

At an extraordinary meeting of the PLANNING AND HIGHWAYS COMMITTEE held in THE COUNCIL CHAMBER on TUESDAY, 29th JANUARY, 2019 at 5.30 p.m.

Present:-

Councillor Scullion in the Chair

Councillors Bell, Chequer, Francis, I. Galbraith, Haswell, Hodson, Johnston, Lauchlan, Mullen, Rowntree, Scaplehorn, P. Smith, Speding, P. Walker and Watson.

Declarations of Interest

There were no declarations of interest made.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors M. Dixon, English, Farthing, Jackson, Mordey, Porthouse, Williams and D. Wilson.

Reference from Development Control (North Sunderland) Sub-Committee

Planning Application Reference: 18/00609/FU4

Development of 64 dwellings along with access, landscaping and other ancillary development. (Amended Site Area: Plans and Information received 12.09.2018) – Land North of Seaburn Camp, Seaburn, Sunderland

The Executive Director of Economy and Place submitted a report (copy circulated) to consider the planning application seeking planning permission for the construction of 64 detached dwellings with associated access and landscaping and an area of Suitable Alternative Natural Greenspace (SANG)

(For copy report – see original minutes)

The representative of the Executive Director of Economy and Place outlined the proposal to Members of the Committee and the relevant material planning considerations against which the application had been assessed.

Councillor Francis referred to Page 9 of the report and in particular the reference to Policy 7 that states permission for other uses on open space would only be granted if alternative green space provision can be provided to replace this provision. Councillor Francis enquired where the alternative land would be.

Ms Vicky Rising, Principal Planning Officer advised that there was no alternative land as they would be upgrading the land in question.

Councillor Francis referred to Page 14 of the report with regards to the access/egress at South Bents. Residents had made many requests for traffic lights as it was dangerous exiting and requests for more detailed surveys to be undertaken.

Paul Muir, Group Engineer advised that in terms of the application, Network Management had insisted the developer undertake a transport assessment early in the year and then additional sensitivity testing outside of school periods. Findings showed that whilst it doubled the amount of trips through that junction, it confirmed that the junction would work.

In response to Councillor Francis request for the numerical data relating to the Haul Road, Mr Muir commented that the Developers Agent may be able to add more detail but they could use residential roads as a construction route and this proposal had been included as a more acceptable alternative.

Ms Sandra Manson, Agent for the Developer advised that the figures provided were based on comparable sites and the Haul Road was offered by Miller Homes to address residents' concerns and had been offered as betterment. This would be managed under the Environmental Management Plan along with Traffic movements, pedestrian activities and Health and Safety, all set out and discharged in accordance with the Local Authority,

With regards to the Parklife program, Councillor Francis commented that there was no provision near Fulwell and enquired why Fulwell was being ignored.

Ms Rising advised that the sites for the Parklife program had been a strategic decision to serve the full city and Fulwell had not been ignored as this proposal would have no detriment to the pitch provision in the area.

Councillor Francis referred to the £236,000 Section 106 contributions and enquired why there was no money being dedicated to Fulwell Schools. Ms Rising informed that a Children's Services Advisor had been consulted with and due to the terms of Section 106, all contributions cannot be put into one area and are subject to pooling.

In response to Councillor Hodson's query with regards to road signage for the new estate, Mr Muir advised that the developer would not be responsible for

providing or replacing signage if needed, this would be a Council responsibility.

Councillor Hodson raised concerns over the residential amenity and the closeness of the development to South Bents. It was felt that South Bents was a distinctive area and as objectors had stated, the proposal changes the character effectively merging South Bents into Seaburn and this didn't seem to have been taken into consideration in the report.

Ms Rising advised that the application provides the opportunity to square off the area and does not change the character of South Bents rather than extend the area.

In terms of the proposed Siglion development, this was on the other side of Seaburn recreation ground therefore there was no risk of the two sites combining.

Councillor Haswell referred to the pooling of section 106 contributions and highlighted a similar development in which the contribution had been given directly to the applicable school. Ms Rising informed that they have to take the advice of the Children's Services experts, who had requested the contributions be diverted to North Sunderland, which included Fulwell as it would depend on the need at any given time and Children's Services direct those resources on a more informed basis.

Councillor Francis commented that Fulwell had one school building that was 100 years old and a second that was 50 years old therefore were in need of additional contributions. The Chairman advised that the Officer had clarified this was the responsibility of Children's Services to determine.

Councillor Haswell referred to the Haul Road and the high to medium risk of flooding and queried what the likelihood was of having to direct construction traffic onto the main routes.

Ms Manson advised that there would be an Environmental Management Plan developed with the contractors to look at the management of surface water, the detailed plan would come before the authority for approval.

