

**At a extraordinary meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the COUNCIL CHAMBER on WEDNESDAY, 28<sup>th</sup> JUNE, 2017 at 4.00 p.m.**

**Present:-**

Councillor Bell in the Chair

Councillors Ball, Beck, Chequer, English, Francis, I. Galbraith, Hodson, Jackson, Kay, Mordey, Porthouse, Scaplehorn, P. Smith, M. Turton, G. Walker, P. Walker and D. Wilson.

**Declarations of Interest**

There were no declarations of interest

**Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors M. Dixon, Lauchlan, Middleton, Taylor, Turner, W. Turton and P. Watson.

**Announcements**

The Chairman reminded the Committee of the procedure for determining planning and related documents.

The Planning Committee was quasi-judicial and that the Committee must base their decisions based upon the UDP and the National Planning Policy Framework (NPPF).

In this regards, in accordance with the requirements to make fair, open, balanced and objective decisions for each application on its merits, free of politics and previous ideas, councillors were required to read the officer's report, any late sheet references and consider the representations made by public speakers at the Committee meeting before reaching its decision.

**Reference from Development Control (North Sunderland) Sub-Committee**

**Planning Application Reference: 16/02056/HY4**

## **Land and buildings to the west of Whitburn Road and North of Dykelands Road, Sunderland**

The Executive Director of Economy and Place submitted a report (copy circulated) to consider the planning submission of a hybrid application which sought outline planning permission for the demolition of existing buildings and creation of a leisure-led mixed use development on 8.3 Hectares of land to the west of Whitburn Road and North of Dykelands Road, Seaburn, Sunderland. The proposed development would include use classes; D1, D2 and Sui-Generis uses (amusement centre and/or privately managed park and/or funfair); A1 (maximum of 2000m<sup>2</sup> across the entire site), A2,A3,A4,A5,C1 (Hotel), C3 up to 279 residential units); along with associated landscaping and public realm improvements and stopping up on highways. Detailed consent was also sought for a first phase of infrastructure works which would include improvements to access roads and change of use from open space for the provision of public/visitor parking spaces on land to the north of Dykelands Road.

(For copy report – see original minutes)

Anthony Jukes, Principal Development Control Planner presented the report and was on hand to answer any queries.

Councillor Francis commented that the application had been a long time coming but the number of dwellings proposed seemed vague. Councillor Francis also commented that he was delighted to see a great many of conditions included and enquired how these would be monitored and the actions taken if they were not adhered to.

Mr Jukes advised that the conditions were framed in such a way that the information would be submitted up front and if they were not abided by then the Council had powers to enforce if needed. The Council could also react to issues brought up by the public such as noise complaints etc.

Councillor Porthouse referred to Page 39 of the report and wished to compliment the Officer on providing the Committee with the clarity over the Foul Sewage and how it was not for them to make any decisions over the sewage network.

Councillor Hodson referred to the access to the development which was mentioned on Page 22 of the report and requested clarification on how these proposals would be enforced and how the traffic flow would be managed.

Paul Muir, Group Engineer advised that this was a hybrid application with a masterplan showing three access points, two at Lowery Road and one at Seafields, there was no main access to the residential development which was beneficial as it would help distribution to the main junctions and it was considered to be a good scheme in terms of highways.

In response to Councillor Francis's enquiry Mr Jukes advised that he was only aware of this developer having come forward with a planning application for this development.

The Chairman introduced Ms Lindsay Seldon, who wished to speak in opposition to the proposals. Ms Seldon informed the Committee that she owned the amusement arcades currently located on the site as well as living there and had catered for many families over the last 50 years, surviving during difficult financial times when others hadn't.

Ms Seldon wished to raise concerns noted in the report over their future and requested that some clarity be provided on the plan going forward and hoped that their business experience would provide the confidence needed to back them.

Ms Seldon also raised concerns with regards to the parking proposals and the decrease in spaces that would be available, commenting that if the proposal was to grow the leisure offer then the spaces should be increased. Ms Seldon felt that safeguards needed to be put in place as this was a very important issue.

Mr Jukes advised that the application was an outline proposal and the plan showed the location of the amusement arcade with uses D1, D2 and Sui generis so this could be discussed further without precluding Seldon's from the project.

