

**At an extraordinary meeting of the PLANNING AND HIGHWAYS COMMITTEE held in THE COUNCIL CHAMBER on TUESDAY, 31<sup>st</sup> MAY, 2016 at 5.30 p.m.**

**Present:-**

Councillor Bell in the Chair

Councillors Ball, Beck, Cummings, M. Dixon, Francis, Jackson, Middleton, Mordey, Porthouse, Scaplehorn, Taylor, M. Turton, W. Turton, Tye, G. Walker and P. Walker.

**Declarations of Interest**

There were no declarations of interest submitted.

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Allen, Chequer, English, I. Galbraith, Kay, Lauchlan, P. Watson and D. Wilson.

**Reference form Development Control (South Sunderland) Sub-Committee**

**Planning Application Reference : 14/01461/OUT**

**Land at Silksworth Lane/Silksworth Road, Silksworth, Sunderland**

The Executive Director of Commercial Development submitted a report (copy circulated) for the Committee to consider the planning application for a residential development of “up to” 250 no. residential dwellings, including landscaped open space and footpath connections, and details of site access at Land at Silksworth Lane/Silksworth Road, Silksworth, Sunderland.

(For copy report – see original minutes)

Anthony Jukes, Principal Development Control Planner presented the report and advised Members that this development proposal was previously before at the Committee on the 26 January 2016 when Members had agreed to defer the application to obtain for more information in relation to the proposed site access . Members had also previously requested that the Applicant review

the potential different alternative options for access to the site. Since the last meeting, a further site visit had also taken place.

Mr Jukes advised that since the January meeting, the applicant's Transport Consultant AECOM had produced a technical note in order to respond to the issues and comments raised.

Mr Jukes informed the committee that as a result of this technical note the applicant's development proposal remained as previously proposed i.e. the proposed main access into the site was from the banked section of Silksworth Lane.

On review of the technical note, the Council's engineers were satisfied with the assessment and had re-affirmed that the proposed site access meets with relevant design standards subject to the introduction of the recommended measures.

The Chairman then introduced Councillor Peter Gibson, ward councillor, who wished to speak in objection to the proposal. Councillor Gibson commented that at the recent site visit undertaken, Members had great difficulty in trying to cross the road from the meeting point as well as the proposed site entrance due to the amount of traffic.

Councillor Gibson queried officers' statement that the potential alternative proposal was not viable due to the gradient of the road yet in his view the existing road was at the same gradient. Councillor Gibson also felt that accidents would be likely to occur on this road if the development is approved and as the traffic count had been performed during half term there would not have been as many vehicles on the roads as usual.

Councillor Gibson referred to the proposed access to the site and felt that this was not the best option despite what had been stated. The current proposal would always cause problems in his view.

Councillor Gibson also referred to the previous decision of a Planning Inspector in the late 1980s which had approved another local development on the basis that the application site would not be developed. ,

Concerns were also raised by Councillor Gibson that if 250 homes are approved on the site, an additional 500 cars could be using the existing road which was not designed for this volume of traffic .

Mr Jukes advised that each application had to be assessed on its own individual merits and based on up to date planning policy and other material planning considerations.

Paul Muir, Group Engineer, advised that as Members had asked the applicants to look at alternative access points at the last meeting, the applicants had commissioned an Independent Road Safety Audit and a new updated traffic survey. As explained in the committee report the survey was

carried out the week before the school holidays and a review of the road traffic accident history had been undertaken.

Mr Muir accepted that during the site visit it had been difficult to cross the road, but that had been under the existing circumstances and that the proposed development would improve the existing position and provide new pedestrian crossings and footways. Access in an alternative location was not achievable and the proposed access met the necessary design standards. Officers were also proposing to reduce the speed limit of the road to 30mph as part of the development and with the number of improvement measures delivered through the proposals and a review of traffic trends, the findings supported the acceptability of the applicants' highways proposal.

The Chairman introduced Councillor P. Smith, ward councillor, who also wished to speak in objection to the proposal. Councillor Smith commented that in her view this was an unsafe site for vehicles accessing and exiting and also for people using the bank as there was going to be far too much additional traffic using the road. Councillor Smith advised that her worry was for the safety of the young people travelling to and from Farrington School.

