

At a Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 29th OCTOBER, 2013 at 4.45 p.m.

Present:-

Councillor E. Gibson in the Chair

Councillors Ball, Copeland, Ellis, T. Martin, Thompson, Turton, Tye and S. Watson

Declarations of Interest

Land at Croftside House, Knollside Close, Sunderland

All Members made an open declaration that they had received correspondence direct from Aldi but no Members had responded to the correspondence with their views on the application and all Members would be considering the application with an open mind.

The Chairman declared that she had also received emails from residents in respect of this application and that the objectors had attended her ward surgery. However she had not entered into any discussions with any party on the planning merits of this application and she would be considering the application with an open mind.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Atkinson, Blackburn, Dixon, Maddison, Price, P. Watson and Wood.

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) relating to the South Sunderland area, copies of which had been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and Regulations made thereunder.

(For copy reports – see original minutes).

**13/00544/FUL – Demolition of existing care home and erection of a food store with associated vehicular and pedestrian access, car parking and landscaping.
Land at Croftside House, Knollside Close, Sunderland**

The representative of the Deputy Chief Executive advised that the application was to replace the existing care home with a 1,480sq.m. single storey food store with 77 parking spaces including provision for disabled and 'parent and child' parking. The proposed store's opening hours would be 8am to 10pm Monday to Saturday and 10am to 4pm on Sundays and the requested times for deliveries to be allowed was between 7am and 11pm Monday to Saturday and 9am to 7pm on Sundays.

The responses from the consultees were included in the circulatory report and the statutory consultees had raised no objections subject to the imposition of appropriate planning conditions relating to issues such as land contamination and noise attenuation. There had been a large number of objections from residents and the grounds for these objections were set out in the circulatory report. There had also been a number of representations from residents in support of the application; the grounds for these representations were also set out in the circulatory report. There had also been an objection from Councillor Errington which was based around the site not being suitable for the development proposal ; the lack of footpaths in the area; and the impact on the local residents from the noise and increased traffic levels.

The principle of the development had been considered and the proposal had been considered against the relevant policies of the Unitary Development Plan and National Planning Policy Framework. A planning and retail assessment had been carried out in August 2013 by independent retail consultants HollissVincent. It was considered that the application passed the sequential test and there were no suitable and available sites for the proposed development within Doxford Park Local Centre or in an edge of centre location. In addition, it was not considered that the proposal would cause a significant adverse impact on Doxford Park Centre and would be likely to create some benefits for the Local Centre through increased retention of spend within the local area and the potential generation of linked trips between the proposed store and the Local Centre.

The siting and design of the store had been given consideration and it was felt that the layout was acceptable given that the entrance to the store had been located at the corner furthest away from the nearest residential properties. There would be road widening carried out and a footpath would be installed. The refrigeration unit had been positioned so that the noise from it would not adversely affect residents and the loading bay had been designed to ensure that there would not be adverse noise issues. There would be landscaping and planting undertaken to provide screening to reduce the risk of noise escaping from the site.

The scale and mass of the store was considered to be acceptable; the maximum height would be 5.5 metres which was 1.5metres lower than the ridge height of the houses on Knollside Close and was 2.6 metres lower than the adjacent public house; it was also 2.9 metres lower than the height of the existing building on the site. The design of the building was functional with the main design features facing Doxford Park Way. It was not considered that there would be a negative impact on the visual amenity of the area.

There were concerns over the delivery hours as there was the potential for noise disturbance however there would only be 40 minutes of activity a day and the design of the loading bay helped to mitigate against the potential for noise disturbance which was considered to be acceptable.

Councillor Tye queried the hours for deliveries; he asked whether the proposed hours had been requested by the applicant and whether there had been any discussions with the applicant around the delivery hours given the potential concerns regarding noise disruption and impact on amenity. The Representative of the Deputy Chief Executive advised that the applicant had originally requested 24 hour deliveries however following the production of the noise assessment they had requested the hours set out in the report; there was no evidence that an 11pm end time for deliveries would cause any significant issues.

Councillor Thompson referred to the pedestrian access to the site and the fact that the only access which wheelchair users or parents with pushchairs could use was the vehicular entrance which would put these people in direct conflict with vehicles accessing the site. He queried whether it would be possible for a new pedestrian route across the car park to be included. The Highways Engineer advised that there was no requirement for a designated footway in a car park of this size.

The Chairman then introduced the local residents who wished to address the Committee in objection to the application.

Mr Sumby advised that he lived in Knollside Close and had suffered from anti-social behaviour problems; he was concerned that there would be an increase in these problems should the application be approved. He also expressed concerns that the increase in traffic would make it difficult for him to cross the road as he needed to use a walking stick.

Mrs Macdonald then addressed the Committee and stated that she was speaking on behalf of all local residents who had objected to the application. It was felt that the location of the store, right next to houses, was inappropriate; there was a concern over the amount of traffic the development would create and the impact this would have on residents. There were no pathways along the road and the route was used by children walking to school and the increase in traffic would cause a danger to these children. The existing care home was in-keeping with the residential nature of the surrounding area while the supermarket would not be and would have a significant visual impact. Residents had concerns over the noise that would be created along with the potential for litter and for vermin to be attracted to the site. There were also concerns over the HGV deliveries which it was feared would affect access to Knollside Close for emergency vehicles. The public house already caused some traffic issues and it was felt that this development would exacerbate the problems. She stated that there had been 430 objections from people who lived close to the site; the people who had supported the application did not live as close to the development site as the objectors. She suggested that the Committee should visit on a Saturday to experience how quiet the area currently was.

