered as a material planning consideration in the determination of the planning applications under consideration. There is nothing to suggest that the use of any site as a Household Waste Recycling Centre or as a Waste Transfer Station would have any negative impact upon the health of any individual or community providing that the site(s) are operated in accordance with permits issued and controlled by the Environment Agency, as required by law.

One objection stated that the facility should be built away from residential areas. However it must be considered that the sites under consideration are existing waste sites which will continue to operate in their current form if Members decide to refuse planning permission. In addition to this consideration, regard must be had for the “proximity principle” contained in PPS10 which states that waste should be dealt with as near to its source as possible. The proposed developments are designed to improve facilities that received waste from areas local to it.

Vermin

Objections to the proposed development have been received on grounds that the proposed developments will attract vermin to the area, including infestations of flies.

However, the SITA has confirmed that there will be a closed door policy on their site meaning that the fast acting roller shutter doors will only be open when vehicles are accessing or leaving the waste reception building. No waste is tipped while the doors are open meaning that any vermin present in the waste transferred to the site will find it difficult to leave the building. The tipping hall floor will be regularly washed down and disinfected and active pest control will be employed on the site to control levels of vermin. There is to be no external tipping of waste.

On the GMBC site it is considered that the type of waste that will be deposited at the facility i.e. mostly dry bulky household waste is unlikely to attract vermin. However, all waste at the site will be stored in waste containers which will be emptied regularly with waste being removed from the site. Furthermore, active pest control will be employed across both sites to ensure that vermin do not become a nuisance on the site or within the surrounding area.

Given the above measures it is not considered that the proposed development will result in increased levels of vermin to the detriment of the area.

Noise

Objections were received on grounds of general noise nuisance that may result from the developments proposed.

One objection also suggested the following in relation to the WTS building proposed on the SITA site:

1. The building should at least have a double skin with a cavity in-fill and there are many products on the market to choose from.

The Local Planning Authority has discussed this suggestion with the applicant. In response the applicant has stated that the proposed building is required to be constructed to achieve the requirements of the Integrated Pollution Prevention Control Regulation (IPPC). IPPC is a regulatory system that employs an integrated approach to control the environmental impacts of certain industrial activities.

More specifically IPPCH3 regulates noise and vibration. IPPCH3 can be achieved through the use of single profile metal cladding (like that proposed in this application). Details of the proposed development's conformity with IPPCH3 and other noise regulatory systems is contained within the noise assessment submitted with the planning application (11/02076/FUL) which is discussed in more detail below.

2. The building will contain concrete push walls. We have received expert advice that if the push walls were extended to roof level they would provide good sound baffles. We are advised that a solid concrete wall is better than a single sheet construction.

The Local Planning Authority has discussed this suggestion with the applicant. In response the applicant has indicated that concrete push walls are used to demarcate separate areas of operation, without the need for additional ground works/foundations, thus maintaining a degree of flexibility within the working space. As the noise assessment that accompanies planning application 11/02076/FUL is considered to indicate an acceptable level of noise from the proposed development it is not considered necessary that the applicant includes full height walls within the proposed WTS building.

3. We have suggested that the proposed new building be re-sited and turned 90 degrees.

The Local Planning Authority has discussed this suggestion with the applicant who has offered the following response:

The option of rotating the building 90 degrees was considered during the outline

design stage of the process. Concept designs were developed to utilise existing structures, services, geotechnical and environmental requirements wherever possible.

The resulting layout was considered to achieve optimum space for the projected volumes of waste, to deal with the anticipated number of vehicle movements and the required manoeuvring space in a safe and efficient manner; this includes a one way flow of traffic in a clockwise direction.

If the building were rotated through 90 degrees all of the above items would be compromised resulting in a less efficient and potentially hazardous operation with multiple vehicle path crossovers within the building. It is considered that the size of the building would need to be increased in order to provide sufficient operational space. Furthermore this reconfiguration would result in the loss of the ad-hoc storage area since insufficient manoeuvring space would remain outside the building to facilitate safe and efficient operation of this facility.

Planning Application 11/02076/FUL (SITA UK) is accompanied by a detailed noise assessment which has been reviewed by the City Council's Executive Director of City Services: Pollution Control who has confirmed that the predicted noise levels from the site are considered to be acceptable and are unlikely to result in any unacceptable noise levels for near neighbouring properties and that the predicted noise levels from the site are within a range that suggest that complaints as a result of noise are unlikely.

The applicant has confirmed that the acoustic model used in the noise assessment of the proposed development incorporated all of the design elements of the proposal e.g. construction material, orientation of the building, use of plant and machinery, acoustic boundary treatments etc.

Furthermore, if Members are minded to approve this application a condition would be added to any approval granted for 11/02076/FUL requiring a further noise assessment to be undertaken once the site was operational to ensure that noise levels generated were not above guideline levels. In the event that noise levels were found to be too high, the condition would require the site operator to submit noise attenuation measures for the written approval of the Local Planning Authority and these would be required to be installed as approved and retained on site for the lifetime of the development.

Regarding planning application 11/01980/FUL (GMBC) it is acknowledged that the proposed development will result in changes to the layout of the site and the removal of a building which may offer some noise attenuation at the present time. Therefore should Members be minded to approve planning application 11/01980/FUL a noise assessment and noise mitigation measures (if determined to be necessary) will be required by condition in order to ensure that noise originating from the site does not create a nuisance for those occupying nearby dwellings.

Vibration

The proposed developments are not considered to incorporate any feature likely to result in any significant levels of vibration. The reports submitted to accompany the applications confirmed this and were accepted by the Executive

Director of City Services: Pollution Control. It is therefore considered that problems associated with persistent or high levels of vibration will not occur as a result of the proposed developments.

Litter

As required by the Environmental Permitting regime, both sites operate under a "Working Plan". This Working Plan states that it is the responsibility of site staff to monitor the sites for signs of escaping materials either from within containers or from vehicles delivering or removing materials to and from the site (note that all waste vehicles entering and exiting the SITA WTS must be covered or netted to prevent escape of waste and litter whilst it is in transit).

Any escaping material is swept and picked up from each of the yards on an ongoing basis in order to prevent escape of material from the sites. In the event that there is an escape of litter from the confines of the site and into the local environment, it is the responsibility of the site staff to arrange for litter to be picked up. Litter control for the two sites is therefore clearly within the remit of the Environmental Permitting regime which is controlled by the Environment Agency and subject to intervention by them. It is therefore not considered appropriate (if Members decide to approve this application) to add conditions designed to monitor and control potential litter from the site as it is considered that there are already sufficient and robust mechanisms in place to address this issue in the event that it becomes problematic.

Traffic Movements

Representations received state that Sunderland City Council have imposed planning conditions on the Campground site which restrict the passage of heavy goods and other waste vehicles through Springwell Village and that this restriction is to the detriment of those living in neighbouring locations like Wrekenton because heavy traffic and other waste transportation vehicles use routes through Wrekenton to avoid Springwell Village. Objections received also state that the predicted increase in vehicles to the SITA WTS will impact detrimentally on the local area through nuisance caused by increased traffic volumes.

As set out in the main report, the applicant conducted appraisals of five different route options for vehicles travelling to and from the Campground Waste Transfer Station. Details of the five routes that were appraised are set out below:

- **Route 1 (to west/south)** via Wrekenton Long Banks (B1295) and A1 interchange
- **Route 2 (to west/north)** via Wrekenton Long Banks (B1295) and Durham Road (A167)
- **Route 3 (to north)** via Old Durham Road (B1295), Sheriff Hill area of Gateshead
- **Route 4 (to east/south)** via Leam Lane (B1288) and Northumberland Way (A195)
- **Route 5 (to south)** via Springwell Village

In conducting the appraisals of the five different route options the applicant undertook an assessment of the surrounding local highway network and

considered the potential for interaction between site traffic and vulnerable road users, i.e. pedestrians and cyclists.

Each route was considered in terms accident data and in terms of the presence of the following features:

- Zebra Crossings
- Signal Controlled Crossing
- Non priority Controlled Crossing
- Signal Controlled Junction
- Carriageway Build Outs
- Schools
- Railway Line Crossing
- Non Designated on Street parking
- Bus Lanes/Cycle lanes

Following the assessment undertaken, the information submitted in support of the planning application concluded that large vehicles (loads of 7 tonnes or more) should use routes 1, 2 and 4. Conversely, routes 3 and 5 should not be used on the basis that these routes are less suitable for heavy traffic.

Executive Director of City Services: Network Management has examined both applications and considers that neither proposed development will create any conditions detrimental to highway safety or result in any adverse implications for traffic within the area. It was considered prudent however, to include a condition on any approval granted in connection with 11/02076/FUL to require heavy traffic using the Campground site to access and egress via routes 1, 2 and 4 as indicated in the planning application submission, whenever these routes are available for use.

It should also be noted that Gateshead Council were consulted regarding this application and raised no objections to it on traffic/highway safety or on any other grounds.

Damage to B1288

An objection received on behalf of those residing at Low Mount Farm stating that the existing level and weight of traffic travelling on the B1288 is causing and has previously caused damage to the concrete blocks which support the highway. (These concrete blocks are located within one of the paddocks at the farm). The objection states that this damage is causing the concrete blocks to deteriorate. The objection further states that:

“There is also the issue of our stable block which at over 150 years old sits under, and supports the road. An independent engineer's report voiced concerns over the lateral pressure placed on the building due to the number of HGVs. As many as 40 an hour on some days.”

Following consultation with the Executive Director of City Services: Network Management it is apparent that issues relating to impact of traffic using the B1288 highway and the associated impact upon Low Mount Farm has been the subject of going discussions with Sunderland City Council outside of the scope of this (any other) planning application. It would appear that the objection received refers to issues which have previously been raised with the Council.

The Executive Director of City Services: Network Management advises that within the Low Mount farmstead, a barn wall acts in support of highway land and this has been inspected by a Council engineer. It has been concluded, by the Council, following the inspection carried out, that there is no evidence of damage arising from exceptional weight of traffic using Springwell Lane.

Democracy and Representation

All four of the representations received refer to the consultation that has been carried out in connection with these two planning applications. One objection received states that:

“One of the biggest problems that continually blight the residents attempts at rectifying matters is that the planning applications to which I refer (i.e. those concerning Campground) must go via Sunderland City Council when in fact the people suffering from the detrimental impact of same are the people living in Wrekenton area hence they are constituents of Gateshead and not Sunderland. That said we are unable to gain any response to afford us full and frank consultation with Sunderland as we are repeatedly told that, as Gateshead constituents, Sunderland Council has no duty or responsibility to us”.

It is accepted that the proposed development sites are located within the administrative boundary of Sunderland City Council. It is also accepted that the site is located adjacent to the administrative boundary between Sunderland City Council and Gateshead Metropolitan Borough Council. However, members are advised that consultation regarding planning applications 11/01980/FUL and 11/02076/FUL was carried out in strict accordance with the provisions of the Town and Country Planning (Development Management Procedure) Order, 2010 and in accordance with Sunderland City Council’s adopted policy on public consultation.

Public notices informing people of the planning applications were displayed at nine different locations around the application sites, eight of which were within the administrative boundary of Gateshead. Furthermore, 96 individual neighbour notification letters were sent to those living nearest to the site (clearly not every constituent of Gateshead can be sent an individual letter but those in closest proximity did receive such letters). A notice was displayed in the Sunderland Echo on the 8 August 2011 to inform people about the planning applications (once again the Local Planning Authority cannot cater for every individual’s preference in relation to their preferred publication).

As a result of the consultation carried out by Sunderland City Council in connection with the planning applications a total of four letters of representation in objection to the proposed developments were received together with one petition. These representations have been publicly displayed on the Council’s website for any interested party to examine. Furthermore the representations received are included as APPENDIX 1 of this report. Those who submitted individual representations were advised in writing of the time, date and venue for the Committee meeting and were advised of their right to speak at Committee.

It is therefore considered that consultation has been carried out correctly in connection with these two planning applications and that interested parties have been given the opportunity for full and frank consultation regarding the

applications. It is not accepted that Sunderland City Council has excluded residents of Gateshead or any other location from the planning consultation process, neither is it accepted that Sunderland City Council is

“trying to hide the true level of objection to the schemes”

as stated in one objection received.