The Chairman then introduced Robert Lumley, a local resident who wished to speak in objection to the proposal. Mr Lumley commented that he felt the proposed site access was unacceptable on a 40mph road. The footways were only single track and a better option had been the suggested road around the Cavalier Pub.

Mr Lumley advised that the road was already overused by vehicles as a rat run even before the unacceptable additional impact of the development was taken into account. Mr Lumley felt that there were other more suitable sites to build houses on and those properties adjacent to the site were going to suffer from loss of privacy.

Mr Lumley also raised concerns over the strain on Doctors surgeries with potentially 500 more residents in the area. .

Mr Jukes advised that the site had been included within the SHLAA as a suitable housing site. The Local Authority had to consider the application as submitted for this site. With regards to the concerns regarding a potential loss of privacy, this was only an outline planning application therefore the details regarding layout and design would be considered at reserved matters stage.

Mr Jukes also advised that the draft South Sunderland Growth Area SPD work had assessed that doctors surgeries in the area could cope with more numbers of residents than that proposed in this application.

Mr Muir informed the Committee a speed survey had also been carried out on the road. Mr Muir wished to remind the Committee of the intention to reduce the speed limit to 30mph as part of the development. Officers believed that the access was in an appropriate location and the findings justified their recommendation.

Mr Muir also commented that it was proposed to widen the road and it would benefit in terms of access to schools and safe crossing points.

Councillor M. Dixon raised concerns over the proposed right turn from the development going towards Gilley Law and Farringdon and sought assurances from Officers that it was safe.

Mr Muir commented that in terms of the design itself, this scheme would deliver the creation of an additional lane and new footways. If the scheme came forward visibility would be greatly improved on the existing situation. Officers had tested and reviewed the proposals and were satisfied with the arrangements.

Councillor Francis queried if the introduction of traffic lights similar to those at Trimdon Street junction could not be implemented to potentially make the situation safer.

Paul Lewins, Transportation Development Manager advised on the need for demand to justify the implementation of traffic lights and it was not appropriate in this instance. This junction was designed for 40mph speed limits and as there was a proposal to reduce the limit to 30mph this design was well within the capabilities required.

Mr Lewins also advised that a change in priority on the road would also be proposed which would result in cars travelling at a lower speed. The Independent review and road safety audit findings stated the exit to the estate was safe provided the mitigating measures were implemented.

Councillor Porthouse commented that he felt the officers' report was clear and concise following the updated work and now that he had seen the plans he was satisfied with the application.

In response to the Chairman's query, Mr Muir advised that there would be three different locations where crossing points for pedestrians would be implemented as the development would utilise the best use of existing footways and bring through safer routes.

The Chairman then introduced Audrey Polkinghorn who also wished to speak in objection to the proposal. Mrs Polkinghorn advised that she had read through the new report and felt that these had been only minor changes that did not alter her objection. Officers had not addressed the main points such as surface water flooding and underground flooding which the Environment Agency had highlighted their concerns over.

In her view there would be an unacceptable impact on local GP surgeries and the increase in traffic was already leading to the rapid deterioration of the roads.

Mr Jukes advised the Committee that the site was situated in a flood zone 1, which was the lowest risk and with the increase in permeable areas which would be able to absorb additional water and would reduce the flood flows.

Mr Muir commented that the scheme had been developed and tested through traffic modelling to determine that the roads could accommodate this proposal and any future growth.

The Chairman introduced Rad Ainley who also wished to object to the proposal as a resident of Vicarage Close. Mr Ainley commented that he opposed the development but if Members were minded to approve the application he requested that the following additional planning conditions be imposed:

- That the build period was reduced from 10 years to 3 years
- That genuine measures be put in place to protect existing dwellings from run off water during periods of excessive rain.

Mr Ainley commented that he felt the traffic plan was flawed as it indicated that the 250 dwellings would only produce an extra 149 vehicles when in reality this number would be much higher and that the flood risk assessment undertaken for the site did not take into account the effect this site would have on the surrounding area during periods of heavy rain.

