

Dated May 2019

Representations by Mr R Delaney  
to the Core Strategy and Development Plan

---

**Statement of**

Mr Andrew Moss BA(Hons), Dip TP, MRTPI

---

1. **Introduction**

- 1.1. This Statement is submitted on behalf of Mr R Delaney, a smaller builder. The importance of small builders and small sites contributing to housing supply has been noted in recent years including in revisions to the NPPF and the Planning Practice Guidance.
- 1.2. Mr Delaney's intention was to develop SHLAA site 464B (Land to the East of The Granaries, Offerton) with an executive style housing development of around 10 houses. Mr Delaney is experienced in delivering such housing in the City having for example developed The Granaries, Offerton, the development adjoining SHLAA site 464B. Mr Delaney believes there is a need for such housing in the City and on a site close to Nissan. The SHMA Update 2017 states for example, *"There is very little demand for, or availability of, high end rental properties in the area. Agents believed this was largely due to the location of the main employers within Sunderland and suggested that Executives tend to seek properties in the surrounding areas of Newcastle, Durham or Gateshead and commute to the area"* (para 4.46). Mr Delaney considers the same is also the case for market housing, executives tending to seek properties in Newcastle, Durham and Gateshead and to travel in. This is reflected in the SHMA Update 2017 which states for example, *"Overall, in Sunderland, executive housing provision could have a role in response to the need for the diversification and expansion of the sub-regional economy and in contributing towards achieving wider population and economic growth objectives for the Region"* (para 4.78). Further evidence is provided in relation to the need for additional executive housing in the City in the Statement submitted for Matter 5.
- 1.3. There have been positive discussions with officers about SHLAA site 464B going back to 2013. Positive discussions with officers continued with amongst other things the site being proposed as a Housing Release Site in the Draft Core Strategy and Development Plan July 2017 and a planning application being invited in March 2018.
- 1.4. Subsequently, out of the blue with no reasons, explanation or justification given, in May 2018, the Publication Plan circulated to Cabinet dropped the previously proposed allocation for the site leaving Mr Delaney no option but to participate in this Examination.

- 1.5. Mr Delaney is looking to the Plan for certainty. As a small builder it is important that he de-risks sites as far as possible. As set out above he has been working with officers in relation to this site since 2013 and has submitted representations at all stages in the preparation of the Plan and its evidence base including those dated 6 July 2018 to the Publication Draft Plan. This Statement is to be read in conjunction with these representations.

2. **Inspector's Questions Matter 2, Issue 2**

Question 2.1

- 2.1. Reasoned justification paragraph 2.48 states that the Council's SHLAA identified only 44% of new homes will be delivered on brownfield land. Mr Delaney considers this is too low, not sound and that an increased percentage of new homes should be delivered on brownfield land. In this respect there are suitable brownfield sites available, SHLAA site 464B (Land to the East of The Granaries, Offerton) for example.

Question 2.2

- 2.2. Mr Delaney's interest is in relation to SHLAA site 464B (Land to the East of The Granaries, Offerton), a previously developed site within the Coalfield area.

- 2.3. SHLAA site 464B has been promoted at all stages in the preparation of the Plan.

- 2.4. The site was considered in the Stage 3 Green Belt Site Selection Report 2017, SD.31. The Site Assessment found;

*"This portion of land constitutes brownfield land ... "* Appendix 1, page 51, table row 9.

- 2.5. The overall site conclusion was;

*"Actively marketed by Ward Hadaway, this cleared brownfield site lies on the edge of Offerton in a central part of the Green Belt. This land would not be proposed for Green Belt release, but may come forward as a brownfield site within the Green Belt",* Appendix 1, page 51, table row 15.

- 2.6. A copy of the Stage 3 Green Belt Site Selection Report Site Assessment is provided as **Appendix 1** to this Statement.

2.7. Mr Delaney supports the Site Assessment to the extent that it confirms that the site is previously developed land. Mr Delaney considers however that in a Plan led system the Plan should release the site from the Green Belt, and not leave it to coming forward as a brownfield site within the Green Belt. This was the outcome of the Stage 3 Green Belt Site Selection Report. A copy of Map 4 – Green Belt Selection Outcomes Coalfield is provided as **Appendix 2**. It shows the site as proposed for Green Belt release.