The Highways Engineer advised that there had been a transport assessment carried out by an independent consultant and that they had identified that there would not be more than 5 percent increase in traffic volume as a result of the development which was not considered to be excessive and which would not exceed the capacity of the junction. Knollside Close was a residential cul-de-sac and the plans to widen the road and introduce a footpath would ensure that there were no issues with access to the store impacting on residents; the provision of a footway would be an improvement on the current situation. The 77 parking spaces provided were

considered to be suitable for the demand the store would be likely to create. The transport assessment had been carried out on a weekday and was a worst case scenario. The road would be widened to 7metres which was close to the 7.3metres width that a standard A-road designed to accommodate 2 way traffic would be.

In response to a query from Councillor T. Martin the representative of the Deputy Chief Executive advised that there would only be one new footpath installed on Knollside Close on the same side of the road as the proposed store.

The Chairman then introduced Simon Plum who would be speaking on behalf of the applicant. He advised that the store was a modest size and was intended to be a neighbourhood store; this sort of location was usual for stores of this type. The design of the store was intended to be sympathetic to the local area with no overlooking windows and the entrance to the store being at the end furthest away from the residential properties. The loading bay had been designed so that there would not be noise disturbances when unloading; following discussions it had been agreed that additional planting would be installed to provide an acoustic screen. Delivery vehicles would reverse down the loading ramp which meant that the rear doors of the HGV would be at floor level removing the need for any external movements during the unloading. The loading ramp would not be used for storage. The delivery vehicles used were owned by Aldi and it was possible to turn off the refrigerators and reversing beepers should any deliveries be made at unsocial hours. The refrigeration equipment had also been moved so that it was further away from the houses and was screened by fencing to ensure that there was no noise disturbance from it. The flat roof was lower than the height of any other buildings in the area and had been designed so that it was less imposing than other designs of roof. A number of new footpaths were proposed along with carriageway widening on Knollside Close; visitors to the store would not need to go past the car park entrance.

Councillor Thompson expressed concerns that pedestrians would be required to walk across the car park past the loading bay and the dangers that this would cause while delivery vehicles were reversing into the loading bay. Councillor Tye also raised concerns that the vehicles would need to cross onto the opposing lane when turning into Knollside Close due to the narrow nature of the roads and the size of the vehicle. Mr Plum advised that the carriageway was wider than necessary to ensure that the delivery vehicles would not need to swing out into the opposing lane on Hall Farm Road. There would be three pedestrian accesses to the site however the only access without steps would be the entrance to the car park which was also the vehicle access; the provision of ramps at the other paths had been considered however the gradient required meant that the route would be just as long as walking round to the main access. It was not considered to be appropriate to include designated footways within the car park as due to the small size of the car park it was unlikely that they would be used as people would normally follow the most direct route across the car park.

The Highways Engineer advised that the traffic plan showed that the HGVs did not have to cross Hall Farm Road when turning into Knollside Close although they would need to cross onto the opposite side of Knollside Close when turning into the car park.

Councillor Tye stated that he remained concerned over the proposed access arrangements; he found it surprising that Aldi's health and safety officers had felt that

it was acceptable for customers to have to walk across the path of HGVs. He also stated that he was concerned by the proposed delivery hours and thought the applicant should consider and reduce the delivery hours to the site to minimise the impact on residential amenity; he asked Mr Plum what he thought would be acceptable for delivery hours. Mr Plum advised that the hours for deliveries had been chosen based on the recommendations of a noise assessor and were in line with the industry recognised daytime hours; they would be willing to consider a change should Members feel that it was necessary to ensure that the development would not cause a nuisance to its neighbours. There would be two deliveries a day and they would generally be during quieter periods when the car park would not be as busy. The access was wider than standard to ensure that people would be able to get passed the HGVs without any issues.

Councillor Thompson advised that his concern was not for when the HGVs were moving forwards but was for when they were reversing within the car park and the potential for conflict with other road users. He was concerned that there would be problems caused by the close proximity of the parent and child parking spaces to the area where the delivery vehicles would be reversing round. He was also concerned that while delivery vehicles were reversing there could be queues build up which could then lead to an obstruction on Hall Farm Road which could affect the busses which used this road.

Councillor Copeland suggested that the deliveries should take place at around 7am and 9pm so that they were taking place outside of the store opening hours and at a time when local children would not be on their way to or from school.

Councillor Tye commented that in general he supported the principle of the development however he had significant concerns over the only flat pedestrian access being the vehicle access and the proposed delivery hours. He suggested that there should not be any deliveries between 8pm and 8am as he felt that the current proposed delivery hours were unreasonable. He then moved that the application be deferred so that these outstanding issues could be addressed.

Councillor Copeland seconded the motion to defer the application to allow the outstanding issues to be addressed and accordingly the Chairman put this to the committee. With all Members voting in favour of the alternative recommendation it was therefore:-

1. RESOLVED that the application be deferred to a future meeting of the Committee in order that the applicant give further consideration to the provision of a ramped pedestrian access to the north of the site and the proposed delivery hours to the proposed store.

Items for Information

2. RESOLVED that a site visit be undertaken at 13/02500/FUL, The Eastenders, 33 High Street East, Sunderland at the request of the Chairman.

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 August, 2013 to 31st August, 2013.

(For copy report – see original minutes).

3. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,
Chairman.