Mr Ainley also referred to the Vicarage Close junction which was on a sharp bend to the left and with the proposed additional properties he believed this would be very difficult to exit.

Mr Jukes advised that it was only possible to condition the maximum start date of a development, not its subsequent completion. The application was an outline application and the applicant would be required to demonstrate how they would deal with the drainage etc at reserved matters stage. With regards to flood risk the surface flood water was to run to Herrington Burn and it was considered that this would improve the current situation and actually reduce the surface water flows.

The Chairman introduced Alastair Willis representing the applicant who wished to speak in support of the proposal. Mr Willis advised that the applicant had worked very closely with the Council's officers to ensure the development could be recommended for approval. They were of the belief that this would be a high quality development

Mr Willis advised that the data from the commissioned Traffic Survey confirmed the assessment of traffic impacts and the two possible alternative access points to the application site were found to be unsuitable. They had also commissioned an independent road safety audit in which it was found that the proposed access was safe and this should be a significant factor when Members were considering the recommendation.

Mr Willis commented that the development would improve the existing highway and the footway connections would provide an overall betterment in terms of access to schools and such like.

Mr Willis also added that the requisite Highways improvements were to be conditioned as part of the recommendation and the benefits of the development would be substantial. He therefore requested that the Committee consider the advice of its Officers and approve the application.

Councillor Tye stated that at the last meeting, he had made a direct appeal to the developers to contact the ward councillors on working to find a solution to the highway issues and questioned why this had not happened.

Mr Willis acknowledged that they had engaged with Officers of the Local Authority on the issues raised rather than the Ward Members.

Councillor Mordey highlighted the housing needs of the city and that this site had been identified in the SHLAA. He considered that the highways issues had been fully assessed in detail and would bring significant improvements. He therefore proposed that Members support the application.

Councillor Tye called into question the legitimacy of the petition that had been submitted in support of the application as he felt some of the signatures appeared to be from the same person.

Councillor Tye also commented that he did support the delivery of additional housing in the locality and the construction jobs that would be created as a result but fundamentally this should not be to the detriment of highway safety and queried if the assessments undertaken could be classed as independent if they had been carried out by the applicant.

Councillor Tye also queried what the current gradient on the road was in comparison to the proposed gradient and questioned if a local ecologist was not present in the meeting, how Members could be requested to make a decision.

Mr Jukes advised that in terms of Ecology, the Local Authority's Ecologist had been fully consulted on the application as had Natural England with both offering no objections to the proposal.

Mr Muir commented that in relation to Highways Safety the developers had worked with the local planning authority and produced a scheme that meets highways safety standards. The Council's highway engineers were satisfied with the assessments undertaken and the conclusions reached.

In response to Councillor Tye's enquires, a representative from the developer advised that there was a misunderstanding in relation to the gradient mentioned as this was for the alternative entrance to the site and also advised that the proposal for a roundabout and retaining walls would require the removal of large parts of the ecology site therefore was not suitable.

Councillor Tye subsequently proposed an alternative recommendation, seconded by Councillor M. Turton that the application be deferred so that an independent review of the road traffic survey could be commissioned by the Council.

Mr Jukes advised that a further deferral of the application could not be justified in his view based on the extensive work undertaken and would be likely to result in an appeal for non-determination. Officers were satisfied that the proposed access to the site was acceptable together with the improvements to the highways proposed.

Mr Jukes also stressed that the survey carried out was in accordance with appropriate industry standards and had been independently reviewed by the Council's engineers.

Mr Muir confirmed that the Council's engineers had fully scrutinised the work carried out by the developer. It was the officers' opinion that having worked closely with the developers the proposal was acceptable and could be supported.

Having put the alternative recommendation of a deferral to the vote, with 4 Members in favour and 13 Members against, the alternative recommendation was defeated.

The Chairman then asked the Committee to vote on the officer's recommendation.

With 14 Members voting in favour, 2 Members against and 1 Member abstaining it was:-

1. RESOLVED that the application be delegated to the Executive Director of Commercial Development to approve the application for the reasons set out in the reports and subject to the completion of the Section 106 Agreement, as set out and subject to the 26 draft conditions outlined in the Appendix report.

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

(Signed) R. BELL  
(Chairman)