

At an Extraordinary Meeting of the DEVELOPMENT CONTROL (SOUTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 16th JUNE, 2009 AT 4.30 p.m.

Present:-

Councillor E. Gibson in the Chair

Councillors Ball, Copeland, M. Dixon, M. Forbes, Miller, Morrissey, O'Connor, Scaplehorn, Tye and A. Wright

Declarations of Interest

There were no Declarations of Interest.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Ellis, Fletcher, P. Watson and Wood.

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

The Director of Development and Regeneration submitted a report and a supplementary report (copies circulated) relating to the South Sunderland Area, copies of which had also been forwarded to each Member of the Council, upon applications made under the Town and Country Planning Acts and the Regulations made thereunder.

(For copy report – see original minutes)

09/00997/FUL – Demolition of existing Kayll Road block, Transport Block, Health and Safety/Fire block and partial demolition of Catering block. Erection of 138 bed ward block and connecting lift block, conversion and extension to staff residence blocks (3,5,7 and 8) to office, conversion and extension of mortuary to treatment centre with additional car parking, link road and associated works.

Councillor M. Forbes stated that at the previous meeting she had moved that the application be deferred until after a decision had been made on the proposals for a parking management scheme in the area. The Cabinet would be discussing this in July and as such this meeting should not have taken place until after the meeting of Cabinet. She did not know why the meeting had been convened before the Cabinet Meeting.

Keith Lowes, Head of Planning and Environment, advised that in his recollection the application had been deferred for the provision of further information to provide clarity regarding the proposals for the on-street parking provision in the locality. Additional information had been provided in the supplementary report. Further, the application had been with the Council for 13 weeks and the deadline for determination was 16th June, as such there was a requirement for the application to be determined at this meeting..

Councillor M. Forbes then stated that the meeting of targets had never been used to override votes before. A large part of the delay had been a lack of clear information from the Hospital Trust. This application had only come to this meeting due to planning guidelines.

Jonathan Rowson, Senior Solicitor, advised that if the application was not determined within the statutory time-limits then the applicant would be entitled to appeal for non-determination. It was appropriate for the Committee to hear the evidence and the additional information being presented today and then if Members remained of the view that there was a need for more information then they could move another deferral of the decision.

Councillor M. Forbes then stated that she wanted clarification of whether the decision being made in isolation was predicated by the Unitary Development Plan (UDP).

Keith Lowes advised that all proposed developments must be assessed in light of the UDP and he did not understand what Councillor Forbes meant about the application being in isolation.

Councillor M. Forbes then questioned whether the officers were adamant that the current inadequacies couldn't be considered. It had been established that the current parking provision was inadequate.

The Chairman then interjected and advised Councillor M. Forbes that she would be able to speak further on this matter after the report had been presented and the additional material had been heard.

Mr Lowes presented the report, he advised that the bat survey issues had now been dealt with and there was further information on parking. The 139 net additional spaces met the Council's required parking standards. Additional information had been received from the Trust and this had been included in the report. The on street parking position was not a material consideration for this application on the grounds that the additional on-site parking provision in connection with the proposed development was considered adequate and complied with the Council's parking requirements. The Council is not able to review or revisit the existing hospital development through this planning application...

Condition 7 had been amended to enable variations to the working hours if agreed in writing with the Local Planning Authority. There was also an

amendment to the wording of condition 15 however this did not affect the meaning of the condition.

Councillor M. Forbes commented that condition 7 was in place to ensure that residents were not disturbed by the works; the proposal to amend this would remove this protection.

Mr Lowes advised that sometimes during major developments such as this it may for example be necessary to carry out internal works on a Sunday and if this was to happen residents would be consulted before consent was given to alter the specified hours of work.

Councillor M. Forbes stated that she was concerned for the residents and the Council had a duty of care to the residents.

Councillor M. Dixon asked what would happen if the travel plan, identified in condition 11, was not acceptable; he also asked when it would be received.

Mr Lowes stated that if the travel plan was not suitable then it could be rejected and the applicant would not be able to discharge the relevant condition.

.

Ms Kate Wilson, a local resident, spoke against the application. She advised that:-

- The number of full time staff at the hospital had increased continuously over the last 2 years
- Patient numbers had increased, there were over 10,000 outpatients attended the hospital every year.
- New wards and treatment centres would raise numbers which would increase parking in the surrounding streets.
- The number of new spaces was inadequate and there would be an overall reduction of spaces per bed.
- There should be a Section 106 agreement so that the hospital covered the cost of an on-street parking management scheme.
- The park and ride scheme at Sainsbury's Supermarket could be withdrawn at any time. The other schemes were still no closer to becoming operational. There were only 80 people per day used the park and ride while over 1000 people parked in the residential streets.
- The plans did not comply with policy T14 and did not comply with the overall aims of the UDP.
- The need for improved parking needed to be considered before the development took place.

Councillor M. Forbes stated that the Hospital Trust had said that they would be unwilling to cover the costs of solving the parking problems. Would it be possible for NHS Estates to fund some degree of provision, for example a multi storey car park.

Mr George Hood advised that the Trust was funding the current Park and Ride schemes at considerable cost and the provision of the additional 139 spaces would also incur costs. The demolition work was being done to help with improving parking provision.