Objections received also requested that the site be visited by Planning Officers and Elected Members. The Planning Case Officer accompanied by the City Council’s Environmental Health Officer visited the sites on 23 August 2011. Members will recall that they visited the site on 2 September 2011.

Drainage and Flooding

Objections to the proposed development have been received to the proposed developments on grounds that at the current time the sites create problems of flooding at Low Mount Farm. These objections have been addressed in the main report which precedes this appendix,

High Pressure Gas Pipeline

It is the responsibility of the developer to ensure safety on and around sites during demolition, site clearance and construction phases of development. In addition to the above the application has been processed through the health and Safety Executives PADHI+ system which has NOT advised against the development on the grounds of any nearby hazardous pipelines or installation.

Demolition

One objection received is concerned about the demolition of the existing incinerator building which is located on the SITA site. In particular the objector has concerns regarding the potential for pollution/contamination of the surrounding area from demolition works.

However, if Members are minded to approve the applications under consideration conditions will be attached to any approval granted requiring the submission of a scheme of demolition to be submitted to and approved in writing by the Local Planning Authority Prior to any works commencing on site. A further condition controlling the days and hours that demolition and construction works can take place on the site will also be attached to any approval granted.

It is considered that such measures are sufficient to address the concerns raised in relation to demolition works.

Previous Ombudsman Correspondence

One objection letter received had numerous correspondence concerning complaints to the Local Government Ombudsman attached as an appendix report. Although the content of this historic correspondence has been noted, complaints made to third party arbitrators concerning previous planning applications or issues on the applications site(s) cannot be considered as material to the consideration of these planning applications. The applications under consideration must be considered upon their own merits and determined based upon the information presented to support them.

Conflict with “Current Planning Approvals”

One objection received suggests that if the current proposals were to be

approved, they would be in conflict with other planning approvals on the sites. However, planning applications 11/01980/FUL and 11/02076/FUL are applications for new development of these sites. If approved, the sites will benefit from entirely new planning permissions for the development detailed in each respective planning application, with new conditions where these are deemed to be necessary.

Garaging of Vehicles

One objection received suggests that wagons left overnight on the SITA site should be garaged within the WRB to help minimise noise and also to deter “marauding vandals”. The objector also states that the ad hoc storage bays should be incorporated into the building to deter thieves and vandals.

For the purposes of clarification SITA has confirmed that 3 GMBC refuse collection vehicles and 2 articulated bulk carriers are currently stored overnight on site.

The Local Planning Authority has discussed the possibility of garaging these vehicles overnight in the proposed WRB with the applicant. The LPA were advised that because the refuse collection vehicles belonged to a third party (GMBC) the storage of such vehicles within the WRB is not considered to be practical. For example GMBC do not have waste collections on Saturdays, if the GMBC refuse collection vehicles were parked within the WRB at this time the area within the building would become unworkable. Furthermore the SITA UK Insurance and Risk Manager has confirmed that vehicles stored within WRBs are considered to pose an additional fire risk for insurance purposes. Such garaging of vehicles with the WRB is therefore not acceptable to SITA UK’s insurers.

The current proposed layout of the facility allocates an area adjacent to the west elevation of the waste reception building for overnight HGV parking. However, the applicant has agreed to relocate the proposed vehicle parking to the eastern elevation of the WRB furthest away from the nearest sensitive receptors. Should Members be minded to grant planning approval for ref: 11/02076/FUL a condition requiring the submission of a revised plan showing the relocated parking area to the eastern elevation of the WRB will be attached to any approval granted.

Regarding the objector’s reference to thieves and vandals accessing the site, SITA has confirmed that the site has a 24 hour security presence and a Closed Circuit Television System (CCTV) which will remain after the redevelopment of the site.

Previous Suggestions Regarding Site Layout by the Council’s Environmental Health Officer

One letter of objection received states that the Council’s Environmental Health Officer has, on previous occasions, suggested ways in which the Campground site might be redesigned. The comments referred to have been examined. However it is considered that these comments were made in response to consultation in connection with previous planning applications on the site. Any future proposals would be examined on their own merits taking into account a variety of mitigation measures available to the developer, these could include orientation and design of the building, and/or alternatively barriers or other mitigating factors deemed necessary to achieve the required levels.

Request for Public Meeting

One representation received requested that Gateshead Council and Sunderland Council agree to a joint meeting with a delegation of residents from the Wrekenton area to discuss SITAs planning application prior to Sunderland Council making its final decision and for Sunderland City Council to halt SITA's application until such a time as the requested meeting had taken place.

The request for a joint meeting was declined by the former Head of Planning and Environment. Planning application 11/02076/FUL had been lodged when this request was received and it was considered that the planning application process and associated consultation exercises were the appropriate mechanism through which interested parties could make representation about the application.

Increased Volumes of Waste

Representations received object to any increase in volumes of waste to be received by the waste sites.

It is unlikely that the redevelopment of the HWRC facility will attract increased volumes of waste due to the nature of the site serving the local population of the area.

However, SITA UK has confirmed that it is intended for the redeveloped site to handle up to 90 000 tonnes of waste per annum, the site currently handles up to 75 000 tonnes.

Members should note that there are two separate permitting regimes which govern waste facilities. The permission for land use is controlled through the Planning Acts by the Local Planning Authority and the permission for the waste operation is controlled by the Environment Agency through the issuing of Environmental Permits.

If planning permission is forthcoming on this site a variation to the existing Environmental Permit will be necessary and a new permit from the Environment Agency would have to be in place prior to any increased volumes of waste being received at the proposed development.

The waste operation is controlled by separate legislation requiring an environmental permit and government advice, under paragraph 22 of circular 1/95 The Use of Conditions in Planning Permissions, is that a planning condition limiting the throughput tonnage would not necessary where it is controlled by other more appropriate controls, in this case the terms of a revised Environmental Permit, and it would be *ultra vires* if the planning condition conflicted with the Permit.

REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES

OBJECTIONS TO THE PROPOSED TRAFFIC CALMING AND ASSOCIATED 20 MPH SPEED LIMIT ZONE AROUND THE BARNES JUNIOR AND INFANT SCHOOL, SUNDERLAND

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to inform Planning & Highways Committee of the objections received to the proposed Traffic Regulation Order (TRO) for the introduction of Traffic Calming features and associated 20 miles per hour (MPH) Speed Limit Zone in certain streets around the Barnes Junior and Infant School.

2.0 BACKGROUND

- 2.1 A petition to the Council contained 317 signatures (January 2010) stating: "We call upon Sunderland City Council to introduce traffic calming measures at Barnes Infant and Junior School, particularly in Mount Road and Colchester Terrace".
- 2.2 In addition, other correspondence and requests for service relating to this particular location, have been received expressing concerns regarding various road safety issues including excessive vehicle speeds, inconsiderate and obstructive parking behaviour and traffic volumes during the pick up and dropping off times at the schools.

3.0 PROPOSALS

- 3.1 A proposed scheme of measures, which addresses the concerns of local residents was developed for the streets immediately surrounding the Barnes Junior and Infants School. The proposals as detailed in drawing 09/TM/1858/01 Rev B attached, comprises the introduction of a 20 MPH Speed Limit Zone and the installation of two types of vertical traffic calming measures, speed cushions and speed humps. These features will help ensure that lower mean vehicle speeds and consequently safer driving conditions are achieved in an area where there are a significant number of vulnerable road users.
- 3.2 The Department for Transport advise that 20 MPH Zones should be self enforcing and consequently additional traffic calming measures are often required to ensure that appropriate vehicle speeds are achieved. Given the road layout and road widths of the streets surrounding Barnes school vertical traffic calming measures were deemed necessary.
- 3.3 Nevertheless, to mitigate the impact of the vertical traffic calming measures on the emergency services, bus services and drivers with disabilities a number of the originally proposed speed humps were converted to speed cushions. The speed cushions, which are to be located on Mount Road, will be more gentle to traverse for most car drivers and allow bus vehicles to completely straddle them. The proposed speed humps will be used in the remaining streets.

4.0 CONSULTATION

- 4.1 A preliminary consultation was carried out, on 5th November 2010, on a draft proposal for traffic calming measures on streets surrounding Barnes School. The consultation included all residences directly affected by the proposals, local Ward members and the approved list of Consultees.
- 4.2 The 160 properties and homeowners directly affected by the proposal were consulted using a "Consultation Pack", comprising a drawing, a questionnaire return sheet and a pre-paid envelope, sent out with an explanatory letter. Fifty one responses were received; 33 supporting the proposal and 18 against the proposal. The return rate for this consultation was approximately 32%. Of the responses received approximately 65% are in favour and 35% are against the proposals.
- 4.3 All consultation responses for the proposed scheme were collated and reported to the Deputy Executive Director of City Services. A Delegated Decision approving the progression of the proposed scheme to the statutory publication of proposals phase was signed on the 20th of December 2010.
- 4.4 In November 2011 the Head of Law and Governance formally advertised in the Publication of Proposals the council's intention to: -
- exercise its powers under Section 90A of the Highways Act 1980 and after consultation in accordance with Section 90C of the Highways Act 1980. It was proposed to construct road humps complying with the Highways (Road Humps) Regulations 1999 as traffic calming measures in Colchester Terrace, Colchester Terrace East Back, Cleveland Road South Back, Ewesley Road, Ewesley Road West Back, Wycliffe Road, Wycliffe Road North Back, Mount Road, Sunderland.
 - make an Order under Sections 84(1) and (2) of the Road Traffic Regulation Act 1984 The general nature and effect of the Order would be to impose a speed limit of 20 MPH along the lengths of the roads near Barnes Junior and Infant School (i.e Colchester Terrace / Colchester Terrace East Back / Cleveland Road South Back / Ewesley Road / Ewesley Road West Back / Wycliffe Road / Wycliffe Road North Back / Mount Road, Sunderland).
 - and invited objections to the proposal. The deadline for Publication of Proposals expired on 9th December 2011 and two objections have been received (as outlined below).

5.0 OBJECTIONS RECEIVED

- 5.1 Two objections to the proposals have been received. It is noted that one objection is from a resident directly affected by the proposals; the second objection is from a non resident not directly affected by the proposals.
- 5.2 The objections received and the reasons given as to why these objections should be not upheld are detailed below: -

Issues Raised:-	Comments:-
RESPONDENT 1	
<p>"I strongly object to anyone placing speed humps and cushions in Mount Road and surrounding areas.</p> <p>I live in number 63 Mount Road and I can see from your plans that you propose to place a speed hump outside my property. I can not stress to you enough how important it is that this does not go ahead. I am disabled due to chronic disc disease and suffer severe pain and discomfort.</p> <p>Travelling in the car is bad enough without having to go over humps in the road which can cause great pain and distress. In day to day transport I go out of my way to avoid speed humps and I am mortified at the prospect of speed humps being placed in the street where I live. This will make my life extremely difficult as I have just had major spinal surgery from which I am recovering from. I am to avoid anything which can aggravate my back and this certainly won't help me as I can not avoid them if they are placed outside my home.</p> <p>Speed bumps have a major impact on people suffering from some medical conditions, such as back problems. If you complain about such problems to road safety experts they simply say you should take another route, or slow down more. This is not possible, and is effectively discrimination against disabled people.</p>	<p>Some people with disabilities may experience discomfort crossing humps and cushions as a vehicle occupant. However, the humps will be well signed and it is up to the driver of a vehicle to cross the hump at a speed appropriate for the vehicle and any of the vehicles occupants. All road humps and speed cushions will be constructed to guidance given by the Department For Transport. As such, all traffic calming feature will not be greater than 75mm in height.</p> <p>Notwithstanding the above, all the emergency services including the Ambulance were consulted on the proposals and no objections were received. All drivers have a responsibility when parking on the highway to maintain access and refrain from causing obstruction. The issue is mainly one of enforcement and needs to be taken up with the Police if and when an incident occurs.</p> <p>Whilst it is acknowledged that a few residents may experience some inconvenience in the surrounding areas to the proposed (through the migration of vehicles traffic). However, it is believed that this is outweighed by the increase in road safety resulting from the implementation of this scheme.</p>
<p>Living in High Barnes the houses are typically Victorian. I feel I speak for most of the residents when I say that adding speed humps to our street will devalue it and is not aesthetically pleasing.</p> <p>I also feel speed humps will only divert traffic to our backlane and adjacent streets. This does not solve a problem but moves the problem to a different area. The backlane is already difficult due to people obstructing the access to garages when picking children up from school,</p>	<p>There is no evidence to suggest that this will be the case. In fact the installation of appropriate traffic calming measures and materials can increase the saleable value of property. Streets that have lower traffic speeds are safer and this can attract interest in properties in the general area.</p> <p>In addition, traffic calming may reduce the incidence of short cutting thus improving the general environment. Whilst this will result in a reduction in traffic volumes and hence noise and pollution, it will add to</p>

