

# Sunderland Local Plan Examination

## Hellens - North Hylton

### Matter Statement 7 - Strategies and Allocations for North Sunderland

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Issued April 2019

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#### 1.0 Strategic Policies

##### (1.2) Are Policies SP4 and SS4 justified and effective?

- 1.1 As set out in Hellens' representation to the Regulation 19 consultation on the CSDP Publication Draft, Hellens considers Policy SP4 to be justified and effective.
- 1.2 In respect of its land interest at North Hylton, Hellens supports the Council's approach to the release of land from the Green Belt in the North Sunderland sub-area for residential development. Hellens agrees with paragraph 4.49 which states that the area "*remains one of the most sustainable locations with good transport links to the City Centre and metro linkages to Gateshead and Newcastle*".
- 1.3 Paragraph 4.49 explains how "*Due to the tight boundary constraints of the North Sunderland sub-area. There is limited opportunity for growth*". Hellens fully agrees with this contextual position which has led to suppressed housing need. Accordingly, Hellens agrees that amendments to the Green Belt are required to allow for sustainable expansions of settlements to meet the long term needs of the city.
- 1.4 Policy SP4(2) details the Housing Growth Areas which include Hellens' land interests at North Hylton. Whilst Hellens strongly supports the allocation of the site, the proposed housing allocation represents a partial extent of the land available for development.
- 1.5 Hellens, regards the allocation of land at North Hylton as a Housing Growth Area the most appropriate strategy, when considered against the reasonable alternatives. However, Hellens preferred approach would be to allocate the wider site area for delivery within the plan period.
- 1.6 Hellens also requests the following change to Policy SP4 as it considers that it would more effectively deliver the strategic priorities of the CSDP:  
*"North Sunderland will continue to be the focus for regeneration and renewal whilst ensuring its future sustainability. In order achieve this:*  
..."
- 1.7 In order to be effective, policies should be deliverable over the plan period and based on effective joint working on cross-boundary strategic priorities. Hellens considers that, with regards to its land interests at site HGA7, the policy is effective as the site is deliverable in accordance with the policy requirements as explained in our answer to question 4.3.
- 1.8 As set out in Hellens' representation to the Regulation 19 consultation on the CSDP Publication Draft, Hellens considers Policy SS4 to be justified but not effective due to the potential conflict with other policies in the CSDP and due to some specific aspects of the allocation at HGA7.

- 1.9 Hellens broadly supports Policy SS4 but offers the following comments in response to each of the sub-points.
- 1.10 SS4(1) states that development should “*provide a mix of housing types with a focus on family homes*”. Whilst this appears to be a reasonable requirement, it is currently unclear whether this aligns entirely with the requirements in Policies H1 (Housing mix) and H2 (Affordable Homes). For instance, Policy H1 in particular encourages the provision of larger detached dwellings which is supported to vary the existing housing stock and support economic growth initiatives. However, it is unclear whether this is the same as requiring a *focus on family homes*.
- 1.11 SS4(2) states that development should “*address impacts and make provision or contributions towards education provision and healthcare*”. In order to be effective, this should be linked to the planning obligation tests set out in the NPPF (2012) (paragraph 204). Accordingly, we request the following amendment:
- “*2. address impacts and make provision or contributions towards education provision and healthcare where justified and necessary.*”
- 1.12 SS4(3) states that development should “*enhance access to local facilities and services and.*”. As currently drafted, the requirements upon the applicant are not clear and thus the policy is not effective. We suggest that the following amendment would provide clarity and ensure the effectiveness of the policy:
- “*3. enhance access to local facilities and services where appropriate and.*”
- 1.13 With regard to the Housing Growth Area HGA7 North Hylton, Hellens strongly supports the Council’s approach to the release of land from the Green Belt for residential development and the proposed allocation of the site. However, it considers that the allocation would more effectively deliver the strategic priorities of the CSDP if all of the land available for development were allocated.
- 1.14 The development of additional homes on the site will deliver significant and lasting economic, social and environment benefits to the local community. Socially, it would further contribute to meeting Sunderland’s housing requirement, widening the range and choice of new homes in the wider North Sunderland sub area, whilst concurrently helping to retain and attract economically active, skilled residents who will generate significant local area spending, enhancing the vitality of local services.