In terms of parking there would only be a shortfall of 18 spaces and the commercial uses going forward would also have to incorporate parking into their schemes.

Mr Muir advised that parking was a key issue given the location and that there were currently 204 spaces available, under the new development there would be 186, with 94 delivered within the first phase so in terms of delivery, the conditions had been worded specifically so this could be managed.

The Chairman introduced Mr Bob Latimer who wished to speak to the proposals. Mr Latimer informed the Committee that he had a business on the seafront and had no objection to the development in general but would have preferred a project with more commercial aspects rather than being residential focussed. Mr Latimer's concerns were in relation to sewage issues and the fact that the report stated there was capacity to take the sewage. Mr Latimer claimed that the permit was not fit for purpose and the system was not European compliant and unable to take flows downstream.

Mr Latimer commented that the Council's own beach reports have shown issues and he did not feel an extra 200+ houses could be accommodated therefore he requested that the application be put on hold so that further investigations of the sewage issues could be carried out.

Mr Jukes advised that details of the environmental permit had been explained in depth within the report and that the Council could not second guess the expert findings of the statutory consultees who had not raised any concerns. The issue had been robustly assessed in terms of planning considerations.

Councillor Mordey commented that all of the city's beaches held blue flag status.

The Chairman introduced Mr Michael Hartnack who wished to speak in opposition to the proposal. Mr Hartnack commented that this was a housing lead application rather than leisure lead and the Council were imposing this upon the residents rather than involving them. Mr Hartnack advised that he knew the area very well and was passionate to make it the best possible place it could be but felt the proposal was seriously flawed in a number of ways.

Mr Hartnack commented that he felt the application was being considered in isolation to the other developments in the area such as South Bents and that they needed to be considered as a whole. There would be greater pressure on the road network which already had significant congestion and with leisure pursuits wanted, the visitors of such establishments would need a good network to access.

In relation to parking, Mr Hartnack commented that the reduction of parking spaces would create a greater gridlock than the issues already being faced in the area at present and felt that the parking aspect of the proposal should be deferred until more detail was known.

Mr Hartnack commented that the proposal should be representative of what the people wanted and not exploitative of the beach for financial gain. Mr Hartnack felt that the application hadn't been properly thought through, especially with regards to the parking elements.

Mr Jukes advised that the application was supported with additional documents and reports such as habitat assessment which looked at the impacts of the development in other areas. A transport assessment was submitted and the application whilst having housing, also included leisure and open space uses,

Mr Jukes advised that the proposal had evolved from the Seafront Strategy masterplan which had carried out extensive public consultations.

Mr Muir informed the Committee that officers from Highways had been involved in dialogue with Siglion a great deal and parking surveys had been undertaken considering weekday traffic, bank holiday traffic and also considered the additional traffic that would be generated by the development itself so they were confident the proposal would be able to accommodate the demand.

In response to Councillor Mordey's enquiry over the parking provision at Whitburn, (mentioned in Page 25 of the report) and if this would mitigate for any loss in spaces, Mr Muir advised that this was outside of the scope of the application being considered but would increase provision.

The Chairman introduced Mr Arthur Pattison, a resident from Seafields who wished to speak against the application. Mr Pattison advised that he had made representations during the public consultation and these concerns were in relation to the heavy concentration of development within a relatively small area, and also the congestion that would affect the environment which was contradictory to the Councils Planning Policy and UDP.

With regards to access or egress, Mr Pattison felt the proposals were counterproductive to a major problem that was already in place and felt the plans were overly ambitious, placing substantial demand upon the road network, impacting safety and quality of life for the residents.

Mr Pattison also commented that the open space should have priority and requested that the plans be deferred for ratification.

Mr Juke referred to Pages 17-19 of the report which addressed the open space details of the proposal and the provision of alternatives. Housing was a key material consideration under the Planning Policy Framework and under paragraph 49 NPPF the most recent update refers to a deliverable 5 year housing site so this was about a balance of recommendations,

Mr Muir advised that access to Seafields had been considered and the developments access would not compromise safety and could be accommodated within the existing road networks.

Mr Muir also advised that road safety was important and the proposals were very pedestrian orientated with priority over traffic flow.