<p>often travelling at high speed.</p> <p>I feel the use of speed humps will be ineffective as drivers will only speed up in between humps. This will increase noise for residents due to braking and acceleration of the vehicles. Therefore I suggest a speed camera would be more appropriate.”</p>	<p>the attractiveness of the area. It is now the case that all new residential areas both private and council are required to have traffic calming features incorporated in their layout so the stigma, which may have previously been attached to some areas no longer exists.</p> <p>Research has shown that after the installation of vertical and horizontal traffic calming features overall noise levels are in fact reduced when light vehicles (cars) form most of the traffic stream. This is the case in this instance as the proportion of large commercial vehicles using Crow Lane is relatively low. In addition the traffic calming measures are likely to have a downward influence on vehicle flow.</p> <p>Speed cameras only provide a very localised effect and are not appropriate for use in large residential areas.</p>
<p>Respondent 2</p>	
<p>1. An order making a direction in accordance with RTRA 84 section 82(2) to derestrict the above streets has not been included. Therefore it is not possible to make an order under section 84.</p> <p>2. <i>“Since October 1995 it has been necessary to metricate all traffic orders, the only exception was distance and speed measurements displayed on traffic signs:-</i></p> <p>a) <i>Article 3 of the above order should read instead of ‘20 miles per hour’ the following as primary and secondary notation e.g. ‘32km/hour (20MPH)’ or similar.”</i></p>	<p>It is not necessary to proceed in this way. Section 84(1)RTRA84 provides that an Order may be made as respects “any road”. Section 84(3) provides that while an order is in force as respects a road that road shall not be a restricted road for the purpose of section 81 of this Act.</p> <p>As such, the a revocation of a 30mph limit would not be necessary as no requirement is necessary to make a TRO for a 30mph speed limit within England and Wales.</p> <p>The Council’s view is that this is not correct.</p> <p>Units of Measurement Regulations 1995 Reg 5(2) say – “Nothing in these Regulations shall apply in relation to any of the uses of relevant Imperial units which are permitted by Article 1(b) of the units of Measurement Directive that is to say - the use of the mile, yard, foot or inch for road traffic signs, distance and speed measurement.”</p> <p>Article 1(b) of the Metrication Directive to which Reg 5(2) refers provides that the</p>

<p>3. <i>“The Traffic Signs and General Directions 2002, requires that within a 20MPH zone, no point within the zone is more than 50metres from a traffic calming feature:-</i></p> <p>a) <i>No details are given as to the whereabouts of these ‘features’ nor their distance apart (Notice under the Highways Act 1980 90A and 90C only gives locations adjacent to properties, which cannot readily determine the distances apart). Road junctions also have to be included as ‘features’.”</i></p> <p>4. <i>“No scheme can be <u>self enforcing</u>, as it is illegal to physically place any device on the road that interferes with a vehicle to slow it down without the driver’s consent, (except for the police under their special powers).”</i></p>	<p>measurements listed in chapter ii of the Annex to the Directive shall be permitted but only in member States where they were so authorized on 21st April 1973 (e.g. the UK) .In Chapter ii under the heading "field of application " there appears the same phrase as in 1995 Regulation i.e. " road traffic signs ,distance and speed measurement "for which the mile, the yard and the foot expressly remain permitted. "</p> <p>It is clear that road signs can have imperial measures on them but there is no reason to contemplate that the orders authorising such signs would have metric units in them as an alternative.</p> <p>The proposals published clearly indicate the locations of the proposed traffic calming features. The Council is satisfied that the spacing of the proposed traffic calming features met the directions stated in the Traffic Signs Regulations and General Directions 2002 (TSRGD) Section 16 (1), (2) and (3).</p> <p>The Notice of Proposals posted on site, local libraries and the Sunderland Echo all conform to the current government guidance “The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996, Schedule 1, Part I, II and III” (attached in Appendix A) on the content of the information which must be publicised and consulted upon.</p> <p>There is no requirement to explicitly demonstrate the specific distances between traffic calming features within the Order.</p> <p>“Self enforcing” in this context, would mean that vehicles would generally obey the signed speed limit without demanding regular speed enforcement by the Police.</p> <p>Additionally, Section 90E of the highways act 1980 states: “The road hump shall not be treated as constituting an obstruction to the highway but as part of the highway”</p>
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5.3 The relevant sections of legislation referred to above are detailed in Appendices A and B attached.

6.0 CONCLUSIONS

6.1 The proposed Traffic Calming and associated 20 MPH Speed Limit Zone, in streets surrounding the Barnes Junior and Infant School, have been designed to minimise any adverse impacts on drivers with disabilities, bus services and the emergency services, including ambulances, while ensuring that lower vehicle speed are achieved and that the speed limit is self enforcing.

6.2 The objections received during the consultation process have been investigated and discussed in the section above. The objections are not considered to be significant and should not be upheld.

7.0 RECOMMENDATIONS

7.1 It is therefore RECOMMENDED that: -

- (i) the formal objections to the Traffic Calming and Associated 20 MPH Speed Limit Zone should not be upheld;
- (ii) the Executive Director of City Services be requested to instruct the Head of Law and Governance to confirm the making of the proposed orders and
- (iii) the objectors be informed accordingly.

Appendix A:–

The Road Traffic Regulation Act. 1984, Part VI, Sections 81 and 82.

81 General speed limit for restricted roads.

- (1) It shall not be lawful for a person to drive a motor vehicle on a restricted road at a speed exceeding 30 miles per hour.
- (2) The Ministers acting jointly may by order made by statutory instrument and approved by a resolution of each House of Parliament increase or reduce the rate of speed fixed by subsection (1) above, either as originally enacted or as varied under this subsection.

82 What roads are restricted roads.

- (1) Subject to the provisions of this section and of section 84(3) of this Act, a road is a restricted road for the purposes of section 81 of this Act [if:-
- (a) in England and Wales, there is provided on it a system of street lighting furnished by means of lamps placed not more than 200 yards apart;
 - (b) in Scotland, there is provided on it a system of carriageway lighting furnished by means of lamps placed not more than 185 metres apart and the road is of a classification or type specified for the purposes of this subsection in regulations made by the Secretary of State.]
- (2) [The traffic authority for a road may direct]
- (a) That [the road] which is a restricted road for the purposes of section 81 of this Act shall cease to be a restricted road for those purposes, or
 - (b) That [the road] which is not a restricted road for those purposes shall become a restricted road for those purposes.
- [(3) A special road is not a restricted road for the purposes of section 81 on or after the date declared by the traffic authority, by notice published in the prescribed manner, to be the date on which the special road, or the relevant part of the special road, is open for use as a special road.]

Appendix B:- “The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996, Schedule 1, Part I, II and III”

PART I, PARTICULARS TO BE INCLUDED IN A NOTICE UNDER REGULATION 7, 17 OR 24(2)

1. The name of the order making authority.
2. The title of the order.
3. A brief statement of the general nature and effect of the order.
4. Where the order relates to a road, the name or a brief description of the road and, where appropriate, a description of the length of it to which the order relates.
5. Where the order relates to an off-street parking place or a loading area, a brief description of that place or area and of its location.
6. Where the order relates to a parking place and prescribes charges for its use or restricts the times during which, or classes of vehicle for which, it may be used, a statement of those charges, times or classes.
7. A statement that documents giving more detailed particulars of the order are available for inspection and a statement of the places at which they are so available and of the times when they may be inspected at each place.

PART II, PARTICULARS TO BE INCLUDED IN A NOTICE UNDER REGULATION 7 OR 24(2)

8. A statement that all objections and other representations relating to the order must be made in writing and that all objections must specify the grounds on which they are made.
9. The date by which objections to the order and other representations must be made and the address to which they should be sent.
10. Where applicable, the additional matters prescribed by regulation 10(1).

PART III, PARTICULARS TO BE INCLUDED IN A NOTICE UNDER REGULATION 17

11. The date on which the order is to come into force.
12. Where the order to which the notice relates is an order which has been made under section 1, 6, 9, 19, 32, 37 or 38 of the 1984 Act or a designation order, a statement that, if any person wishes to question the validity of the order or of any of its provisions on the grounds that it or they are not within the powers conferred by the Act, or that any requirement of the Act or of any instrument made under the Act has not been complied with, that person may, within 6 weeks from the date on which the order is made, apply for the purpose to the High Court.
13. Where applicable, the statements prescribed by regulation 23(3) and Schedule 5.

**WEARMOUTH MASTERPLAN AND DESIGN CODE: SUPPLEMENTARY
PLANNING DOCUMENT**

REPORT OF THE DEPUTY CHIEF EXECUTIVE

1.0 Purpose of Report

- 1.1 The purpose of this report is to advise Committee of the responses received following public consultation on the Wearmouth Masterplan and Design Code Supplementary Planning Document and to seek Committee's comments on the revised document.
- 1.2 The Committee's comments will be reported to Cabinet on 15 February 2012 when agreement will be sought to approve the Wearmouth Masterplan and Design Code as a Supplementary Planning Document (SPD).

2.0 Background

- 2.1 Alteration Number 2 to the Unitary Development Plan (UDP) was adopted by the City Council in September 2007. It establishes planning policy for Central Sunderland including the designation of a number of 'Strategic Locations for Change', including one, defined in Policy NA3B.1, on the north bank of the River Wear at the Bonnersfield and St. Peter's riverside. This Strategic Location for Change is indicated on the plan in Appendix 1 to this report.
- 2.2 Policy EC5B of UDP Alteration No.2 requires the preparation of a broad framework document for each of the Strategic Locations for Change sites identified in that Plan. The framework is required to set out key principles to be taken into account by developers in preparing detailed masterplans for development. The Wearmouth Masterplan and Design Code SPD has been prepared to satisfy this requirement.
- 2.3 The boundary of the SPD has been purposely drawn to coincide with the buffer zone of the candidate World Heritage Site at Wearmouth (see plan in Appendix 1). The buffer zone is the area within which it is reasonable that archaeological remains of the monastery of St Peter's and its estates might remain, and was agreed by all relevant partners at an early stage in the preparation of the World Heritage Site bid.
- 2.4 The SPD is intended to guide development within the buffer zone to ensure that the Outstanding Universal Value (see Appendix 2) of the candidate World Heritage Site at Wearmouth is protected and enhanced.

- 2.5 Following previous statutory public consultation, an earlier version of the document was redrafted to take account, in particular, of concerns raised by English Heritage, including giving increased emphasis to the need to protect and enhance the Outstanding Universal Value (see Appendix 2) of the candidate World Heritage Site at Wearmouth.
- 2.6 At its meeting in September 2011 Cabinet approved the redrafted Wearmouth Masterplan and Design Code Supplementary Planning Document (SPD) for the purposes of statutory consultation as part of the process leading to formal adoption of the SPD by the council.
- 2.7 The SPD has been the subject of a four week public consultation in accordance with the provisions of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), between 9 November and 7 December 2011.
- 2.8 Statutory consultees and other relevant organisations were formally consulted by letter. Copies of the SPD were available for inspection at all libraries in the city and the council's Customer Service Centre at Fawcett Street, with information on how to comment. Letters were also sent to properties within and immediately adjoining the SPD boundary, advising residents about the consultation, where to see the document and how to comment. All the relevant information relating to the consultation was available online at www.sunderland.gov.uk/stpeters, where responses could also be submitted. A formal public notice publicizing the consultation was published in the Sunderland Echo on 8 November 2011.

