

At a meeting of the PLANNING AND HIGHWAYS (EAST) COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 31 JANUARY 2022 at 5.30 p.m.

Present:-

Councillor Wilson in the Chair.

Councillors Dixon, Doyle, Foster, E. Gibson, Morrissey, Nicholson, Noble, Peacock, Reed, Scanlan, P. Smith and Stewart.

Declarations of Interest

Item 4, Applications made under the Town and Country Planning Acts and Regulations made thereunder – Planning Application 21/01383/MW4 - Construction and operation of a waste management facility. - Former Sunderland Oil Storage (Mobil Oil Company), Hudson Dock East Side, Barrack Street, Sunderland.

Councillor Stewart declared an interest in the Item as a member of the Port Board and left the meeting at the appropriate point on the agenda taking no part in any discussion or decision thereon.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Butler and Hodson.

Minutes of the last meeting of the Planning and Highways (East) Committee held on 5 January 2022

1. RESOLVED that the minutes of the last meeting of the Planning and Highways (East) Committee held on 5 January 2022 be confirmed and signed as a correct record.

Planning Application Reference 21/01383/MW4 Minerals and Waste (Reg 4) Construction and operation of a waste management facility to process waste tyres to produce synthetic hydrocarbons and carbon black together with ancillary buildings, plant and machinery. - Former Sunderland Oil Storage (Mobil Oil Company), Hudson Dock East Side, Barrack Street, Sunderland.

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report informing members that full planning permission was being sought for the construction and operation of a waste management facility to process waste tyres to produce synthetic hydrocarbons and carbon black, together with ancillary buildings, plant and machinery at the site of the former Sunderland Oil Storage, Hudson Dock East Side, Port of Sunderland, Barrack Street, Sunderland.

The proposed development would affect land to the east side of Hudson Dock in the Port. The application site was of an irregular shape and covered an area of approximately 4.5 hectares bounded by Hudson Dock to the west, the Tradebe Solvents facility to the south and a dock service road to the north, with undeveloped land and the sea further to the east. The main Port access road bisected the western side of the site and separated the main development area (on the road's east side) from Sheers Quay on Hudson Dock (on the road's west side). The application site was mainly previously developed industrial land and until around 2012, it was occupied by storage tanks, pipework, buildings and paved roadways associated with the site's former use. The site had since been cleared of nearly all buildings and was hard surfaced throughout.

The Committee was advised that the proposed facility would comprise the following main elements:

- Buildings for the storage, processing and treatment of waste tyres;
- Administration building;
- Tank farm for the storage of liquids from the process;
- Storage tanks for chemicals and water used in the process (and firewater);
- Distillation plant;
- Ancillary plant and equipment associated with power generation and control of emissions to air;
- Area for the loading of boats and road tankers;

In addition to the above, other proposed infrastructure would include access from the dock service road at the north of the site, roads and paths within the application site, 12 dedicated car parking spaces adjacent to the administration building (including 2 no. electric vehicle charging points) and additional overflow parking space and external lighting. Security measures would include a 2.4 metres high palisade fence with guard wire to the site perimeter, a CCTV camera system and a '24/7' presence on site, conducting patrols and monitoring the CCTV.

The representative of the Executive Director of City Development then informed the Committee of the key issues to consider in determining the application, including:-

- Land use considerations, including compatibility with policies relating to waste;
- The implications of the development in respect of residential amenity;
- The implications of the development in respect of design and visual amenity and landscape;
- The impact of the development in respect of highway and pedestrian safety;
- The impact of the development in respect of ecology and biodiversity;
- The impact of the development in respect of built heritage and archaeology;
- The impact of the development in respect of flooding, drainage and water quality;
- The impact of the development in respect of ground conditions;
- Implications of the development relative to hazardous installations;

In conclusion Members were informed that the proposed development did not give rise to any significant concerns in respect of the relevant planning considerations outlined above and was broadly compliant with the Council's adopted Core Strategy and Development Plan, the National Planning Policy Framework and the National Planning Policy for Waste. In assessing the merits of the proposed development, Members were advised that significant weight should also be given to the benefits to be derived from the scheme, including the employment opportunities the facility would create, the development's use of a brownfield site at an established urban and industrial/commercial location and the sustainability benefits of the proposed facility in terms of enabling the extraction of usable products from a waste material. Accordingly, the representative of the Executive Director of City Development recommended that consent was granted to the application.

The Chairman thanked the representative of the Executive Director of City Development for his report and invited questions from Members.

