

At an Extraordinary Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 1st NOVEMBER, 2011 at 4.45 p.m.

Present:-

Councillor E. Gibson in the Chair

Councillors Ball, Copeland, Ellis, Forbes, Gallagher, Kay, Porthouse, Tye, Wood and A. Wright

Declarations of Interest

11/02320/FUL – Waste Transfer Station incorporating waste recycling building, covered ad hoc storage area, gully waste and street sweepings storage bay, office and staff welfare facility and associated access and infrastructure.

Councillors Ball and Mordey declared personal interests in the application as Council appointed Directors of the Raich Carter Sports Centre Management Board.

Apologies for Absence

Apologies for absence were received from Councillors Charlton, T. Martin, D. Richardson, P. Watson and S. Watson

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) 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 report – see original minutes).

11/02320/FUL – Waste Transfer Station incorporating waste recycling building, covered ad hoc storage area, gully waste and street sweepings storage bay, office and staff welfare facility and associated access and infrastructure.

The Representative of the Deputy Chief Executive, Mr Mike Mattok, presented the application and advised the Committee that the site was already used by Sunderland City Council for a similar use and was within an area designated for industry in the

Development Plan. It could be reasonably expected to find a waste transfer station in these industrial areas. The transfer station, if approved, would have the capacity to manage approximately 82,000 tonnes of residual waste per annum and would help to reduce the amount of waste being sent to landfill which would help the authority to meet its requirements under the Landfill Directive.

This site was next to the former paper mill which had recently had outline planning permission granted for a mixed use development comprising 300 houses and 6000 square metres of commercial space. That application had been a departure from the planning policy for the area and the commercial aspect was to be located at the end of the site closest to the proposed waste transfer station.

There had been a number of objections received from residents however a large number of these objections cited the impact on house prices as a ground for objection, this however was not a material planning consideration. Another concern for residents was the potential for heavy vehicles to be travelling through the residential areas; this could be controlled by a condition requiring the vehicles to travel along the A1018 Southern Radial Route rather than through the residential area should planning permission be granted.

Councillor A. Wright referred to the site visit which had been undertaken and advised that the left turn out of the site was quite tight and could cause problems for large vehicles; he queried whether there were any proposals to modify this part of the roundabout.

The Highways Engineer, Eric Henderson, advised that the Highways department were satisfied that the layout of the junction was appropriate and also advised that the submitted transport assessment stated that the vehicles would access the proposed facility from the A1018 Southern Radial Route and this would be covered by a condition.

Councillor A. Wright then queried whether the 7 parking spaces within the site would be sufficient. He was advised by Mr Mattok that it was felt that 7 spaces would be sufficient.

In response to queries from Councillor Wood regarding the quarantine of contaminated waste Mr Mattok advised the Committee of the proposed location for the quarantine area and advised that the contaminants were likely to be things like oil which had been collected by the street sweepers. It was not expected that the contaminants would be highly dangerous substances.

In response to a query from Councillor Ellis Mr Mattok advised that it was proposed that there would be odour sprays to seek to prevent adverse smells from escaping.

Councillor Porthouse queried what was meant by residual waste. Mr Mattok advised that it was domestic waste which had been collected from the local area and this would be a temporary storage facility before the waste was transported to the North East Energy Recovery Centre in Teesside.

Councillor Forbes referred to a letter she had received from Gateshead residents who lived near to an existing waste transfer facility operated by the applicant; the residents had complained about the impact of the site from the failure of the

operators to follow up their promises. She asked whether there would be any monitoring carried out by the authority and also asked why there was not an environmental impact assessment available.

Mr Mattok advised that the environmental statements and supporting documents were considered to be sufficient to address the environmental concerns. The application proposal had been screened for the purpose of the EIA Regulations and a negative screening opinion had been adopted so an EIA was not necessary. This was a Brownfield industrial site and the impact on the residential areas had been assessed through the environmental reports submitted with the application. The site would also be controlled in its operations by the Environment Agency and the conditions of any permit granted for the use of the proposed facility.