## 2.0 Identification of Sites

### **(2.1) Do the Green Belt assessments support the HGAs in North Sunderland and demonstrate exceptional circumstances for the removal of land from the Green Belt?**

- 2.1 The Council’s suite of evidence relating to the Green Belt comprises the following reports:
- Green Belt Review Stage 1 – Core Strategy Growth Options Stage (2016) (SD.29);
  - Green Belt Assessment Stage 1 Updated and Stage 2 (2017) (SD.30);
  - Green Belt Site Selection Report (2017) (SD.31);
  - Green Belt Assessment 2018 Addendum (2018) (SD.32);
  - Review of the Sunderland Green Belt Part 1: Exceptional Circumstances for Releasing Land from the Green Belt (2018) (SD.33); and

- Review of the Sunderland Green Belt Part 2: Boundary Assessment and Recommendations (2018) (SD.34).

- 2.2 Together these reports provide an iterative approach to the selection of sites for release from the Green Belt for housing development. The Green Belt Site Selection Report (2017), which provides the third stage of assessment identifies 15 sites proposed as Housing Release Sites, which includes the two HGAs in North Sunderland.
- 2.3 The Review of the Sunderland Green Belt Part 1: Exceptional Circumstances for Releasing Land from the Green Belt (2018) report provides an assessment of whether there are exceptional circumstances which justify amending the Green Belt boundary within Sunderland City Council's administrative area. The report concludes that exceptional circumstances do exist that justify the removal of land from the Green Belt in SCC's administrative area.
- 2.4 The exceptional circumstances relate to the housing need and land supply as well as the spatial distribution of housing land, and the need to support economic growth. The recognised imbalance in the spatial distribution of identified housing land supply is particularly relevant to the justification for releasing the HGAs in North Sunderland. The report finds that the lack of identified housing land supply in the north of the city compared to the south, is leading to an over-concentration of supply in one location and pressure on local infrastructure.
- 2.5 Hellens therefore considers that the Council's evidence base relating to the Green Belt provides robust support for the HGAs in North Sunderland, and positively demonstrates exceptional circumstances for the removal of land from the Green Belt.

**(2.2) If exceptional circumstances have been demonstrated have these been clearly articulated in the Plan?**

- 2.6 The exceptional circumstances which justify the removal of land from the Green Belt are set out in the Spatial Strategy (section 4 of the CSDP), and paragraphs 4.14 – 4.28 are of particular relevance.
- 2.7 Hellens strongly supports the Council's stance on the need for Green Belt release sites to meet the needs of the City. It also considers that the plan provides a clear and comprehensive explanation of the exceptional circumstances which exist to justify the removal of land from the Green Belt.

**(2.3) Are the configuration and scale of the HGAs justified taking into account development needs and the Green Belt assessments?**

- 2.8 The proposed allocation HGA7 represents a partial extent of the land available for development and is a reduction from the area proposed for housing development in the Draft CSDP (Policy SA3). A parcel of land adjoining the south west part of the site is no longer proposed to be released from the Green Belt. Policy HGA7 proposes the delivery of approximately 110 new homes compared to the former Policy SA3 (in the Draft CSDP) which proposed delivery of approximately 135 dwellings.
- 2.9 The site assessment in the Green Belt Site Selection Report (2017) is based on the extent of the wider site and is fully supportive of the release of whole site. In line with this assessment, Hellens' preferred approach would be to allocate the wider site area for delivery within the plan period.

- 2.10 Given that the existing Green Belt boundary is drawn tightly around existing development in the North Sunderland sub area, Hellens is concerned that the limited land availability could result in the need for further release of Green Belt land during the next plan period or potentially sooner in the Local Plan review. Allocating the wider site area (at HGA7) would reduce this risk.