Councillor Doyle referred to the reference on page 26 of the agenda papers that public consultation letters had been sent to 50 addresses in the area and asked if they were mainly residential properties or whether it included any businesses? The representative of the Executive Director of City Development replied that they were mainly residential properties fronting onto Barrack Street, Prospect Row and the Old Orphanage.

Councillor Peacock stated that his ward was often targeted by fly tippers dumping old tyres and asked if the proposed new facilities would be able to make use of them or would they only accept bulk deliveries. The representative of the Executive Director of City Development replied that the agent for the applicant had requested to address the Committee later in the meeting and this was something that he may be able to address at that time.

Councillor Reed referred to the comment as detailed on page 30 of the agenda that the proposals would increase the total daily traffic volume on the A1018 by less than 1%, and asked if there was a document that specified a maximum limit on the volume of traffic permitted? The representative of the Executive Director of City Development replied that there was not. Planning and Highways officers would consider the traffic flows at the particular point in time that an application was submitted and consider the potential impact on volumes in that context. Each application would be considered on its own merits.

Councillor Dixon referred to the comments of the Tyne and Wear County Archaeologist detailed on page 27 of the agenda and asked how this would be taken forward during the construction phase of the development, for example, would the Archaeologist make subsequent inspection visits?

The representative of the Executive Director of City Development replied that the recommendations of the County Archaeologist were reflected in conditions 19 and 20 which would be attached to any grant. These would ensure that no groundworks or development would commence until the developer had appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds. The archaeologist would be present at relevant times during the undertaking of groundworks with a programme of visits agreed in writing by the Council. The Port because of its history had been subjected to many archaeological investigations over the years and had been well mapped. As a result, the County Archaeologist was satisfied with conditions that would allow a 'watching brief' to be maintained.

The Chairman referred to the large chimney associated with the proposals and sought assurances in respect of its visual amenity and emissions. He stated that the Port of Sunderland could be overlooked from several areas of the city, and in particular from north of the river around the Potato Garth area. He added that the Council had heavily invested in the areas of Roker and Seaburn and he would not wish this to be impacted by a large chimney producing a lot of black smoke.

The representative of the Executive Director of City Development confirmed that the proposals included a 30 metre flue stack. The application had been accompanied by a detailed Landscape and Visual Impact Assessment, which considered the potential impacts of the development upon the surrounding landscape and in relation to public vantage points. In this regard six viewpoints had been used including one north of the river. From this viewpoint the chimney would not be prominent and would merge into the background.

In response to a request from Councillor Foster, the site and elevation of the chimney in relation to its surroundings were pointed out to the Committee on the powerpoint presentation which accompanied the agenda report.

At the request of the representative of the Executive Director of City Development and with the consent of the Chairman, Mr Greaves, the agent

for the applicant confirmed that the height of the chimney would be no greater than the proposed buildings that surrounded it and the other industrial buildings on the wider site. In terms of emissions there would be no black smoke with only a clear gas being emitted.

In response to enquiries from the Chairman, the representative of the Executive Director of City Development confirmed that the route to be taken by HGVs supplying the facility would be from the A1018 junction to the Port via High Street East and Barrack Street. With regard to the use of sea transport the Chairman was given an assurance that the applicant was fully committed to maximising the use of sea transport. The traffic numbers set out in the report were a 'worst case' scenario. In reality, the road vehicle numbers were likely to be lower. In particular the end products were highly likely to leave the site by ship rather than road.

There being no further questions for the representative of the Executive Director of City Development, the Chairman welcomed and introduced Mr Simon Greaves, the Agent for the applicant advising that he would be given 5 minutes to speak in support of the application.

Mr Greaves started by referring to Councillor Peacock's earlier question and advising that the waste tyres for the facility would be provided by suppliers under contract. It would be unlikely that fly tipped tyres could be accepted on an ad hoc basis. It was possible however that an agreement could be made with the Council to accept tyres collected from fly tipping on a structured basis.

With regard to the application, Mr Greaves provided Members with an overview of the facility, its operation and the benefits it could bring. The proposed development represented a £100million investment in Sunderland and would be a key long-term tenant of the Port of Sunderland. It would also help secure Sunderland's future within the automotive industry. Mr Greaves believed there was a compelling need for the facility which would be safe and environmentally friendly

The Committee was informed that the process would result in the production of sustainable fuels and would be self-sufficient in terms of energy use. Mr Greaves confirmed that the projection in respect of vehicular traffic was a 'worst case' scenario based on there being nothing shipped by sea. In reality, the majority of the output would leave by sea, effectively halving the number of road movements. In terms of visual amenity, the development would be no more intrusive than existing buildings in the port. Processes at the facility would be carried out indoors under a permit issued by the Environment Agency. The Agency were comfortable with the proposals and there had been no objections from any of the statutory consultees.