2.8. Subsequent to the Stage 3 report, the Council prepared the Core Strategy and Development Plan Consultation Draft. This was considered at a Cabinet Meeting on 19 July 2017. The Executive Summary report prepared by the Executive Director of Place found that there was a need for Green Belt release and on page 7 stated;

*"The Green Belt and Site Selection Assessment identified 15 sites which the Council considered are appropriate for residential development, covering a total of 104.8 hectares, which would result in the loss of less than 3% of the City's overall Green Belt. The following sites are allocated in the draft CSDP as Housing Release Sites and will deliver approximately 1,500 new homes".*

2.9. The site area of SHLAA site 464B is just 0.85 hectares of the 104.8 hectares proposed to be developed.

2.10. The sites listed included;

*"Land to the east of The Granaries, Offerton, (0.9 ha) – Approx 10 dwellings".*

The list therefore included SHLAA site 464B which Mr Delaney promoted and would like to develop in the short term. The report is available at the link below;

<http://www.sunderland.gov.uk/Committees/CMIS5/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=qXL8bbiys1ysiAoYFgl04SxWd%2ffWuR5oBR8hj6FHu0w4%2bAwCZOKn5A%3d%3d&rUzwRPf%2bZ3zd4E7Ikn8Lyw%3d%3d=pwRE6AGJFLDNih225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlq%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPIIEJYlotS%2bYGoBi5oIA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBu>

- 2.11. The Draft Plan was issued for consultation in July 2017. Policy SA3 set out 15 Housing Release Sites including;

*"HRS14 Land to the east of The Granaries, Offerton (0.9 ha) – Approx 10 dwellings".*

- 2.12. It is material that the reasoned justification paragraph 6.12 stated;

*"The limited capacity of the urban area to meet the needs of the city's growing population represents exceptional circumstances that justify release of land from the Green Belt for housing development. This strategic approach and proposed amendments to the Green Belt boundary will allow for sustainable expansions of settlements to meet the long term development needs of the City".*

- 2.13. Mr Delaney supported the proposed allocation, it amongst other things providing certainty as to the future of this previously- developed site, a site suitable for a small builder acknowledging its size and a site suitable for executive housing, a form of housing needed in the City and which Mr Delaney has successfully delivered. It is additionally material that in the late summer of 2017, Mr Delaney started getting the site ready for development in particularly clearing the site for remediation surveys and for the diversion of services. That the site was cleared is acknowledged in the Assessment provided in **Appendix 1**, row 15, Overall Site Conclusion.

- 2.14. In this respect Mr Delaney was confident that subject to planning permission the site could be delivered in the short term. The Council thought similarly the table included as **Appendix 1** phasing the site to deliver early in the Plan period. Additionally, as set out above, positive discussions were continuing including into 2018 with a planning application being invited in March 2018.

- 2.15. The Council subsequently prepared a Publication Draft Plan. It was considered at the Cabinet Meeting on 30 May 2018. According to the Executive Summary report prepared by the Executive Director of Place, residents were particularly concerned that the Plan had not identified sufficient brownfield land for development. The report and the Plan, reasoned justification paragraph 4.28 for example, maintained that Green Belt release was necessary and justified. The Plan however reduced

the number of Housing Release Sites to 11. One of the Housing Release Sites which was deleted was "Land to the East of the Granaries, Offerton", therefore that Mr Delaney was intending to develop. This was out of the blue and inconsistent with an application having been invited in March 2018. Furthermore no reasoned justification was given for the change and why this site was dropped in preference to those retained.

- 2.16. In the context of the need for Green Belt release and the core planning principle of encouraging the effective use of land by reusing land that has been previously developed, this is unsound. A copy of a map prepared by the Council in 2017 showing available brownfield sites is attached as **Appendix 3**. Amongst other things it shows SHLAA site 464B as a brownfield site (SHLAA not currently deliverable). This plan was only made available to us shortly before the deadline for the submission of Statements, we therefore reserve the right to make further points in relation to this Plan and the treatment of Brownfield Sites in the Green Belt at the Examination.
- 2.17. It is noted that the Green Belt Assessment Addendum December (2018) SD.32 states that upon further examination *"the site is now considered to constitute greenfield land whereas the previous assessment considered the site to be brownfield land"*.
- 2.18. The time line for the Council changing their stance will be noted.
- 2.19. It is not agreed that the site is greenfield land. That the site is brownfield is evident amongst other things from the ground conditions. It is understood that the Inspector will be making site visits and the Inspector is asked to look at the ground across the site during his visit.
- 2.20. It is material that it has and continues to be used as a builders store. It is acknowledged that in late 2017 weeds did grow on a portion of it, this was as a result of clearing a portion of the site to get it ready for surveys and for development in accordance with the Draft Plan, Mr Delaney being confident subject to planning permission that the site can deliver in the short term.
- 2.21. For the reasons discussed above the Plan has not robustly explored the effective use of brownfield land to meet development needs. In turn to leave the site to come forward by way of a planning application is not sound in a Plan led system.

3. **Inspectors Questions Matter 2, Issue 3**

Question 3.1

- 3.1. In principle exceptional circumstances have been demonstrated for the alteration of Green Belt boundaries.