## 3.0 HGA7 – North Hylton

### **(3.1) Does the updated HRA indicate that development of the site will have no significant effects on the integrity of the Coastal Sites of European importance?**

- 3.1 The Council submitted updated HRA reports considering the likely effects of the CSDP, one of which, ‘North Sunderland Sites Report to inform Habitat Regulations Assessment (EX1.015)’ assesses the likely significant effects that may arise as a result of the development of the North Sunderland sites, including HGA7 (North Hylton) - the site Hellens are promoting.
- 3.2 Hellens supports the conclusions of the North Sunderland Sites Report to inform Habitat Regulations Assessment (EX1.015) which are that *‘When the proposed mitigation measures described within this report are adopted it is concluded that the development of the North Sunderland Sites will not have any adverse effect on the integrity of the Northumbria Coast SPA/Ramsar sites or Durham Coast SAC. There will be no residual effects on any European sites.’*
- 3.3 The conclusions of EX1.015 are endorsed by the Statement of Common Ground (SOCG) between the Council and Natural England (EX1.016), which, in reference to the updated HRA states:
- The Council have prepared an updated HRA for the Plan and supplementary HRA for North Sunderland Regeneration sites which identifies the necessary mitigation for both HGA7 and HGA8...The Council and NE (Natural England) are now satisfied that the additional work undertaken within these reports has satisfactorily met the requirements to undertake Appropriate Assessment under the Habitats Regulations and identifies the necessary mitigation to ensure that there would be no adverse impact upon the integrity of the European designated sites.*
- 3.4 Hellens considers that the updated HRA and SOCG referred to above provide sufficient assurance that development of HGA7 will have no significant effects on the integrity of the Coastal Sites of European importance.

### **(3.2) Is the Council satisfied that the landscape, heritage, biodiversity, access, transport, drainage and other constraints are capable of being mitigated so that development of the site would be acceptable?**

- 3.5 Hellens is supportive of the Council’s assessment that the constraints to development can be mitigate so that development of the site would be acceptable as set out below.
- 3.6 A Landscape and Visual Appraisal (LVA) has been prepared by Wardell Armstrong to provide technical landscape evidence to support the allocation of the site (and is submitted with this response). Following the recommendations of the LVA, the development will incorporate viewing corridors to enable long distance views.
- 3.7 The Contextual Analysis section of the Council’s Development Framework includes commentary on the site in relation to Green/Blue Infrastructure; Movement and Accessibility; Ecology and

Heritage and Archaeology. We have also considered the Council's SHLAA (2018) (site ref. 416B and 416A) which identifies similar considerations including impact on landscape; ecology and priority species; surface water flooding. The SHLAA concludes that the site is "not suitable as within designated Green Belt, with multiple site constraints." We appreciate the current assessment is made in the context of the site's current Green Belt designation, however it is evident that there are no insurmountable constraints to development which cannot be overcome.

- 3.8 The submitted technical assessments provide detailed responses although we have also sought to highlight the key issues below and provide clarity on the status of the constraints identified in the Development Frameworks document and the SHLAA.

*Green/Blue infrastructure*

- 3.9 As explained above, an LVA has been undertaken by Wardell Armstrong which concludes that an appropriate landscape buffer can be accommodated on site. The Landscape and Visual Appraisal concludes that the residential development of the site, with appropriate landscape mitigation, would not contribute towards the coalescence of settlements and would not adversely affect the openness of land within the green Belt, nor bring about unacceptable landscape and visual effects. The LVA also outlines how development at the site could deliver new green infrastructure which would strengthen the local and city-wide networks and therefore contribute to delivering other CSDP objectives.

- 3.10 In terms of flood risk, a Flood Risk and Drainage Impact Assessment undertaken by Portland Consulting Engineers affirms that the site is within Flood Zone 1 and therefore has a low (less than 1 in 1000) probability of flooding and residential development is a suitable use for this site. The provision of SUDS would ensure the effective management of surface water and the FRA has identified that it would be feasible to discharge the surface water from the site into a watercourse.

*Archaeology and Heritage*

- 3.11 A Heritage Impact Assessment has been undertaken by Wardell Armstrong to assess the direct and indirect impacts upon the above and below ground heritage assets. Consistent with the findings in the Council's Development Frameworks document it identifies that the site of the former Hylton Place is located in the north eastern part of the site. Records indicate that it then became Grange Farm before it turned to ruin by the middle of the 20th century. The Development Framework describes how community project was carried out to investigate the potential for Roman structures in and around the site however no definitive evidence of archaeological features were found on the site.