3.0 Consultation responses and changes to the SPD

- 3.1 Appendix 3 to this report sets out the comments received during the statutory public consultation, the council's response to those comments and any resulting changes to the final version of the SPD document.
- 3.2 Many of the comments have been answered without the need to make changes to the document. Others – for example comments from English Heritage, the University of Sunderland, Environment Agency, Northumbrian Water and Nexus – have been dealt with by making minor amendments or additions to the document.
- 3.3 A summary of the key responses is set out below.
- 3.4 English Heritage was generally supportive of the document and, where considered appropriate, their suggested changes have been incorporated. Many of their comments, however, were matters of opinion relating to the structure and form of the document which, if accepted, would require a further significant redrafting of the document and further delay its consideration for adoption. As the document is required to be submitted to the International Council on Monuments and Sites (ICOMOS) by the end of February as part of the final package of information in respect of

- the World Heritage Site bid, any further delay could seriously compromise the bid. It is considered that English Heritage's comments have been accommodated as far as practicable.
- 3.5 The University of Sunderland – a major landholder at St Peter's – generally welcomed the revised document and the positive dialogue that had preceded its production. Several of the University's comments related to matters that will more properly be dealt with at the detailed design stage when development proposals are brought forward (service access, parking provision and so on). Some minor changes have been made to reflect acceptance of their comment that the document appeared to require the justification of student accommodation (if proposed) when this use was already established as acceptable in higher level planning policy (policy NA3B.1 of UDP Alteration No.2).
- 3.6 Metnor Properties – the joint-owner of land at Bonnersfield – submitted comments expressing disappointment with several aspects of the SPD insofar as it relates to the land they own at Bonnersfield. However, most of their comments were based on their view that their own development proposals – re-submitted in rough sketch form with their comments – should be replicated in the SPD. Although their development aspirations have been acknowledged as far as possible, the SPD must be seen to establish development principles free from the direct influence of interested parties. The uncritical inclusion of Metnor's development proposals in the earlier draft of the SPD was the subject of significant criticism levelled at the document by English Heritage. Accordingly, it has not been possible to accommodate most of Metnor's suggested changes to the document.
- 3.7 The Environment Agency raised some specific issues relating to the creation of a landscaped riverside buffer, separating the river from new development, and a suggestion that opportunities should be explored to restore the river to a more natural channel by removing the 'engineering solutions' which currently line the river banks. Neither suggestion is considered to be a practical proposition in view of development that has already occurred, including the creation of a hard landscaped promenade on the north shore. The restoration of the river to a more natural channel would expose significant parts of the area to flood risk which is currently prevented by the man-made structures which line this stretch of the river.
- 3.8 The Environment Agency and Northumbrian Water Limited both noted references in the document to the desirability of incorporating sustainable urban drainage systems in new development. They recommended that this should be expressed as a requirement and the document has been amended accordingly. A similar request from Northumbrian Water to include a duty to incorporate measures to reduce water consumption and increase recycling has also been reflected in amendments to the document text.

- 3.9 Nexus made comments regarding the desirability of creating an east-west route through the SPD area on the north shore, south of Dame Dorothy Street, as a means of increasing public transport penetration. It is not clear how this can be achieved, given the presence of St Peter's Church and grounds at the heart of the area, the general topography of the area and its relationship with Dame Dorothy Street. In addition, Nexus questioned the financial viability of a ferry crossing (a longer term aspiration) and suggested that the extension of existing bus routes would be a preferable solution, with a low level bridge the ultimate solution in the future. It is considered that the creation of a ferry crossing could bring with it other benefits and should not be dismissed as an aspiration. Accordingly it is not proposed to change the document in respect of either of the above issues.
- 3.10 The Sunderland Heritage Quarter Project submitted a comprehensive response, made up largely of observations about the content of the SPD. The specific issues raised in the response have been answered without requiring changes to the document, with the exception of one minor text correction and a change to the document which was also a response to a comment from English Heritage (the inclusion of a cross-section to demonstrate the acceptable relationship between St Peter's Church and proposed surrounding development).
- 3.11 Four responses were received from members of the public – one by email and 3 online responses via the dedicated webpage. Two respondents objected to the SPD (though only one gave reasons), one supported it and one indicated neither support nor objection. Two of the responses were accompanied by various comments, none of which required changes to the document.
- 3.12 In the interests of clarity and brevity the title of the document has been shortened to Wearmouth Masterplan and Design Code. The previous title – Wearmouth candidate World Heritage Site Masterplan and Design Code – was considered potentially ambiguous and misleading. Clear reference is contained within the document regarding its purpose and relationship to the candidate World Heritage Site.
- 3.13 A copy of the amended SPD document is available for inspection in the Members' rooms.

4.0 Reasons for decision

- 4.1 The adoption of the Wearmouth Masterplan and Design Code as a Supplementary Planning Document (SPD) will help facilitate the proper planning and regeneration of the buffer zone to the candidate World Heritage Site at Wearmouth, in accordance with the over-arching planning policies for the area. The SPD will provide a robust mechanism for protecting the Outstanding Universal Value of the cWHS. It will be used by developers as a basis for preparing detailed proposals for the buffer

zone and will be afforded significant weight as a material consideration when determining future planning applications.

5.0 Alternative options

- 5.1 The alternative option is not to adopt the masterplan and design code as an SPD. The consequences of this would be a failure to meet the requirement set out in the adopted UDP Alteration No.2 policy ECB5 to prepare a broad framework for each Strategic Location for Change. In addition, failure to adopt the masterplan and design code will reduce the council's ability to ensure a high quality of development in the masterplan area and to protect and enhance the setting and Outstanding Universal Value of the prospective World Heritage Site. The lack of such an adopted planning document could be detrimental to the Wearmouth-Jarrow Partnership's bid for inscription of the site on the World Heritage Register.

6.0 Relevant considerations

- 6.1 Financial implications - there are no direct financial implications for the Council arising from the adoption of the amended Supplementary Planning Document.
- 6.2 Legal Implications - The adoption process for the Masterplan and Design Code has been carried out in accordance with the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). Following adoption as a Supplementary Planning Document, the Masterplan and Design Code will be a material consideration in the determination of planning applications for new development in the candidate World Heritage Site buffer zone.

7.0 Recommendation

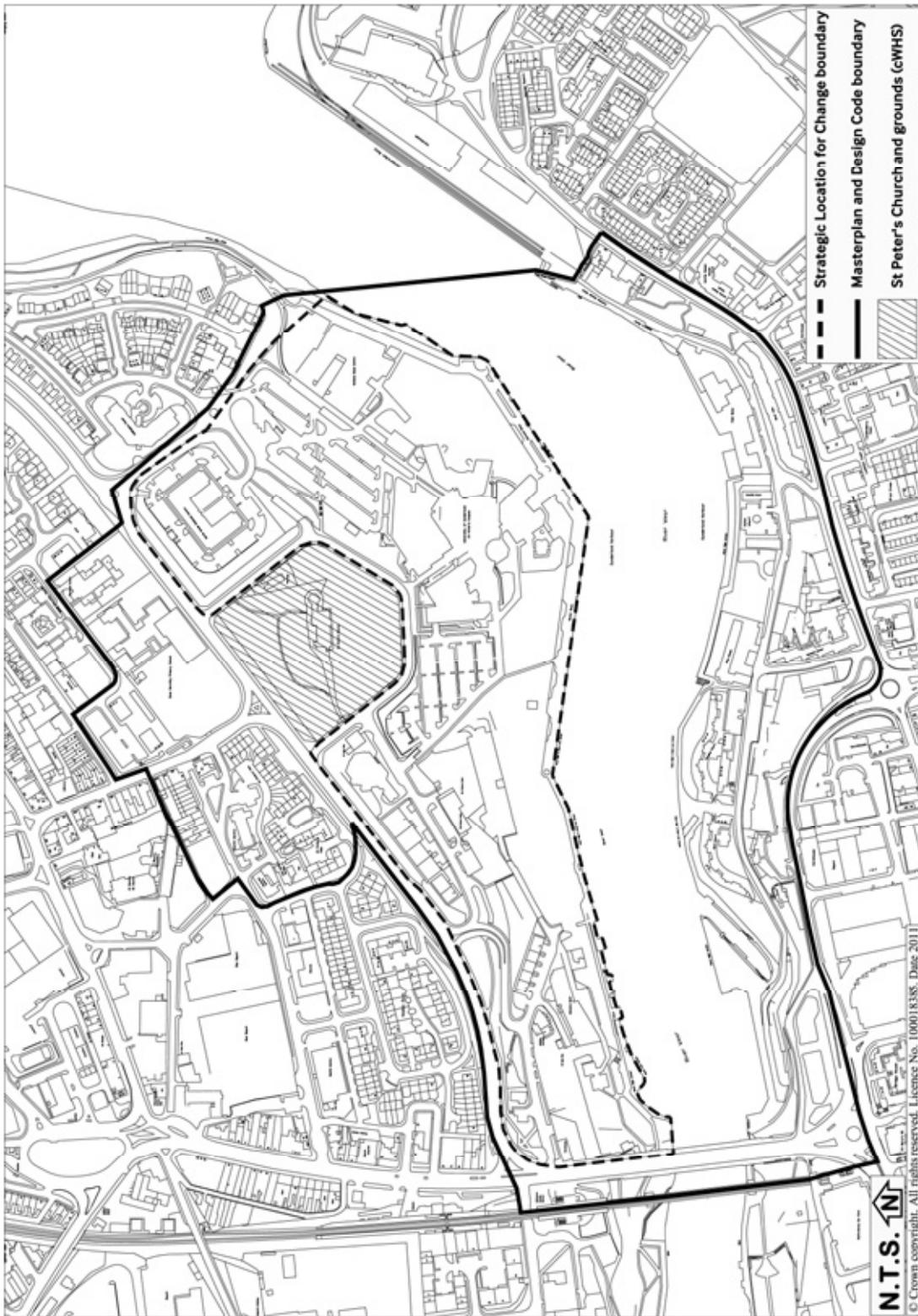
- 7.1 Committee is recommended to consider the amended Wearmouth Masterplan and Design Code and refer its comments to Cabinet for consideration.

8.0 Background Papers

- Report to Cabinet, March 2010: St Peter's Riverside and Bonnersfield Planning Framework Draft Supplementary Planning Document
- Report to Cabinet, September 2011: Wearmouth candidate World Heritage Site Masterplan and Design Code (formerly St Peter's Riverside and Bonnersfield Planning Framework): Supplementary Planning Document
- The Unitary Development Plan (Adopted Plan) 1998

- Unitary Development Plan Alteration No.2
- Wearmouth Masterplan and Design Code Draft Supplementary Planning Document and Strategic Environmental Assessment.

Appendix 1
Boundaries of Wearmouth Masterplan and Design Code Supplementary
Planning Document and St Peter's Riverside and Bonnersfield Strategic
Location for Change



Appendix 2

The Outstanding Universal Value of the Wearmouth - Jarrow candidate World Heritage Site (cWHS)

Outstanding Universal Value (OUV) is a general statement of why a place is important which, in itself, can be difficult to use directly for day-to-day management.

The attributes of OUV are its more specific expressions. These can be used to define the need for management actions in order to sustain OUV. They can define the potential impact of proposed changes or developments, or the state of a Property's authenticity and integrity.