Councillor Hodson referred to the Car Park and commented that the proposed access would be where there was already congestion occurring at present with Dykelands Road car park being a quite difficult point of access.

Mr Muir advised that the access to Dykelands Road car park would require some improvements but they had taken careful consideration of the access arrangements and as the parking was split to either end of the site, this was designed to accommodate safe turning.

In response to Councillor Francis query over how many parking spaces would be allocated per dwelling, the Chairman advised that this would be decided at the reserved matters stage once developers had been identified.

The Chairman introduced Mr Frank Hunter, also a resident of Seafields who wished to speak in opposition to the proposals. Mr Hunter referred to the car parking and how Dykelands Road splits into Seafields and with the warm weather, people flooded to the beach which filled up the current car park and

surrounding streets so that emergency vehicles experience difficulty accessing. Mr Hunter believed that these casual use visitors had not been taken into account.

Mr Hunter referred to the SHLAA and believed this was Phase 1 of a concerted attempt to turn Seaburn into a housing development despite the guidelines that were in place for protecting the greenbelt, parks and public car parks. Mr Hunter claimed that the Council were breaking their own rules.

Mr Hunter raised concerns over the Primary Schools in the area which were all full and questioned where children from 270 extra houses would be allocated.

Mr Hunter also raised concerns over the lack of consultation on other minor developments such as the skate park.

Mr Jukes referred to pages 18-19 of the report which covered the housing aspects of the report and the SHLAA, however this was not an allocated document and gave balanced reasons for the loss of open space.

Mr Jukes also advised that he could categorically state that the land was not green belt land and each development was assessed on their individual merits. In relation to the Skate Park mentioned, there were certain permitted development rights which did not require planning permission, such as leisure functions in that case.

The Chairman introduced Mr John Seager, Chief Executive of Siglion, Ian Cansfield and Neil Mcalpine, who wished to speak as the applicants of the development.

Mr Seager informed the Committee that this application was part of a 20 year partnership to help regenerate the City of Sunderland and breathe life into key sites such as the Vaux site, Chapelgarth and Seaburn, with the aim to make it a first choice destination by reinventing the seaside resort just as many other areas across the country had done.

The vision was to allow Seaburn to make a contribution to the economy all year round by complimenting the seafront with leisure offers and the proposal provided a mix of residential and commercial opportunities to provide this.

Mr Seager referred to the concerns raised over car parking and advised that this was why the first phase of the project was to start on the car park. The proposals had been taken to consultation events for a masterplan in 2015 with responses fantastically varied which brought the realisation that more time was needed to adapt to people's needs.

Mr Seager advised that as this was an outline application, should it be agreed it would allow them the time to consult and continue the engagement with the public as communication would be maintained throughout.

Mr Cansfield commented that this was a hybrid development that would attract visitors to the seaside as requested by the masterplan and as there was a significant amount of space there, it allowed many opportunities to ensure the leisure use was sustainable for the long term.

Mr Cansfield advised that some of the houses may be retirement homes that could cater for an aging population and they would continue to be engaging with residents.

In relation to drainage, they had taken a strategic approach with the Council and the drainage engineers so measures would be included to improve the water quality and the statutory consultees in Northumbrian Water had raised no objections to the proposals.

Mr Cansfield commented that they had worked closely with the Council officers and welcomed their recommendation to approve the scheme. Mr McAlpine referred to the Highway network and confirmed that this would be able to operate with minimal impact to the existing junctions. With regards to parking, two surveys had been carried out, one for typical use and also during bank holidays for the worst case scenario. The proposal would deliver 186 spaces in two locations and the access had been subject to independent testing with no issues found.

Councillor Mordey commented that having read the report and listened to both objectors and developers, the proposal being at the outline stage with the car park the only firm detail, he wished to see this approved and looked forward to seeing the development come to fruition.

In response to Councillor Francis' enquiry, the Chairman advised that all reserved matters would be brought back to Committee in due process.

Members having fully considered the report and the representations made at the meeting, it was unanimously agreed that:-

1. RESOLVED that Members delegate to the Director of Economy and Place to approve the application subject to the completion of a Section 106 Agreement as detailed in the report and subject to the 46 conditions contained therein.

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

(Signed) R. BELL  
(Chairman)