The Chairman introduced Mr Bob Latimer who wished to speak in opposition to the proposals. Mr Latimer advised the Committee of his background as a retired mechanical engineer and claimed he had overwhelming evidence that the sewerage network did not have the capacity to serve the proposed development.

Mr Latimer commented that the report stated Northumbrian Water had been consulted and repeated the same claim from 2001 that there was sufficient capacity, a claim which the European Court of Justice investigated in 2012 and found to be in breach.

Mr Latimer commented that 300,000 tonnes of untreated sewage was discharged into the sea and asked Councillors to think of the environment and safety of the Sunderland residents and to reject the application until a full independent inquiry could be carried out on the sewage systems in Sunderland.

The Chairman introduced Ms Kathleen Thompson who wished to speak in opposition to the proposals. Ms Thompson commented that the land in question had been gifted to the people of Sunderland for recreational purpose/sporting activities and was used by residents every day for this.

Ms Thompson commented that should this application be approved, there would be a risk of Seaburn being transformed into a housing estate with 279 dwellings proposed within the Seaburn Masterplan she felt the cumulative impact needed to be considered.

Ms Thompson commented that she felt there had been no transparency in relation to meetings held between individuals and raised issues with regards to the implementation of the SANG.

Ms Thompson concluded residents wanted the area to be a resort and requested the Council not spoil this by building more houses.

The Chairman introduced Mr Michael Hartnack who wished to speak in opposition to the proposals. Mr Hartnack referred to the SANG area and commented that this land was owned by Sunderland City Council and was not situated on Seaburn Camp. He also advised that the land was not accessible as it suffered from floods for 5-6 months of the year and the report had no mention of any covenant to transfer the Land from the Council to Miller Homes for the SANG area.

Mr Hartnack commented that the 279 residential units proposed in close proximity were actually closer than shown on the plan and raised safety concerns with regards to the South Bents Junction as he believed Members were being misled by the Network Management Team over the marked crossing points in the estate.

Mr Hartnack also suggested that the traffic surveys had been carried out at inappropriate times, with roads excluded and also advised that the Seaburn Camp was not a caravan storage site but housed a well-loved caravan fraternity.

The Chairman introduced Ms Val Derbyshire who wished to speak in opposition to the proposals as her property was located on the corner where the proposed haulage road would be implemented.

Ms Derbyshire raised concerns over the accuracy of the plans as they did not account for a previously built extension on her property and the omission of garages in the area, therefore she felt the reports claim of 22 metres distance was misleading.

Ms Derbyshire referred to the noise and the time to build the properties and queried why there was no request for noise assessments as the road would pass right next to her property.

With regards to drainage, Ms Derbyshire advised that the drainage ditch was to be built near her property and she suspected that the levels of the land and slope had not been taken into consideration.

Ms Derbyshire concluded that she felt not enough work had been done on this and that the application should be rejected as it was the wrong development for this area.

The Chairman introduced Mr John Shield who wished to speak in opposition to the proposals. Mr Shield raised queries over the construction traffic which would use the gate pillars presently there and as the wall was 1.8metres high, traffic approaching would be unable to see traffic. Large vehicles would find it impossible to turn onto the access route and find it similarly difficult to exit without encroachment.

Mr Shield commented that they must expect severe disruption for incoming traffic when waiting for construction traffic to turn and the report had no mention of control measures/right of way for users.

Mr Shield referred to the capability of the junction and the 279 houses (344 in total) proposed and felt it was foolish to think that these developments would not be connected in future.

The Chairman introduced Mr and Mrs McConnell who wished to speak in opposition to the proposals. Mr McConnell believed there were conflicts of interest involved which needed to be properly investigated first. Mrs McConnell referred to the plans to develop sports fields in areas such as Washington and queried why money would be spent on such projects when we already had this playing field in Seaburn that was going to be given away for housing.

The Chairman introduced Councillor Beck who wished to speak in opposition to the proposals as Ward Councillor for the area. Councillor Beck commented that the road in question did get very busy and during such events as the Airshow and Illuminations, people would be blocked in creating turmoil. Councillor Beck advised that she wished for the green field to remain and that she was against this proposal, agreeing with the objectors.

The Chairman introduced Mr Jeroen Pichal who wished to speak in opposition to the proposals. Mr Pichal referred to the sewage in the development and his belief that Northumbrian Water had no understanding of the situation or which manhole covers were connecting the dwellings as the one stated in the report led straight to the storm interceptor, built for storm overflow only.