Five tangible attributes have been developed which express the OUV of Wearmouth-Jarrow cWHS:

- The relationship between the twin monasteries and their respective estuarine sites
- The standing (above-ground) remains of the Anglo-Saxon monastic building complexes
- The in situ excavated remains of the Anglo-Saxon monastic building complexes
- The monastic plan
- Further archaeological remains

Two associative attributes substantially augment understanding of the OUV of the Property:

- The legacy of knowledge and understanding derived from the work of the monastery
- The rich combination of the in situ, portable and documentary evidence

END

Appendix 3

Wearmouth Masterplan and Design Code Supplementary Planning Document Statutory public consultation 9 November – 7 December 2011

Schedule of responses

Respondent	Comments	Proposed action / changes to SPD document
Statutory consultees		
Association of North East Councils (ANEC)	Since the decision by DCLG to abolish work on the Regional Strategy, which took effect in September 2010 ANEC no longer has staff dealing with planning matters.	Comments noted. No action required. No changes proposed.
English Heritage	<p>1 The document follows on from positive discussions held between English Heritage and Sunderland City Council which heralded a distinct shift in approach and emphasis following our response to the earlier draft consulted upon last year.</p> <p>2 The latest draft continues with the approach we discussed and we are pleased to note and welcome the extent to which the focus of the document now lies with the pre-eminence of St Peter's Church at the heart of the nomination for World Heritage Site status for the twin monastery at Wearmouth and Jarrow in South Tyneside.</p> <p>3 Some care needs to be taken with the title of the SPD. If it is to include reference to the cWHS, as we believe it ought, it should be given its full and proper title – <i>Wearmouth and Jarrow Candidate World Heritage Site</i>.</p> <p>4 At the outset the document makes clear that it is intended to safeguard and celebrate that which constitutes the Outstanding Universal Value of a site considered to be deserving of World Heritage Site status. The Vision and</p>	<p>1 Comments noted. No action required. No changes proposed.</p> <p>2 Comments noted. No action required. No changes proposed.</p> <p>The change to the title suggested is considered to be no less ambiguous than the former title – the document is not a masterplan affecting the Jarrow site. However, in the interests of clarity and brevity, the title of the SPD has been shortened to remove specific reference to the candidate World Heritage Site (cWHS). Clear reference to the purpose and relationship of the SPD to the cWHS is contained within the document. Title of document changed to Wearmouth Masterplan and Design Code.</p> <p>4 Comments noted. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>English Heritage cont.</p>	<p>Objectives for the SPD give pride of place to conserving and enhancing the internationally important heritage within the study area. This we welcome.</p> <p>5 Thereafter, unfortunately, the document is somewhat lengthy and repetitive and in places prone to rather too much technical urban design language which, depending on your intended audience, could perhaps be scaled back. St Peter's-Bonnorsfield is described as an area where, rather confusingly, every aspect is to be invested with great significance, be it a 'quarter', 'gateway', 'node', 'landmark', 'feature building' etc. In some instances the descriptions appear to be mis-applied – for example where 'gateways' exist at the very centre of the area.</p> <p>6 The document extols the virtues of mixed use development, which we wholeheartedly support, referring to what are described as 'character areas' or 'quarters'. In reinterpreting the pre-existing University Masterplan and reshaping the planning proposals for the Metnor-Akenside development, however, the result remains one of land use zoning. We would therefore encourage the council to be more aspirational and to aim for a more genuine mix of uses throughout the SPD area, particularly within component blocks and even individual buildings.</p> <p>7 In relation to point (6) above we feel that the document needs to more clearly express the <i>Vision</i> or concept for each sub-area, using readily accessible and understandable language to explain in a succinct statement how each will both feel and function.</p>	<p>5 It is acknowledged that the document may appear repetitive when read in its totality. However, it is intended to be used as a toolkit by developers, architects, urban designers etc. (that is, a technical audience who will understand how it is intended to be used and interpreted). All the relevant information for each character area is contained in the section relating to that area, rather than having to constantly cross-reference other parts of the document. Comments noted. No action required. No changes proposed.</p> <p>6 It is considered that the document supports and encourages a mix of uses, in accordance with the acceptable uses identified for the area in the UDP Alteration No.2 policy NA3B.1. It clearly defines the range of uses appropriate to each character area. However, there has had to be some acknowledgement of the purpose, interests and aspirations of the relevant landowners particularly on the north shore which will inevitably influence the mix of uses brought forward in future development proposals on their land – for example development by the University will clearly result in broadly education-related buildings. Additional paragraph added to page 52 to add further emphasis and encouragement to developers to secure a mix of appropriate uses in development proposals.</p> <p>7 It is considered that the relevant text for each character area adequately sets out how each will 'feel and function'. To add vision statements for each area will further lengthen the document and introduce another element of repetitiveness which English Heritage have already noted as a criticism (see 5 above). In addition, to introduce new vision statements at this stage of the document production process could be considered to be fundamental changes to the document upon which consultees and stakeholders have not had the opportunity to comment. Comments noted. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>English Heritage cont.</p>	<p>8 Following sound masterplanning principles which adopt a more legible and intuitive approach, the detailed manner in which the document is set out could be improved were consideration of the network of streets and spaces – layout, access, movement etc. – to precede detailed guidance on the treatment of the buildings and spaces themselves.</p> <p>9 It is apparent that a Landscape Strategy is being devised for the SPD area in parallel with this masterplan and design code. Landscaping is a crucial and integral component of good design and should be considered together with the guidance within this document. Whilst it is acceptable for the detailed specification for the landscaping to be left to a later date, it is imperative that the landscaping concept is considered in tandem with, and as an integral part of, this document. How spaces are used and treated cannot be separated out from how they relate to their built surroundings. It can even help decide how high buildings might/ought to be within their context.</p> <p>10 The indicative building heights shown on page 70 are at odds with the text and the illustrations, especially that shown on page 76. These discrepancies should be resolved in order to remove ambiguity. By and large building heights should correspond to the topography, rather than working against it – the buildings should accentuate and respond to the fall towards the river.</p> <p>11 The impact of suggested building heights could be better understood were cross-sections to be provided, especially along key views and in relation to St Peter's church but also in relation to the conservation area on the</p>	<p>8. The document has been prepared and structured with reference to design codes identified as 'best practice' by the former Commission for Architecture and the Built Environment (CABE) and follows design code guidance. The suggested improvement would require significant redrafting of the document resulting in further delay to its consideration for adoption. Comments noted. No action required. No changes proposed.</p> <p>9. It is considered that the SPD document correctly provides the over-arching planning framework to guide the preparation of the more detailed landscape strategy. The suggested improvement would require significant redrafting of the document resulting in further delay to its consideration for adoption. Comments noted. No action required. No changes proposed.</p> <p>10. Building heights have been carefully considered in the preparation of the document. However, there is a need to consider realistic, viable building forms in dealing with the topography of the area. It is not accepted that the building forms should directly follow the topography – the result could be a weak architectural form of development producing a hotchpotch of building and roof heights detracting from views of the cWHS. The illustrations of the development potential of the area show simple, practical building forms (though not without scope for architectural innovation) which draw the eye to the focus of the area, that is the cWHS.</p> <p>It is acknowledge that some greater clarity may be required regarding building heights. Note on page 69 regarding the measurement of building heights relative to ground level has been slightly amended and given greater prominence.</p> <p>11 The limit on building heights around St Peter's Church was agreed in previous discussion with English Heritage and incorporated in the masterplan. Together with other requirements contained in the document this will ensure that</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>English Heritage cont.</p>	<p>south shore, as well as across the river from one bank to the other. Without further evidence to demonstrate otherwise, some building heights appear excessive in relation to the Church and key views to and from it.</p> <p>12 Within the immediate vicinity of the SPD study area is a number of established residential communities. There is little in the document, or elsewhere, to suggest that these communities have been actively engaged in the planning process, or have been given the opportunity to shape the design of major developments within the area. Residents to the north of the Metnor-Akenside development site might, for example, have more than a passing interest in the form it might take and how it might impact upon the way they might access the river and the amenity they currently enjoy.</p> <p>13 Sections of the document setting out the historic context and the cultural significance of the study area should be checked carefully against the [cWHS] Nomination Document and the Conservation Plan for synchronicity.</p>	<p>building heights do not compromise the setting of the church.</p> <p>The use of cross sections can themselves be misleading as they tend to present an expanded view which can not be seen in reality. It is considered that the extensive use of modelled 3-dimensional views in the document provides a more realistic impression of the likely appearance of development.</p> <p>However, it is acknowledged that a cross-section relating to St Peter's Church and grounds and potential development around it may be useful. Cross section incorporated in the document at page 69 to demonstrate the likely relationship between St Peter's Church and potential surrounding buildings and that those building heights are not excessive.</p> <p>12 Residential communities immediately adjacent the cWHS buffer zone have been consulted as part of both this and the previous statutory public consultation exercise. Letters were sent to all residential properties adjacent the buffer zone, informing them of the consultations, where to see the relevant documents and how to comment on them. Few responses were received from local residents during either consultation. Comment noted. No action required. No changes proposed.</p> <p>13 It is considered that the SPD accurately reflects the Nomination Document and the Conservation Plan</p>
<p>Environment Agency</p>	<p>Land Contamination Unfortunately, there is no mention of land contamination as an issue to be considered in the SPD in the 'Other Issues' section (Section 4.8). The risks from land contamination associated with current and historic land uses within the area should be assessed and addressed as part of any proposed development, and we therefore consider that land contamination should be flagged up as</p>	<p>It is considered that much of the land on the north shore was remediated during land reclamation works by the former Tyne Wear Development Corporation to prepare the area for redevelopment. However it is acknowledged that both this and other areas may still be subject to contamination and that the document should be amended to reflect this. Comment noted; document amended with addition of paragraph</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Environment Agency cont.</p>	<p>an 'Other Issue' for consideration within this SPD.</p> <p>The previous draft identified the sensitivity of the area (Magnesian Limestone Principal Aquifer) to pollution, and we would recommend this is again included in this version, for example within the identification of issues associated with the SPD area.</p> <p>We do note that Page 101 of the updated SPD requires development to address contamination issues, and acknowledge and agree with the proposed approach to contamination outlined on this page.</p> <p>We recommend that under the fourth bullet point in the 'Opportunities' section on page 34, reference is made to the opportunity presented by development proposals to remediate contamination associated with brownfield sites, to support the proposed approach to dealing with contamination.</p> <p>Biodiversity The SPD recognises the need to enhance biodiversity under the 'Other Issues' section, which we support. However, we consider that the final phrase under the biodiversity heading should read "<u>protect and enhance</u>", as not only designated sites of nature conservation importance need to be protected – new developments should protect all features of biodiversity importance, as well as seeking to enhance biodiversity.</p> <p>In our original response, we recommended the establishment of buffer zones alongside the River Wear, to act as wildlife corridors linking habitats and providing routes for animals and plants. We stated that we would wish to see policies incorporated within the plan which aim to protect the environment and promote the enhancement of the riverside area. We wish to re-iterate this comment, as the promotion of a riverside buffer zone is not apparent in the current draft. We do acknowledge that on page 46, the SPD recommends that opportunities for dense informal planting are explored in areas which are inappropriate for</p>	<p>regarding potential contamination (Other issues, page 32).</p> <p>Comment noted; document amended with addition of paragraph regarding sensitivity of controlled waters to pollution (Other issues, page 32)</p> <p>Comment noted. No action required. No changes proposed.</p> <p>It is considered that this is a matter that will be dealt with as development proposals come forward and will be dealt with as part of any planning application and the information that will be required to accompany it. Comment noted. No action required. No changes proposed.</p> <p>Comment noted. Text amended on p32 to incorporate additional wording.</p> <p>It is considered that the plan on page 91 of the SPD and associated text deals with the creation of linked areas of landscaping / wildlife habitats, in addition to the references acknowledged on page 46. These aim to reinforce the existing landscape corridor rather than artificially creating isolated new habitats. It should also be noted that hard landscaping up to the river's edge already exists in the form of the riverside structures and walkways on both sides of the river. Much re-development has already occurred in close proximity to the river's edge and it would not be possible to create a continuous 'buffer zone' as seems to be suggested. Comment noted. No action required. No changes</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Environment Agency cont.</p>	<p>development, “to support the green corridor which runs along the route of the River Wear”, but feel that this sentiment should be given much greater weight in the SPD. Plans and the images of development along the riverside makes no reference to such areas, and it is notable that the images of development within the proposed quarters portrayed throughout the Design Code sections show hard landscaping right up to the river’s edge.</p> <p>We consider the promotion of a riverside buffer zone to be important for a number of reasons. For example, Article 10 of the Habitats Directive stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.</p> <p>Moreover, the Water Framework Directive aims to restore nature conservation value where it has been lost – in the SPD area, previous engineering solutions and industrial development have given rise to the current structures on the riverside. In line with this Directive, opportunities should be explored for restoring or enhancing the watercourse to a more natural channel wherever developments are planned for the riverside.</p> <p>In addition, creating a buffer zone along the River Wear would enhance the value of the river corridor. It also prevents piecemeal development and token habitat creation which may serve limited function because of, for example, isolation. Master planning green infrastructure over the whole SPD area will also highlight more sensitive/important wildlife areas, as sites which may benefit from less intensive built development. This has been addressed in the SPD in relation to some sites of established planting within the area, i.e. steep slopes, but not in relation to the river corridor. We therefore recommend that the establishment of a riverside buffer</p>	<p>proposed.</p> <p>As above. Comment noted. No action required. No changes proposed.</p> <p>This would seem to suggest removing retaining structures from the riverside to allow the river to revert to its natural course, which in any case has been altered over several centuries as a result of riverside activities, the creation of ballast hills and other forms of land reclamation. This would also imply exposing much of the surrounding area, some of it already developed, to flood risk – at present the area is not at risk of flooding because the river is constrained within bank (albeit man-made) through the SPD area. This is not considered to be a practical or desirable proposition in view of the area’s status as a focus of regeneration. Comment noted. No action required. No changes proposed.</p> <p>It is considered that, because of existing development, the creation of new habitat would be piecemeal and isolated. The creation of a riverside ‘green buffer zone’ is not considered practical because of existing riverside structures, including a wide promenade along the north shore, and buildings. The SPD aims to reinforce the existing landscape corridor and establish links where possible between landscaped areas. Comment noted. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Environment Agency cont.</p>	<p>zone is given greater emphasis throughout the SPD.</p> <p>Flood Risk The SPD also addresses flood risk under ‘Other Issues’ (Section 4.8), identifying that development which increases surface water run-off could lead to flooding. We consider that this should be clarified to read “Development <u>should not lead to</u> any increases in surface water run-off, as this could lead to increased flood risk”.</p> <p>In relation to the statement in Section 4.8 that development should incorporate SUDs, we wish to re-iterate our previous comments on the previous draft of this SPD. We stated that the SPD should <u>require</u> SUDS to be incorporated into any new development, as they should be utilised throughout the plan area to reduce surface water flooding. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles. This can include soft landscaping associated with both new buildings and retro-fitting existing buildings, such as green roofs.</p> <p>We also previously outlined the need for a sequential approach to development. It is however recognised that no development areas are at risk of tidal or fluvial flooding, so there is no requirement for this to be raised within the SPD.</p> <p>In terms of planning requirements, we previously commented that development on individual sites over 1 hectare in size would need to be accompanied by a Flood Risk Assessment (FRA). Although this is not referred to in relation to the Design Codes for each individual site, we note that Page 101 requires development proposals to be accompanied by a FRA and/or DIA, and we acknowledge and agree with the proposed approach to assessing flood risk outlined on this page.</p>	<p>Comment noted. Text amended on p32 to incorporate additional wording.</p> <p>Comment noted. Text amended on p32 to incorporate additional wording to require Sustainable Urban Drainage Systems (SUDS) to be incorporated in new development.</p> <p>Comment noted. No action required. No changes proposed.</p> <p>Comment noted. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Environment Agency cont.</p>	<p>Proposed River Crossing Page 31 describes the proposals for a new ferry crossing or a new footbridge between the north and south banks of the Wear. Such proposals, i.e. development within 5 metres of, or over, the Main River, should be discussed as early as possible with the Environment Agency, and will require a Land Drainage Consent from us in accordance with the Water Resources Act 1991.</p> <p>In particular, careful consideration should be given to the proliferation of new river crossings in relation to the cumulative adverse effects on the ecology of the watercourse. The design and construction of the bridge should have minimal impact on the ecology of the river environment, and we would therefore recommend that a 'clear span' design with abutments set back from the watercourse on both banks is promoted. Any new bridge would also need to take flood risk into account and be raised above the 1 in 100 year flood level plus a climate change allowance. It would need to be designed so as not to exacerbate flood risk.</p>	<p>The footbridge is acknowledged as aspirational and likely to fall outside the timescale of the SPD. Details of any such proposal, or development associated with a new ferry crossing, will be resolved at the appropriate time and involve early liaison with the Environment Agency. Comment noted. No action required. No changes proposed.</p> <p>The footbridge is acknowledged as aspirational and likely to fall outside the timescale of the SPD. Details of any such proposal will be resolved at the appropriate time and involve early liaison with the Environment Agency. Comment noted. No action required. No changes proposed.</p>
<p>Northumbrian Water (pp England & Lyle)</p>	<p>We would reiterate our previous comments on the St Peter's and Bonnersfield Riverside Planning Framework Draft SPD relating to the historic context of the SPD and this part of Sunderland i.e. that the water and sewage infrastructure including the sewerage network and pumping stations are largely geared towards meeting the needs of the existing and previous industrial uses along the river corridor. The ongoing change in character and mix of land uses in this part of the city may therefore require the upsizing, replacement or rationalisation of existing infrastructure, at substantial cost, to ensure it properly meets the changing demands placed upon it by new forms of development. NWL encourages and welcomes early consultation by developers to ensure that key drainage and sewerage issues are taken into account in early design stages.</p> <p>Chapter 9 – Design Code NWL is disappointed to note there is no explicit reference in chapter 9, which deals explicitly with the design code for</p>	<p>Developers will be made aware of the need to consult Northumbrian Water about proposals at the earliest opportunity. Comment noted. No action required. No changes proposed.</p> <p>This issue has been dealt with in response to comments made by Environment Agency, above. Comment noted. Text</p>