Councillor Kay referred to the covered ad hoc storage area and the uncertainty which was implied. He also queried what the operatives would be looking for when looking for contaminants and also what would happen if contaminants slipped through and were sent on to the facility on Teesside. He stated that it would not be possible to look through every item of waste, especially given that some waste would come in bags which would need opening if the contents were to be inspected.

The representative of the applicant SITA, Ms Corrina Scott Roy advised that the ad hoc storage area was intended for items which would come into the facility on an ad hoc basis and the waste would be held there while it was agreed what action would be taken to dispose of it. This could include items such as clinical waste or road kill. Ms Roy then introduced her colleague Mr Hughes who advised of the procedures in place. He stated that any contaminated waste was segregated while the appropriate course of action was agreed. There were discussions ongoing with the Council as to how to deal with any contaminated waste which was sent to the site.

Councillor Copeland expressed concerns over the location of the development given its close proximity to two primary schools and Jack Crawford House; there was the likelihood that these would be affected by smells from the development, especially during hot weather or if the operators cut any corners to save time and leave the doors to the building open all the time.

The Chairman then welcomed Councillor Mordey, Ward Councillor, to the committee who would be speaking against the application on behalf of the local residents. The objections were based around:-

- The impact on the redevelopment of the Edward Thompson Paper Mill site. Housing in this area was welcomed and there was a need to ensure that this development was protected.
- The impact on existing residents from the smells and increase in traffic, especially HGVs in the area. It was felt that the increase in traffic would cause congestion issues on the Southern Radial Route.
- The site was close to two schools and there were concerns that there could be accidents involving children and HGVs.
- There were concerns that given that waste would be stored on the site that vermin would be attracted to the site.
- The impact on the allotments and potential for contamination along with the impact on the Raich Carter Centre and Hendon Beach.

He also stated that there had been millions of pounds spent on improving the local area and he felt that this development could risk all of the hard work that had been done. He also asked for assurances that the vehicles servicing the site would not be allowed to travel through the residential area.

Mr Mattok advised that the application site had always been an industrial site and was identified as such in the planning policies and that this proposed use would fall under industrial use. The engineers were satisfied that the existing highway network could cope with the increase in traffic the development would cause and the environmental concerns could be addressed by appropriate mitigation measures implemented by the operator.

Ms Roy of SITA then spoke in support of the application and advised that:-

- The operations would be monitored by the Environment Agency to ensure that the site was operating correctly and in accordance with its operating permit.
- To control odour emissions there was a 2 door system to be in place which would consist of an external roller shutter which would be open during operating hours and there would be an internal 'fast acting' door which would be a large heavy PVC curtain which can open or close in 10 seconds. This fast acting door would be operated by sensors to ensure that it was only open when vehicles were passing through and there would be no tipping of waste when the door was open.
- The site would result in less waste being sent to landfill with waste being used to create electricity or being recycled.
- The site would create 7 full time jobs in addition to the employment opportunities during the construction phase.

Councillor A. Wright commented that there was a rail line next to this site; he queried whether there were any plans to use this line to transport the waste to Teesside. Ms Roy advised that currently there were no proposals for this however this was a potential option in the future. Mr Hughes advised that the Teesside facility was also next to the railway line.

Councillor Wood commented that it was not just Hendon residents who were concerned; residents from St. Michael's Ward had spoken to him with concerns over the odour that may come from the development. He then expressed concerns with the list of conditions in the report; he felt that there needed to be more specific detail regarding the wording of the proposed conditions. He also asked that a condition be included to require a system of negative air flow around the building to prevent odour emissions and he wanted the condition relating to vehicle routes to be more specific to ensure that large vehicles were not travelling through the residential areas.