Councillor M. Forbes then commented on potential problems for the Park and Ride scheme at the Forge.

Councillor Scaplehorn then asked what other sites were being considered for a park and ride facility.

Mr Hood advised that the Forge was available; there were discussions ongoing at the Gala bingo in Pallion and the Stadium of Light.

In response to a query from Councillor Miller, Mr Hood advised that there were unlimited spaces being offered by the Stadium of Light and it was expected that potentially 180 spaces would be used.

Councillor M. Dixon asked whether the park and ride agreements could be terminated at short notice. Mr Hood confirmed that potentially this was the case.

Councillor M. Forbes commented that she was surprised at the Stadium of Light offering so many spaces as they had not given the Aquatic Centre that many spaces. She stated that the spaces wouldn't be available on match days.

Mr Hood stated that there would not be a problem caused by match days as the matches were generally held on weekends and evenings and there was not a problem with parking at those times.

Mr Lowes summed up the current position. He advised that the UDP was the current statutory plan; all applications must be considered in light of this plan. Where an application complies with the relevant policies set out in the UDP there is a presumption in favour of the development. This application complied with the UDP. There was no requirement or justification for a Section 106 agreement as the application provided adequate on-site parking provision in relation to the additional parking requirements arising from the proposed development.

The Officer's recommendation to approve the planning application still stood.

Councillor Tye stated that this was a difficult decision and the parking issues had existed since long before this development. The issues needed to be resolved as soon as possible however this development would not change the issue.

Councillor Miller commented that all Members had sympathy for the residents. The area was not designed for the number of cars using the area. There was a massive amount being spent on the redevelopment of the site and there needed to be a balance between health care and the needs of the residents.

There was a report to be presented to the Cabinet meeting in July which would look at the plans for resolving the parking issues, there was the possibility of residents parking badges and allowing a certain number of hospital staff to park in the streets. Even if the Trust did agree to build a multi storey car park it would take time to build it. The only option available currently was to approve this application, even though he understood that people were unhappy with the situation.

Councillor O'Connor advised that he was in favour of the development however the Council should have done more in the past to prevent the parking problems reaching the stage they are at now. However, he queried a comment in the report which stated that there was a shortfall of 950 spaces and if this was the case should the application not be refused as it does not provide suitable parking provision.

Mr Lowes advised that this was a comment from an objector, not a statement of the Council and the Council's position was that the proposed development provided enough parking for itself as the standards stated that there needed to be 81 spaces provided and the development actually provided 139 spaces. Therefore the development was considered to have a neutral effect on the current on-street parking position.

Councillor Morrissey stated that the proposals which would be discussed by Cabinet had not been provided to residents or Ward Councillors. He then stated that the Members were not there just to agree recommendations and he was not happy about being railroaded into making a decision.

Councillor Miller advised that the information currently available was included in the supplementary report.

Councillor A. Wright commented that parking was allocated based on the standards and working on that basis the hospital would never catch up with its requirements. The Park and Ride scheme was in a tenuous position.

Councillor M. Forbes stated that she had heard little more since the previous meeting. It was still unknown whether there were bats. Overall she was in favour of improving health provision however she was worried about the constant imposition of the hospital on local residents when the hospital was unwilling to take adequate steps to address the issues.

A Multi Storey Car Park was the only solution to the problem however the hospital was adamant that they would not provide any funding for this. Park and Ride had not been successful in the past and there was a need for short term improvements as changing people's habits was a long term goal. Developments should not be looked at in isolation, the UDP stated that adequate parking was required and this should apply to the whole site, not just this development.

She felt that there was no reason for this meeting to have been convened before Cabinet met in July. The only reason the meeting had been held was because of deadlines and the hospital's desire for progress. It was important to see the decision from Cabinet before making a decision on this application.

Councillor M. Forbes then moved that the decision be deferred again until after the Cabinet meeting on 29th July, 2009 so that the Committee would be aware of Cabinet's decision and the implications this would have on the application before determining this planning application.

Councillor A. Wright seconded this motion. As such the motion to defer was put to the vote and with:

4 Members voting for the deferral of the decision; and
7 Members voting against

The motion to defer was rejected; accordingly, the Officer's recommendation to approve the application was then put, and with:

7 Members voting in favour of the Officer's recommendation; and
4 Members voting against

The Officer's recommendation was approved.

1. RESOLVED that the application be approved for the reasons set out in the report and subject to the 21 conditions contained therein with the following amendments:
 - a. Condition 7 – the wording be changed to read: "The 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 in order to protect the amenities of the area and to comply with policy B2 of the UDP unless otherwise agreed in writing by the Local Planning Authority"
 - b. Condition 15 – the wording be changed to read: "Before the development, hereby approved is commenced a parking management scheme for the development both on completion and during the phased construction shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be fully implemented in order to ensure that adequate car parking facilities remain available throughout the course of the development and thereafter unless otherwise agreed in writing by the Local Planning Authority, in the interests of highway safety and to comply with policies T14 and T22 of the UDP.
 - c. Condition 19 be deleted and the condition 18 "If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species , and shall be planted at such time, as may be specified by the Local Planning Authority, in the interests of visual amenity and to comply with policy CN17 of the UDP" be renumbered as condition 19

(Signed) E. GIBSON,
Chairman.