Respondent	Comments	Proposed action / changes to SPD document
Northumbrian Water cont.	<p>the SPD, to a requirement for developers to adopt a SUDS based approach to the design of drainage systems serving proposed development, nor to a requirement to promote designs aimed at minimising water use and the reuse/ recycling of water within developments. These are key design principles/considerations. The only reference we have been able to identify in chapter 9 Design Code is on page 94 where passing reference is made to the fact that green spaces within the site can be used to “provide suitable mechanisms to address issues with urban drainage.</p> <p>It is recognised that a requirement to incorporate SUDS into new development is given on page 102 in chapter 10 implementation but NWL considers this is inadequate and that the SPD should be amended to make sure that reference to SUDS are prominent within the key Design Code section of the SPD rather than in the ‘small print’.</p> <p>This also applies to the need to promote water conservation and reuse/recycling measures in new development. The reference on page 104 only requires that developers should “investigate the potential” for measures to reduce water consumption and recycling. NWL does not consider that this is expressed strongly enough and there should be a positive duty to incorporate such measures where feasible.</p>	<p>amended on p32 to incorporate additional wording to require Sustainable Urban Drainage Systems (SUDS) to be incorporated in new development.</p> <p>This issue has been dealt with in response to comments made by the Environment Agency, above. Comment noted. Text amended on p32 to incorporate additional wording to require Sustainable Urban Drainage Systems (SUDS) to be incorporated in new development.</p> <p>Comment noted. Text on page 104 amended to reflect Northumbrian Water’s concerns.</p>
National grid	No specific comments.	No action required. No changes proposed.
South Tyneside Council	Support adoption of the document.	No action required. No changes proposed.
The Coal Authority	No specific comments.	No action required. No changes proposed.
Homes and Communities Agency	No specific comments.	No action required. No changes proposed.
Natural England	No specific comments.	No action required. No changes proposed.

Respondent	Comments	Proposed action / changes to SPD document
Other bodies and stakeholders		
Nexus	<p>Noted the recent introduction of 700/701bus service linking University sites at St Peter's, Chester Road, city centre and Pallion and request consideration of further funding to increase penetration of this service into residential areas towards the east and the coast.</p> <p>Consider proposed road system within north bank development is not conducive to public transport penetration – an east-west through road with parking restrictions would have been a better option in terms of sustainable transport.</p> <p>Consider long term aspiration for a ferry crossing likely to be too expensive; a more realistic option would be a planned and funded extension to service 700 (initially from developer contributions until sufficiently attractive to commercial operators). A low level bridge would have lower long term revenue and maintenance costs than a ferry, although initially greater capital outlay.</p> <p>Support provision of new subway access from St Peter's Metro; must connect to a direct, open and safe pedestrian route to become attractive and used.</p>	<p>The recent introduction of service 700 is noted. The consultation on the SPD is not considered to be the forum to request funding of bus services; this should be dealt with outside the SPD preparation process through dialogue between relevant parties. Comments noted. Plan on page 30 amended to include 700 bus service.</p> <p>It is not clear what is meant by 'an east-west through road' or how it could be achieved, particularly given the presence of St Peter's Church and grounds and the general topography of the area. Because of the surrounding road network, access and egress of the area will continue to be only possible from Dame Dorothy Street. Comment noted. No action required. No changes proposed.</p> <p>Opportunities to secure funding from development (s106 / Community Infrastructure Levy) to support public transport provision and improvements may arise in due course.</p> <p>It is considered that a ferry crossing could bring with it a number of other benefits, such as enlivening the river and riverside wharfs, tourism and enabling circular walks of the historic areas of both the north and south shores.</p> <p>The low level bridge is acknowledge to be a longer term aspiration, although the initial capital cost is likely to so greatly exceed that of establishing a ferry service as to make comparisons difficult.</p> <p>Comments noted. No action required. No changes proposed.</p> <p>Comment noted. No action required. No changes proposed.</p>
University of Sunderland	Pleased to note ongoing dialogue between the University and the City Council appears to have been successful in reaching a shared long term development strategy that	Comment noted. No action required. No changes proposed.