Mr Mattok advised that it was not felt that a negative air flow system would be necessary as the fast acting door system and other proposed measures would be sufficient. He also advised that the conditions listed in the circulatory report were the proposed headings and the principles regarding the proposed conditions were set out in the reports. The conditions would be drafted by the planning officer and attached to any consent; Mr Henderson added that page 17 of the supplementary report set out the exact wording of the condition relating to vehicle routes.

Councillor Kay expressed concerns that there appeared to be no detail to condition 16 which covered the action to be taken with contaminated waste. Mr Mattok advised

that the procedures which the applicant had advised of would be included in the wording of the condition which would be attached to any consent granted.

The Chairman then asked the Committee's legal advisor, Mr Jonathan Rowson, to advise of the protocol which needed to be followed where some Members do not agree with the officer's recommendation. Mr Rowson advised of the procedure to be followed. The Chairman, in accordance with the protocol, asked Mr Mattok to inform the Committee of the implications of going against the recommendation.

Mr Mattok advised of the implications of Members going against the officer's recommendation; Members would need to have valid, justifiable reasons for refusing the application. The applicant would have the right of appeal. In his view, there were no valid planning grounds to justify the refusal of planning permission and therefore there would be a risk that the Council could be liable to a costs award on an appeal.

The Chairman then asked if any Member wished to move an alternative decision and with no Members making any such motion the officer's recommendation to approve the application was put to the committee and with:

6 Members voting for,
0 Members voting against, and
5 Members abstaining

The officer's recommendation was carried and as such it was:-

1. RESOLVED that the application be approved for the reasons set out in the report, supplement and circulatory report and subject to the 19 conditions set out within the circulatory report.

11/02436/VAR – Variation of condition 2 of planning permission 11/00410/VAR to install photovoltaic panels on roof of building

2. RESOLVED that the application be approved for the reasons set out in the report and subject to the 22 conditions set out therein.

11/02564/VAR – Variation of condition 2 (Approved Plans) of planning approval 10/03530/FUL to allow the addition of a 1100mm high handrail to roof edge, reconfiguration of fire exit doors and construction of additional first floor storage area and alteration to approved elevational fin detail on front and side elevations.

3. RESOLVED that the application be approved for the reasons set out in the report and subject to the 11 conditions set out therein.

11/02577/FUL – Erection of a four storey building incorporating commercial units at ground floor level with 82 bedroom hotel above and associated refuse storage facilities to rear

Councillor Tye welcomed the proposed development and stated that he hoped this would be the first of many new hotels for the city. He felt that it was a shame that the hotel was not bigger.

Councillor Porthouse commented that there needed to be improvements to the road network in the area; Sunnyside was difficult to find and visitors to the city would find it difficult to get to the hotel. He also queried whether there would be sufficient parking provision in the area.

Councillor Kay stated that at times of peak demand the Sunnyside multi storey car park could get very busy, he queried whether there would be any issues with parking and whether it would be appropriate to look at improving the quality of the surface car parks in the area.

Mr Henderson advised that parking provision in the city was constantly being reviewed to ensure that there was sufficient provision.

Councillor Copeland then queried how many spaces would be allocated to the hotel. Mr Mattok advised that as this was a city centre development there would be no parking allocated as there was parking available throughout the local area. Councillor Copeland then asked whether it would be possible to allocate some spaces to the hotel on a permanent basis as there would be issues caused if the car park was full. Mr Mattok replied that this would not be possible as it would prevent others from using the parking spaces when the hotel did not need them.

Councillor Mordey then spoke in support of the application as the Ward Councillor; he stated that he supported the development of hotels in this area as there was a need for hotels within the city.

4. RESOLVED that the application be approved for the reasons set out in the report and supplement and subject to the 20 conditions set out in the supplementary report.

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 September, 2011 to 30th September, 2011.

(For copy report – see original minutes).

5. RESOLVED that the report be received and noted.

(Signed) E. GIBSON,
Chairman.