- 3.12 With regards to above ground heritage assets, Shipwrights public house (Grade II Listed) is the nearest listed building however due to the topography and intervening vegetation, there is very limited inter-visibility between the site and the property. In terms of the wider area, Penshaw Monument is visible from the site however it is located in a prominent position more than 3km from the site and set within a context of development. Development of the site would seek to include viewing corridors towards the Monument consistent with Policy HGA7(viii).

*Ecology*

- 3.13 An Extended Phase 1 Habitat Survey has been undertaken by Applied Ecological Services Ltd. This identified two Local Nature Reserves and four SSSIs recorded within a 2km radius of the site and that it is unlikely that any future development proposals would impact directly upon

these sites. The report identifies that the site supports a limited range of habitat types and some have the potential to support or provide habitat for protected/priority species to be present, including bats and breeding / nesting birds.

- 3.14 The report identified that peripheral habitats and trees within the site are incorporated into further development proposals, which is achievable. Bat and breeding bird surveys would be required to inform any future planning application. Habitat enhancement can also be undertaken as part of any future planning application.

### *Movement*

- 3.15 A Transport Appraisal has been undertaken by SAJ Transport Consultants to assess the access options, accessibility and traffic impact. The Transport Appraisal sets out that access is envisaged from Ferryboat Lane via a priority T-junction and that good access to the surrounding local and strategic road network can be achieved which is consistent with the Development Frameworks document. The Transport Appraisal sets out that the site is accessible and connectivity can be enhanced further as part of any planning application.
- 3.16 As evidenced in the Transport Assessment undertaken by SAJ Transport Consultants (October 2017) planned improvements on the surrounding road network associated with the Sunderland Strategic Transport Corridor and the A19 Corridor will reduce impacts associated with the proposed development. Importantly, the TA demonstrates that the site is not dependent on these works.
- 3.17 The Statement of Common Ground (SoCG) between the Council and Highways England (HE) (SD.8k) explains that HE used their own modelling to forecast the cumulative impacts on the strategic road network of the development proposed in the CSDP. The SoCG concludes that, with identified mitigation schemes, the cumulative impact of the development proposed in the CSDP will be acceptable to 2028, and that suitable mitigation can be developed to mitigate impacts up to 2033.
- 3.18 Existing public transport services are available in the vicinity of the site along with public rights of way and national cycle routes. There are opportunities to enhance these which can be explored at the planning application stage.

### **(3.3) Are all the policy requirements within HGA7 necessary and clear to the decision maker?**

- 3.19 Policy HGA7 sets out a series of sub points and requirements for development. We provide the comments below along with requested changes where necessary:

#### **ii. create a new defensible Green Belt boundary to the west, south and east of the site;**

- 3.20 Hellens agrees that a new defensible Green Belt boundary should be created, however this should also be balanced with the need to ensure that the Green Belt boundary will not need to be altered again at the end of the plan period. By releasing an increased area of land – consistent with that proposed in the Draft CSDP – this would ensure provide further flexibility for growth and it would also provide an opportunity to create a new Green Belt boundary which strengthens the Green Infrastructure whilst also enhancing the quality of the wildlife corridor.



3.21 If the Council does not support this approach to allocate the additional land for delivery of housing in the plan period, Hellens considers that the additional land should be removed from the Green Belt and included within Policy SS3 as safeguarded land.

***v. retain all healthy trees and hedgerows where possible and incorporate greenspace into the site for amenity purposes/minimise impact on priority species and protected habitat in the locality;***

3.22 There is a need for additional flexibility in sub point v. Hellens intends to retain healthy trees and hedgerows, however the loss of *some* trees/hedgerows may be necessary (eg. to create the site access or internal roads). The development will adopt a landscape-led approach will incorporate additional planting and deliver new Green Infrastructure.

***viii. ~~be of high architectural quality to protect~~ seek to retain long distance views throughout the development towards Penshaw Monument and along the River Wear Corridor;***

3.23 Sub point viii appears to be justified in landscaping terms and would be achieved through input from a Landscape and Visual Assessment rather than through architectural design quality. A Landscape and Visual Appraisal (LVA) has been prepared by Wardell Armstrong to provide technical landscape evidence to support the allocation of the site (and is submitted with this response). Following the recommendations of the LVA, the development will incorporate viewing corridors to enable long distance views.