Respondent	Comments	Proposed action / changes to SPD document
	<p>responds to the requirements of English Heritage and addresses the needs of the University. Pleased to note that many of the points raised in its 1st September 2011 letter have been taken into account, at least in part.</p> <p>There are a number of points the University wishes to raise in respect of the current consultation draft. These points do not give rise to any fundamental concerns regarding the overall format and approach but the University asks that they be recorded and taken into account to ensure that the final document presented to Cabinet is as robust as possible.</p> <p>1 Design Code The University is pleased to note that this has been simplified and is more easily understood. The University welcomes the approach taken with regard to the scale and mass of the Learning Quarter, which comprises its campus.. The University is pleased to note the range of heights that are permissible and that there is an allowance of up to 5 storeys fronting the candidate World Heritage Site (p69)</p> <p>2 Student residential use The starting point for this SPG is the approved UDP policy NA3B.1, which identifies the University's campus as a Strategic Location for Change. It identifies a series of land uses and notes that student residential is an acceptable use. The policy assessment given at page 55 of the masterplan appears at odds with the development plan policy by stating that student accommodation is permissible with justification. It should be noted that the development plan policy, which will take precedence, identifies student accommodation as an acceptable use therefore no such justification is required. Given that this is a university campus on site student residents is the type of use that would be expected to be seen in this location. Therefore the University does not feel that the land use should be subject to any justification and should be identified as an acceptable use.</p> <p>3 Pedestrianising St Peter's Way The University notes the assumption that St Peter's Way</p>	<p>Comment noted. No action required. No changes proposed.</p> <p>1 Comment noted. No action required. No changes proposed.</p> <p>2 It is acknowledged that the over-arching planning policy for the area (UDP Alteration No.2 policy NA3B.1) includes student accommodation as an acceptable use. The justification required on page 55 of the SPD was intended to refer to the need to be able to justify the demand for additional student accommodation generally (that is, city-wide), rather than suggesting that the use would need to be justified on the University's land in particular. However it is agreed that the text of the SPD can be amended for clarity. Text on page 55 amended to remove the requirement that the provision of student accommodation at the St Peter's campus must be justified.</p> <p>3 The SPD proposes that St Peter's Way should become an</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>University of Sunderland cont.</p>	<p>becomes a pedestrian area, with high quality public realm treatment. Limiting traffic movement through this area will impact on the University and therefore there is a requirement for a clear specification of what vehicles can use St Peter's Way and when. Any restrictions need to be subject to a separate consultation.</p> <p>4 Views and vistas The University welcomes the removal of the reference to minimum widths of the view corridors. It notes the first bullet point on p63 which states that key views identified on p65 will have an influence on development within the character area. It appears that this is a less prescriptive approach, particularly when read with the third and fourth bullet points on p63. These state that development will only be permitted where it can be demonstrated that it reinforces and enhances the identified primary views and that developers will need to demonstrate that any loss of views is kept to a minimum and will have no detrimental impact. This puts the onus on the developer to present a case if the view corridor is to be impacted, rather than providing an assumption against development within the corridor. The University believes that this is an appropriate and flexible approach.</p> <p>5 Parking and servicing The SPD masterplan assumes that the zone east of the campus will become predominantly landscaped. This zone is an important parking and service area for the University and its loss will create major difficulties. The use of this areas for the purposes specified in the SPG needs to be reconsidered. The University would welcome a further detailed discussion on this matter. It is necessary to provide a commercially viable solution to the parking and servicing requirements of the University an these need to be incorporated within the SPG.</p> <p>6 Active use and frontage The design code places great emphasis on the creation of active frontages. This is overly prescriptive. The</p>	<p>area where pedestrians have priority, rather than being fully pedestrianised. This recognises that the area will be increasingly used by pedestrians in the future and that their needs and safety should take precedent over that of vehicles. However, vehicles will not be excluded from the area. The design and operation of the street will need to be subject to further dialogue with stakeholders at the appropriate time. Comment noted. No action required. No changes proposed.</p> <p>4 No action required. No changes proposed.</p> <p>5 It is acknowledged that future car parking requirements may be an issue in the area. However, the long term vision is that car parking and servicing provision associated with various development proposals in the area may free up existing parking and servicing areas for amenity uses for the benefit of the whole area and in particular to enhance the setting of the cWHS. Further dialogue will be required with stakeholders at the appropriate time. Comment noted. No action required. No changes proposed.</p> <p>6 It is important to note that the concept of 'active frontage' is not confined to the creation of retail or other commercial</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>University of Sunderland cont.</p>	<p>University needs to be able to design and use its buildings in a manner that best meets the academic and associated service functions of the University. The danger in requiring active frontages is that the market provides no demand and the active frontages remain vacant and boarded up for long periods of time or until their use is changed.. The University welcomes the SPG consideration of retail and leisure uses within the University campus but there must be flexibility to ensure that this is not an absolute requirement.</p> <p>NOTE: The University of Sunderland also submitted correspondence prior to the formal consultation process as part of the ongoing dialogue between them and the City Council. The following points, not repeated in the formal consultation on the draft SPD and dealt with above, were included in that correspondence and the University has asked that they be included in their formal response:</p> <p>Amount of design coding information – extensive, with the risk of being repetitious and contradictory. Would encourage making the design code more concise to ensure it can act as a robust and effective tool to guide future development.</p> <p>Need for parameters in key zones – appreciate flexibility of design coding approach but still concerned at possible ambiguity over acceptable development layouts in the key view shed zone. Believe it appropriate to define a parameter plan for this one area to remove future issues and safeguard a defined quantum of possible future development. A suitable parameter plan could be established during the consultation stage. Would welcome a more detailed assessment of the proposed use classes across the University’s land holding.</p> <p>Flexible space requirements – the list of flexible space requirements applicable to the Learning Quarter buildings (p61) will need to be reviewed at the next stage of</p>	<p>premises to create a sense of activity. However, buildings must be designed in such a way as to present an animated frontage to areas of public realm to create at least a sense of activity, overlooking and so on. Buildings should not present blank facades and elevations to public areas.</p> <p>It is acknowledged that, for clarity, the key to the plan on page 47 could be amended to remove reference to ‘commercial frontage’. Comment noted. Key to plan on page 47 amended accordingly.</p> <p>It is acknowledged that the document may appear repetitive when read in its totality. However, it is intended to be used as a toolkit by developers, architects, urban designers etc. (that is, a technical audience who will understand how it is intended to be used and interpreted). All the relevant information for each character area is contained in the section relating to that area, rather than having to constantly cross-reference other parts of the document. Comments noted. No action required. No changes proposed.</p> <p>The University’s response to the formal consultation further endorses the flexible approach to development but does not make further reference to the need for parameter plans for specific areas. It is considered that development in accordance with the SPD will deliver the quantum of development envisaged by the University without the need to specifically define particular elements of development. Comments noted. No action required. No changes proposed.</p> <p>The ‘list of flexible space requirements’ is actually a set of broad principles to be considered in the design of buildings to ensure they can be adapted over time to meet differing</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>University of Sunderland cont.</p>	<p>consultation.</p> <p>Feasibility of retaining wall remodelling – paragraph on page 63 advises that ‘topography of this area (around St Peter’s Church) needs to be remodelled to ensure views are maximised’ and should ‘include the removal of retaining walls and structures where feasible’. It should be emphasised that the removal of the existing retaining wall that supports the 6th-form centre’s car-park is not considered economically feasible.</p> <p>Design code architectural recommendations – we would seek to review some of the more prescriptive design coding principles at the consultation stage.</p>	<p>requirements of occupiers. This is considered to be a matter for further dialogue at the design stage of specific development proposals. Comments noted. No action required. No changes proposed.</p> <p>This is considered to be a view which is not currently supported by firm evidence. The feasibility, or otherwise, of removing the retaining wall, will depend on future development proposals and, among other things, the wider economic background against which they are brought forward. It is not appropriate to dismiss it as an option at this stage. Comments noted. No action required. No changes proposed.</p> <p>The approach to the architectural recommendations has been addressed following feedback from stakeholders in ongoing dialogue during the redrafting of the SPD. This issue has not been raised in the University’s formal consultation response. Comments noted. No action required. No changes proposed.</p>
<p>Akenside Developments</p>	<p>Masterplan is entirely compatible with medium and long term development aspirations. Support and commend the document.</p>	<p>Comment noted. No action required. No changes proposed.</p>
<p>Metnor Property Group</p>	<p>Concerned their development site (Bonnersfield) is within the cWHS buffer zone – could affect viability of development.</p> <p>Page 13 of the SPD includes reference to [UDP Alteration No.2] policy NA3B.1 and land use. The A1 retail referred to is very small. We would prefer to have wider scope for ground floor A3 uses including A1. The floorspace should be greater than 250sqm in total and individual units of 50sqm is too small.</p>	<p>The buffer zone of the cWHS was established and agreed at an early stage in the preparation of the WHS bid. It is the area within which it may be reasonably assumed there are archaeological remains associated with the monastery of St Peter’s and its surrounding estates. The SPD is not responsible for establishing the boundaries of the buffer zone, nor can it alter that boundary. Comment noted No action required. No changes proposed.</p> <p>The land uses and restrictions referred to are already established in the higher level planning policy also referred to. The SPD is not able to override the policies contained in the higher level document and SPDs in general can not, in any case, allocate land for particular uses. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Metnor Property Group cont.</p>	<p>Page 14 of the SPD should highlight (blue area, economic area) on our site not (green, open space) existing open space. We do not accept our land as L7 as stated on page 15 as the site is not insured for risks associated with outdoor recreation or leisure uses referred to on page 26.</p> <p>Page 29 of the SPD highlights key views of which P8 is of concern to ourselves. At best this is a limited view of the church which we hope does not harm the development potential of our site. We would prefer to have this removed from the document.</p> <p>Page 56 and 57 of the SPD responds to the scale and massing of the buildings. We believe viability of the site with its difficult topography etc will require IDP [Metnor's architects] to develop buildings between 6 and 11 storeys in height. The attached IDP sketch plan indicates our thoughts. We note your comments on heights related to the bridge deck however views of numerous roofs from the bridge need to be considered. We have responded by keeping below 12 storeys as stipulated on page 57.</p> <p>Pages 66, 67 and 68 of the SPD need to be updated to respond to the attached IDP sketch plan. Please note the landscape zone from the bridge to enable ease of access to the bridge for future maintenance, improve acoustics and improve natural light to the residential properties. We need flexibility with regard to courtyard areas and under-crofts as these have serious implications on viability particularly if they restrict residential accommodation on lower floors. Your note on pages 66 and 68 does not appear practical in this location.</p> <p>Page 69 and 70 of the SPD in respect of the Residential Quarter should refer to building heights of between 8 and 11 storeys fronting the river shore for viability reasons,</p>	<p>The land referred to is identified as existing open space in higher level policy contained in the adopted Unitary Development Plan (L7). The SPD can not override the higher level policy, nor allocate the land differently. However, the relevant policies in the UDP Alteration No.2, on which the SPD is largely based, do provide a greater level of flexibility for development proposals in the area. No action required. No changes proposed.</p> <p>View P8 was included in the final draft version of the SPD in error during the transfer of text and information into the document. As can be seen on the map on page 65 this view has not been taken forward to be considered as part of the design code. Comment noted No action required. No changes proposed.</p> <p>It is not appropriate for the SPD to incorporate specific layout and design proposals put forward by stakeholders – the SPD is intended to guide development, not vice versa. The indicative masterplan is the council's interpretation of how development could come forward. Other solutions are obviously possible and are not precluded – they would be considered at the appropriate time and assessed against the requirements of the SPD. The comments regarding the height of development relative to the Wearmouth Bridge deck are note; this issue will be addressed as detailed design proposals come forward. Comments noted No action required. No changes proposed.</p> <p>This issue will be addressed as detailed proposals are brought forward. Comment noted No action required. No changes proposed.</p> <p>It is not appropriate for the SPD to incorporate specific layout and design proposals put forward by stakeholders – the SPD is intended to guide development, not vice versa. This issue</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Metnor Property Group cont.</p>	<p>particularly due to the likely extent of foundation costs. The building heights on page 70 should be updated in line with the attached IDP sketch plan.</p> <p>Page 74 in respect of the gateway close to the Wearmouth Bridge to refer to building 6 to 10 storeys with the taller elements away from the bridge.</p> <p>Page 103 of the SPD refers to the Community Infrastructure Levy which, if implemented, is assumed to be a city-wide levy without unfair levy increases for the 'buffer zone' areas. The council needs to carefully consider the viability implications of both CIL and s106 obligations on developers. We are concerned the implications of the WHS will result in costly public realm obligations.</p> <p>We note the Strategic Environmental Assessment document dated August 2011 is included in our pack for the first time. Refer to page 48/50 of the SEA we would like reference to 5 and 8 storeys replaced with 6 and 11 storeys.</p>	<p>will be addressed as detailed proposals are brought forward. Comment noted No action required. No changes proposed.</p> <p>It is not appropriate for the SPD to incorporate specific layout and design proposals or requirements put forward by stakeholders – the SPD is intended to guide development, not vice versa. This issue will be addressed as detailed proposals are brought forward. Comment noted No action required. No changes proposed.</p> <p>This is not an issue to be addressed in this SPD. Development in the area will be subject to whatever requirements are set out in an agreed and adopted Community Infrastructure Levy; s106 obligations are subject to nationally established tests of reasonableness. Comment noted No action required. No changes proposed.</p> <p>It is not appropriate for the SPD to incorporate specific layout and design proposals or requirements put forward by stakeholders – the SPD is intended to guide development, not vice versa. This issue will be addressed as detailed proposals are brought forward. Comment noted No action required. No changes proposed.</p>
<p>Ministry of Defence</p>	<p>No safeguarding objections to the document.</p>	<p>No action required. No changes proposed.</p>
<p>Sunderland Heritage Quarter Project</p>	<p><u>Comment Specific to the Heritage Quarter Context</u></p> <p>The Heritage Quarter Project seeks to secure the regeneration of the East End in a way which is sensitive to the historic importance of the area and the remaining listed buildings and other historic fabric. In principle, promotion and implementation of proposals within the Masterplan could greatly assist in this regeneration. However, the success of these proposals will be dependent on the area south of the river becoming more attractive to developers (see below for further comment on this issue). Although there may be some 'spin-off'</p>	<p>Comment noted No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Sunderland Heritage Quarter Project</p>	<p>developer interest if the candidate WHS bid is successful, the impetus for development is likely to be primarily on the north bank.</p> <p>Specific Comments</p> <p><u>Inclusion of South Bank of the River:</u> The inclusion of the south bank within the boundary of the SPD is of great contextual importance to the candidate WHS as this is what visitors to St Peter's will see when looking to the south. Indeed, the river corridor is of great environmental and historical significance in its' own right. In turn, hopefully, inclusion of proposals here may help stimulate development on the south bank; indeed, development will be necessary to achieve the objectives of the Masterplan. Therefore we are pleased that the river frontage on the south bank is included within it.</p> <p><u>Strategic Sites and Market Appraisal:</u> We are pleased to note that sites at Scotia Quay, Numbers Garth and High Street East are included as 'strategic sites' (para 5.2) We are however concerned that, in the SWOT analysis (para 4.9) and the Market Appraisal (para 5.1) no reference is made to the lack of an effective market for development sites in the East End, even when the economy is generally buoyant, let alone now. This has been a problem in this area for well over 40 years (the Council's East End Plan of 1967 was meant to address this issue), and unless this developer resistance can be overcome, development here may continue to be aspirational rather than a realistic proposition. Whilst para 5.4 states the sites in the ownership of the North of England Civic Trust are subject to developer interest, this must be seen in context. These sites passed to the Trust when the Tyne Wear Development Corporation was wound up, and have been available for a good number of years; that no development materialized during the recent property boom tends to only confirm the lack of developer confidence in the locality. It would seem therefore that to stimulate development in the East End the Council will need to first invest in environmental works, improvements to pedestrian and vehicular access, including cross-river, and undertake intensive marketing of the area etc (possibly in conjunction with the Heritage Quarter Project's initiatives).</p>	<p>Comment noted No action required. No changes proposed.</p> <p>The City Council can not directly control levels of developer interest. Environmental improvements undertaken through public funding will be dependent on the availability of such funding at the appropriate time. Comment noted. No action required. No changes proposed.</p>