Mr Pichal also suggested that the representations submitted by the Archaeologist were incorrect in offering no objections as local historians had confirmed that no work should commence until studies were carried out as the area was confirmed to be of archaeological interest.

Ms Rising referred to the gifting of the land and advised that this was covered within the report; it was not relevant to the determination of the planning application as this would be a civil matter between the developer and the land owner.

With regards to a cumulative effect, it was not possible to show this and should the application be rejected on those grounds then the Planning Inspectorate would immediately overturn the decision.

Ms Rising commented that the SANG would be subject to a Construction/Environmental Management Plan which would show how it would work and how it would be available for use. In relation to standing water in the SANG, there was no development proposed in the SANG.

In respect of the Archaeological comments, Ms Rising advised that trowel trenching had already been done on the land and the archaeologists had submitted their findings in writing that no further work was required.

Ms Rising acknowledged the clarification that the site was a Camp site and not a storage site.

In relation to Members conflicts of interests, Ms Rising advised that this was not for Officers to comment on but any supposed meetings that took place were not part of Officers consideration when determining the recommendation for this application.

With regards to vehicle movements and disturbance, if Members considered the inclusion of the Haul Road to be too problematic then the proposal could be removed from the application and the main routes used.

Ms Rising advised that she would defer to the representative from Northumbrian Water in relation to the sewage but they had indicated that the system was able to be connected to the current systems in place.

The Chairman introduced Mr Les Hall of Northumbria Water to address the Committee. Mr Hall advised that he had 37 years of experience and could confirm that there was satisfactory foul water and that this would not be discharged into the sea. Mr Hall apologised if there was an error with regards to the specific manhole number listed in the report and he would have that double checked.

Mr Hall also confirmed that this could be dealt with by condition with the Drainage Plan.

With regards to the concerns raised by Mr Latimer, there had been £10 million of improvements made to the sewage network and there were no issues expected with sewage from the estate with flows not discharging direct into the sea and the European Parliament legal proceedings were not relevant to this proposal.

Paul Armin, Flood and Coastal Group Engineer informed the Committee of the specifications of the storage basins and side slopes and advised that it was their judgement that the proposal would not cause flooding on the estate.

In respect of the traffic concerns raised, Mr Muir acknowledged that the development would increase traffic but going back to the assessments carried out it was shown that the junction would be able to cope without issues. The assessments were taken in January/February during school holidays and additional sensitivity tests of the junction were taken in June, outside of school holidays.

There was provision for the safety of pedestrians with footways present for crossing points. The Haul Road access concerns were noted and the proposal offered up by the developer was an alternative to using South Bents Avenue.

With regards to Seafront Events, these were managed by the Local Authority via road closures and were not relevant to this application.

At this juncture the City Solicitor advised that Councillors Francis and Scaplehorn, who had left the meeting during part of the representations given, would not be able to take part in any subsequent vote on the decision.

Ms Rising read out a late submission from Ms Allison Hicks who had objected to the proposals. In response to the submission Ms Rising referred to previous statements that the status of the ownership of the land was not a material planning consideration.

The Chairman introduced Ms Sandra Manson, the agent on behalf of Miller Homes, to speak in favour of the development. Ms Manson commented that a great deal had been raised during presentations which she could not address all in the time allocated but was happy to respond to any questions.

Ms Manson advised that they had worked with the University and Local Authority to provide a report that was full and robust with the proposal having received no objections by the statutory consultees.

The site was included in the SHLAA and following initial advice the University selected one developer to bring forward the proposal who then commenced engagement with the community. The scheme responded to concerns raised by residents in the area, addressing surface water issues, the retention of major trees on site resulting in respectful boundaries. This approach also resulted in the reduction in number of houses to be built from 114 to 64 dwellings.

The traffic assessments carried out went beyond the level required and mitigation was provided for the loss of open space with Section 106 contributions to provide improvements.

Ms Manson commented that this scheme provided executive housing in the area, which was an identified need in the SHLAA.

In response to Councillor Hodson's query over an objectors suggestion that Cabinet Members had already pre judged the application in previous meetings, The City Solicitor advised that it was up to individual Councillors to decide if they had pre judged the application but all Members were free to determine the business put forward at this meeting if they still retained an open mind.

Full consideration having been given to the item, the application was put to the vote with 10 Members voting in favour and 3 Members voting against it was therefore :-

1. RESOLVED that Members be minded to grant consent under Regulation 4 of the Town and Country Planning (General Regulations) 1992 (as amended), subject to the draft conditions set out within the report and subject to the completion of a legal agreement under the provision of Section 106 of the Act. The approval was also subject to confirmation of no objection from Natural England and non-intervention from the Secretary of State

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

(Signed) A. SCULLION
 (Chairman)