Mr Greaves believed the development represented a strong investment in the city, providing high quality employment opportunities, apprenticeships and the ability to give educational tours. In this regard the applicant wished to develop strong links with Sunderland College and 'meet the employer' sessions had

already been lined up in respect of recruitment. The development would generate 100 jobs during construction, with an estimated 70 during operation of the facility.

The Chairman thanked Mr Greaves for his presentation and invited questions of clarification from Members.

In response to an enquiry from Councillor Reed as to why Sunderland? Mr Greaves stated there had been a number of factors including the availability of raw materials, a site with a sufficient amount of space that had port access capable of accommodating the size of ships required to transport outputs.

In response to an enquiry from Councillor Doyle regarding general procedure, the Chairman confirmed that he had allowed Mr Greaves to speak slightly longer than the allotted 5 minutes given the nature and complexity of the application. The Solicitor confirmed that while the Committee's protocol in relation to the matter allowed for presentations from registered speakers of up to 5 minutes, the Chairman has the discretion to permit extensions of time on a case by case basis for individual applications where considered appropriate.

Councillor Dixon referred to the vast amount of investment the Council had put into developing the Sunderland Strategic Corridor which would ultimately link the A19 to the city centre. He believed this would be the most logical route for suppliers to take and asked if there were any reassurances the applicant could give regarding instructing suppliers to use this route? Mr Greaves replied that supplier's vehicles would come in under contract and the route to be adopted was something that could be stipulated in the contract agreement.

The Chairman noted that the applicant was a Norwegian company and asked if it had built similar facilities in Norway? Mr Greaves replied that this would be the first facility of this type that the company had provided, and it was anticipated that it would eventually develop another 3 or 4 within the UK. The technology was not new and was being used at other facilities world-wide. The Norwegian Government had visited some of these facilities and were reassured that the process worked.

The being no further questions for Mr Greaves, the Chairman asked the Committee to consider and comment on the application. He stated that it was a big investment in the city, but it needed to be right. Councillor Dixon concurred with the Chairman and stated that a lot of money had been spent in the city, and this represented further progress albeit in a different sphere, and he wished it well.

Councillor Reed echoed the comments and supported the application stating that Sunderland was blessed to have a port and what was the point in the Council investing in the new transport corridor if it was not to attract investment like this to the city.

There being no further comments, the Chairman moved the Officer recommendation as detailed on page 51 of the report and it was:-

2. RESOLVED that the application be granted consent under Regulation 4 of the Town and Country Planning General Regulations 1992 (as amended), subject to the draft conditions detailed in the report.

Planning Application 21/02204/LP3 Local Authority (Reg 3) Engineering Operation to level part of site - Land North of Deptford Terrace Sunderland.

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report, advising the Committee of the key issues to consider in determining the application. In conclusion members were informed that the application accorded with the relevant planning policies and was therefore recommended for approval.

There being no questions or comments the Chairman moved the Officer recommendation as detailed on page 63 of the agenda papers and it was:-

3. RESOLVED that the application be granted consent in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended) for the reasons as set out in the report and subject to the conditions therein.

Items for Information

Members gave consideration to the items for information contained within the matrix (agenda pages 66-73).

In response to an enquiry from Councillor Doyle regarding Committee site visits the Development Manager confirmed that although Central Government had lifted restrictions nationally, at a local level covid case rates remained high. In the light of this the Council was continuing to proceed with caution and maintain its current covid precautions which required officers to work from home where possible. In the meantime, if it was felt that there was a pressing need for a visit and the application met the relevant thresholds, (e.g., where the impact of the proposed development was difficult to visualise from plans and supporting material or where there was a good reason why the comments of the applicant or objector could not be expressed adequately in writing) then site visits would be undertaken subject so social distancing etc.

Councillor Dixon referred to application 21/02938/FD4 in respect of the demolition of the Civic Centre / redevelopment of the site, and asked if it was likely to be submitted to the Committee at its meeting scheduled for the end of February or that scheduled for the end of March? The Development Manager advised that it would be the meeting at the end of March at the very earliest.

4. RESOLVED that the items for information as set out in the matrix be received and noted.

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

(Signed) D. WILSON,
(Chairman)