3.24 The above comments are also applicable to the relevant sections of the Council's Development Frameworks (2018) document which forms part of the CSDP evidence base. In the section on HGA7, the accompanying text to the Parameter Plan and the repeated text from Policy HGA7 on the subsequent page, should be updated as per the suggestions above.

### **(3.4) Is the site deliverable?**

3.25 In accordance with footnote 11 of the NPPF (2012) the site allocated as HGA7 North Hylton is deliverable. Hellens, as land owner can confirm that the site is available for development. It also considers that delivery of the site is achievable given that it is a greenfield site with no known abnormal development costs. In summary, there is a realistic prospect of the first phase of development proposed in the allocation being delivered within 5 years of the plan being adopted.

## **4.0 HGA8 – Fulwell**

**Does the updated HRA indicate that development of the site will have no significant effects on the integrity of the Coastal Sites of European Importance?**

4.1 Hellens has no comments on the proposed allocation HGA8 Fulwell.

**(4.2) Is the allocation appropriate in view of the need for a Playing Field Assessment?**

4.2 Hellens has no comments on the proposed allocation HGA8 Fulwell.

**(4.3) Is the Council satisfied that heritage, biodiversity, access, transport, drainage and other constraints are capable of being mitigated so that development of the site would be acceptable?**

4.3 Hellens has no comments on the proposed allocation HGA8 Fulwell.

**(4.4) Is the site deliverable?**

4.4 Hellens has no comments on the proposed allocation HGA8 Fulwell.

## **5.0 Infrastructure**

**(5.1) Will the infrastructure to support the scale of development proposed in North Sunderland be provided in the right place and at the right time, including that related to transport, the highway network, health, education and openspace?**

5.1 Strategic Priority 13 of the CSDP is to *'ensure that the city has the infrastructure in place to support its future growth and prosperity.'* and this will be delivered by policies *'ID1 Delivering Infrastructure'* and *'ID2 Planning Obligations'*. The CSDP is supported by the Infrastructure Delivery Plan (IDP) (SD.59) which sets out the infrastructure requirements associated with the development planned through the CSDP and discusses how planned provision will be delivered.

5.2 The IDP is informed by infrastructure providers and sets out the infrastructure projects needed to deliver the CSDP. The IDP considers the level of growth planned for the City, and whilst it considers the requirements arising from the development of the strategic development sites, this does not extend to the HGAs. The CSDP will be supported by the Allocations and Designations Plan, which will provide more detailed policy requirements for the allocated sites, including the HGAs. It is intended that the IDP will be updated regularly and that any requirements identified through the development of the Allocations and Designations Plan will be included in a future iteration of the IDP.

5.3 Further information regarding the requirements and associated solutions for specific types of infrastructure is provided in the evidence base which support the CSDP. Of particular relevance are:

- Sunderland Green Infrastructure Strategy (2018) (SD.46);
- Greenspace Audit and Report (2018) (SD.47);
- Sunderland Local Plan – Initial Assessment of Transport Impacts and the two subsequent addendums (2017-18) (SD.51, SD.52 and SD.53); and
- Local Plan Education Planning Report (2018) (SD.62).

5.4 The CSDP is also supported by a series of Statements of Common Ground between the Council and Infrastructure providers. These, together with the evidence documents described above, provide assurances that, through continued joint working between the Council and providers, the necessary infrastructure will be provided in a timely fashion.



## 6.0 Delivery

### **(6.1) Are the assumptions about the rate of delivery of sites in North Sunderland realistic (anticipated delivery is shown in Appendices A,B,F and L of the SHLAA)?**

- 6.1 The delivery rates in the SHLAA assume that the site would be delivered over a 4 year period, specifically that 20 units would be delivered in the year 2025/26 and that 30 units would be delivered in the 3 following years (2026/27, 2027/28 and 2028/29).
- 6.2 As land owner, Hellens is satisfied that these delivery rates are realistic and may even be conservative.