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<p>Sunderland Heritage Quarter Project cont.</p>	<p><u>The Principle of Infill Development on High Street East and Low Street:</u> The proposed infill schemes here are supported provided they are sensitively undertaken reflecting their situation within a conservation area. They could restore the former intense urban grain of the locality and create a continuity of frontage development. If cross river links between the East End and St Peter's are enhanced there could be some developer spin off from the WHS in generating interest in building within the East End (eg waterfront hotels, restaurants).</p> <p><u>Numbers Garth:</u> There is no objection to the principle of development here, but the indicative design shown on p52 and p64 does not seem sensitive to either the prominence of the site from the cWHS and associated stretch of riverside (part of the site falls within a 'high level view' corridor), or its location within the Old Sunderland Riverside Conservation Area. It seems to have no distinctive merit at all and we would not endorse it as the ideal to which any development there should aspire. (NB On p77, in dealing with the Numbers Garth Gateway, the document states in bullet point 4 that the site is 'in proximity' to the Conservation Area. Surely it is <i>within</i> it, as shown on the plan on p10).</p> <p><u>Site at Junction of Bodlewell Lane & High St East:</u> This is very important visually, being prominent, and could 'round off' the wider block. Historically, it is also an important corner, leading to the ferry landing stage. Old photographs show that previously there were 18th and 19th century buildings here of some mass; if this is taken as a guide for new development a sizeable and impressive development could result. Care would need to be taken with the design both to create a building which both makes a statement at this historic corner and also respects the adjoining listed Quayside Exchange.</p> <p><u>Scotia Quay/Wylam Wharf Site:</u> This site provides opportunity to create a more impressive river frontage as well as to re-instate the dense urban grain that once characterized Low St. It is however also important to retain an attractive and continuous riverfront walkway</p>	<p>Comment noted. No action required. No changes proposed.</p> <p>The scale and quantum of development on this site is already influenced by the content of the adopted Sunderland Central Area Urban Design Strategy SPD. The form of development modelled in the SPD is only indicative, although development proposals should take full advantage of the dramatic location and views. Comment noted. No action required. No changes proposed.</p> <p>It is correctly noted that the site is within a Conservation Area. Text on page 77 amended accordingly.</p> <p>Detailed design and massing will be dealt with when development proposals / planning applications come forward. Comment noted. No action required. No changes proposed.</p> <p>Comment noted. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Sunderland Heritage Quarter Project cont.</p>	<p>here, to maximize the environmental potential of the locality; it is noted the Masterplan makes provision for this.</p> <p><u>Site between The Boars Head and The Clarendon High St East:</u> Development of this site could help restore the urban grain in this now somewhat bleak part of High St East and remove a rather unattractive and under used viewing point. Retention of views from the Low Quay area (see next point) will more than compensate for this loss.</p> <p><u>Grassed Site at Low Quay/High Street East:</u> Notwithstanding our comment regarding the desirability of re-creating a continuous street frontage through development of infill sites on High St East, we consider it is also important to respect the role of the 'gap' site at Low Quay as a vantage point both to St Peter's and along the river corridor. In this regard, it is noted the document does not propose any development in this vicinity. Whilst appreciating the reasons for this, it is suggested that some <i>limited</i> frontage development to High St East on this land could also be desirable, retaining and upgrading the remaining open area to the north leading down to Low Quay, in the interests of creating a continuous frontage development. However we suggest that it is essential that a key viewpoint from High St East is identified and retained, possibly in the form of a small urban square with seating areas, in any development.</p> <p><u>Cross-River Access:</u> We wish to stress the importance of re-establishing strong cross-river connections, for historical reasons (the ferry, and the presence of grade 1 buildings and other 'heritage' features on the south side), ease of north/south movement, and to help secure the general regeneration of the East End conservation areas. Development on or overlooking the waterfront (where the sites are more prestigious, given the outlook) may stimulate wider developer interest within the East End's conservation areas and thereby lead to regeneration. From the perspective of the Heritage Quarter project and to emphasize the importance of development of cross river links there is a need to plan for any 'spin-off' if the WHS bid is successful, including a possible heritage trail from St Peter's embracing Holy Trinity Church, Queen St,</p>	<p>Comment noted. No action required. No changes proposed (see response to the next comment).</p> <p>There may be some merit in the points raised. On balance it is considered that site has become established and valued as providing a fine, wide viewing point over much of the river in its lower reaches. This in turn is considered to outweigh the likely development potential in restoring frontage to High Street East. However, development proposals could be considered on their merits if brought forward. Comment noted. No action required. No changes proposed.</p> <p>The SPD includes references to establishing cross river connections. The establishment of the suggested themed heritage trail is beyond the remit of the SPD, although delivery of the proposals within the SPD would clearly contribute to the viability and attractiveness of such a trail. It is also agreed that a ferry crossing would bring with it other benefits in addition to improved links (see response to Nexus comments, above). Comment noted. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Sunderland Heritage Quarter Project cont.</p>	<p>The Quayside Exchange, Eagle Building and the Orphanage.</p> <p><u>Sites of Archaeological Importance:</u> Although the plan showing UDP Site Specific Allocations on p14 shows extensive areas of potential archaeological importance, there is little in the Masterplan which promotes the desirability of archaeological excavations where the opportunity arises. Whilst paragraph 4.8 indicates that an archaeological strategy is being developed by the Wearmouth-Jarrow Partnership, and this may meet this point, we nevertheless would have preferred to see some greater discussion of the need for archaeological works included in the current document, as it will have some standing as an SPD.</p> <p><u>Observations on the Overall Masterplan</u> Although outside of the direct sphere of interest of the Sunderland Heritage Quarter Project, the following comment relating to the form of development on the north bank in the vicinity of St Peter's Church itself may also be of relevance in the context of this consultation.</p> <p>The intention to keep building heights in the vicinity of St Peter's and adjacent to viewing axes low is appreciated. However, whilst the illustrative scheme on p62 of the vista from the south west shows low (2 storey) buildings in proximity to the intended vista of St Peter's, we consider the massing proposed immediately behind to dominate St Peter's Church, thus detracting from the design concept. These blocks include the 5 storey blocks proposed on the west side of the proposed vista from due south. We consider that development of this massing will totally dominate St Peter's Church, which is a diminutive building. It is noteworthy that there is no illustration showing the impact of buildings of this scale on the view of St Peter's from the south bank on this axis. The presence of the church needs emphasis not suppression. Perhaps more consideration needs to be given to the massing of buildings in this highly sensitive locality. It will be interesting to see how other consultees respond to this matter.</p>	<p>Chapter 10 of the SPD includes a section regarding the archaeological assessments likely to be required as part of development proposals in the buffer zone of the cWHS. The guidance provided is in accordance with information provided by the Tyne and Wear County Archaeologist. Comment noted. No action required. No changes proposed.</p> <p>Comment noted. No action required. No changes proposed.</p> <p>The limit on building heights around St Peter's Church was agreed in previous discussion with English Heritage and incorporated in the masterplan. Together with other requirements contained in the document this will ensure that building heights do not compromise or dominate the setting of the church. A cross section has been incorporated in the document at page 69 to demonstrate the likely relationship between St Peter's Church and potential surrounding buildings, and that those building heights are not excessive.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>Sunderland Heritage Quarter Project cont.</p>	<p><u>General Conclusion</u> Sunderland Heritage Quarter Project is generally supportive of the principle of preparing a Masterplan for the cWHS, and supports many of the proposals. However amendments along the lines suggested would enable us to give our wholehearted support. Additionally, and complementary to the SDP, we would like to see a statement of intent committing the Council to the effective marketing of the East End and associated environmental improvements to attract development into the area.</p>	<p>A stated intent to undertake specific marketing of the East End of Sunderland is beyond the remit of the SPD. Comment noted. No action required. No changes proposed.</p>
<p>General public</p>		
	<p>The main issues raised by members of the public are summarised as follows:</p> <ul style="list-style-type: none"> • Concerns that apartment living has yet to be embraced by Sunderland residents and that any such large scale development will be occupied by students (as currently happens in existing developments in the area). There is anecdotal evidence of conflict between students and other occupiers of apartment blocks. Apartment developments should be restricted to older occupiers (helping to release family homes into the market). Any apartments for students should be controlled by the University, to help control behaviour etc. • There are existing parking problems at Bonners Raff – new development should not exacerbate the situation. • Bonnersfield Road would require significant upgrading to access further development in the area. 	<p>The SPD can not restrict the occupation of residential development to particular social groups. Comment noted. No action required. No changes proposed.</p> <p>All development proposals must be accompanied by Traffic Assessments and Travel Plans which will be required to demonstrate the impact of development on the surrounding traffic network, car parking provision and so on. Comment noted. No action required. No changes proposed.</p> <p>Development proposals must be accompanied by Traffic Assessments and Travel Plans which will be required to demonstrate the impact of development on the surrounding traffic network, car parking provision and so on, including any requirements to upgrade any roads. Comment noted. No action required. No changes proposed.</p>

Respondent	Comments	Proposed action / changes to SPD document
<p>General public cont.</p>	<ul style="list-style-type: none"> • Lack of public transport links. • Lack of children’s playspace. • Need facilities to cater for cyclists and pedestrians (especially C2C visitors). • Additional housing will devalue existing housing market (including rental). • Need adequate parking to attract residents. • North facing properties will receive no sunlight and those not on riverfront will be overshadowed. • Plan misleading, showing St Peter’s in green field – in reality surrounded by housing for which there is no need. 	<p>Development proposals must be accompanied by Traffic Assessments and Travel Plans which will be required to demonstrate the impact of development on public transport infrastructure and any need for additional provision. Comment noted. No action required. No changes proposed.</p> <p>Developer contributions towards the provision of children’s playspace (either on or off site) will be established and sought at the appropriate time as residential development proposals come forward. Comment noted. No action required. No changes proposed.</p> <p>It is considered that there is scope within the SPD for such facilities to be provided if necessary (in addition to facilities such as the café/restaurant at the National Glass Centre). However, it should be noted that the area is less than 1mile from the official end of the C2C cycle route where such activity-related facilities might normally be expected to be found. Comment noted. No action required. No changes proposed.</p> <p>Property values are not a planning consideration. Comment noted. No action required. No changes proposed.</p> <p>All development proposals must be accompanied by Traffic Assessments and Travel Plans which will be required to demonstrate the need for car parking provision and so on. Comment noted. No action required. No changes proposed.</p> <p>This is a matter of design detail to be dealt with as development proposals come forward, including the need for daylight assessments and the need to ensure that buildings are not unduly overshadowed. However, there is nothing in principle to preclude north facing windows.</p> <p>It is unclear what is meant by this comment. St Peter’s Church does sit at the centre of a green space, and will continue to do so. New development in the immediate vicinity of the church grounds will not be residential. Comment</p>

Respondent	Comments	Proposed action / changes to SPD document
General public cont.	<ul style="list-style-type: none"> • Access is difficult in winter conditions. • Take away public funding; let the private sector pay. 	<p>noted. No action required. No changes proposed.</p> <p>Comment noted. No action required. No changes proposed.</p> <p>It is anticipated that most of the development in the SPD area will be funded by the private sector, or the University of Sunderland. Comment noted. No action required. No changes proposed.</p>