Question 3.2

- 3.2. Gateshead Council when preparing the Core Strategy for Gateshead and Newcastle did not remove a number of brownfield sites in the Green Belt and did not allocate them, they generally allocating large greenfield sites suitable for volume housebuilders. The Inspector considered objections in relation to this in his report dated 24 February 2015. An extract from his report is attached as **Appendix 4**. The Inspector found amongst other things that the housing contribution on small previously developed sites should not be ignored, paragraph 200. Changes to the Green Belt boundary in Gateshead are now being made including for the site in Greenside referred to in paragraphs 199 and 200 in the Making Spaces for Growing Places Plan now being prepared by Gateshead Council and due to be subject of an Examination in Public later this year.
- 3.3. The Council's approach to previously developed sites in the Green Belt has therefore not been consistent with practice established in the Region and in an adjoining Authority , namely that small previously developed sites in the Green Belt should not be ignored.

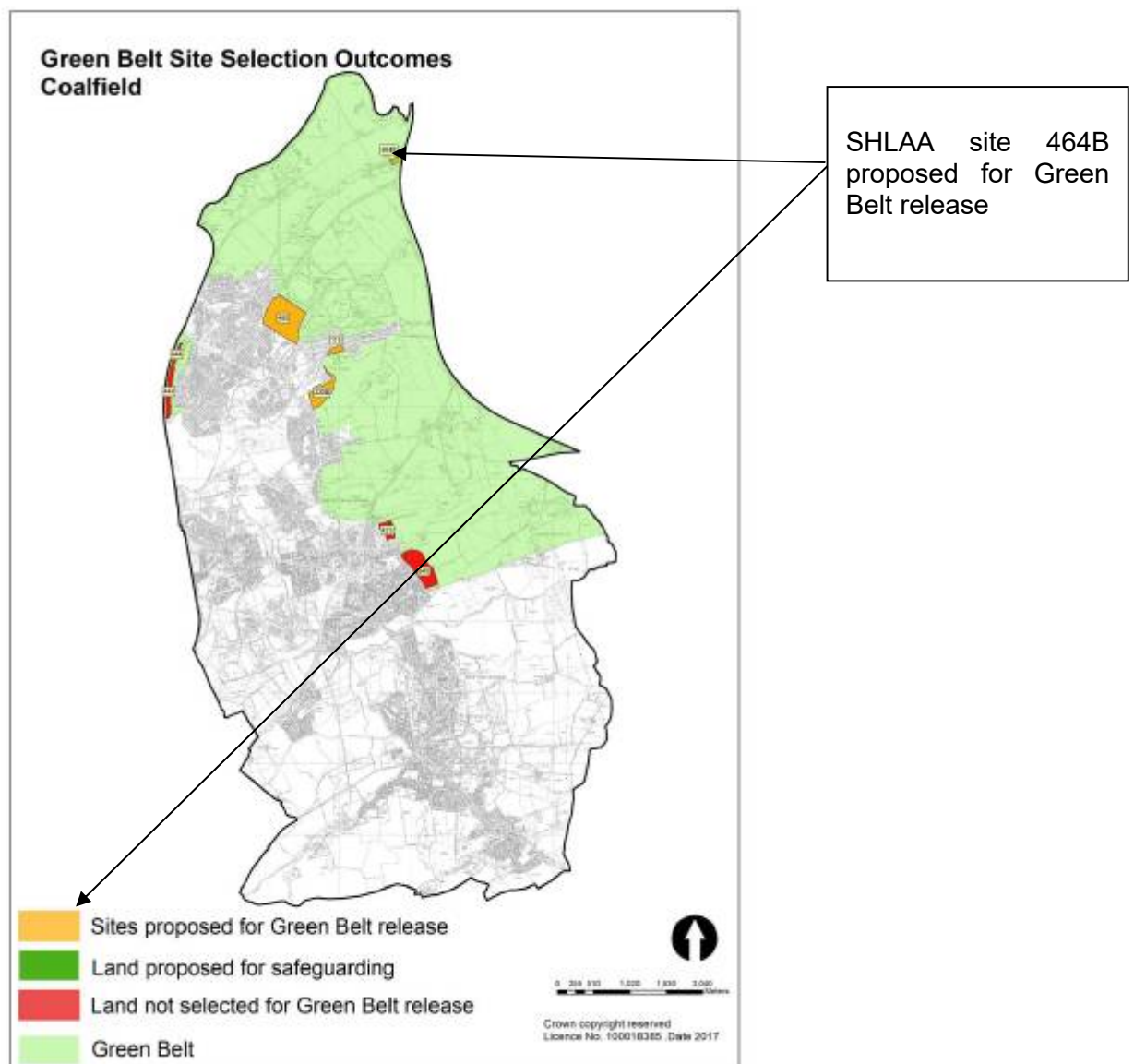
**Appendix 1 : Extract from Stage 3 Green Belt Site Selection Report 2015 – 2033  
(SD.31)**

SHLAA site reference	484B																	
Site name	Land to the east of The Granaries, Offerton																	
Landowner																		
Site agent	Ward Hadaway																	
Indicative housing capacity	10																	
Phasing	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Post 2033
	-	-	-	-	-	-	10	-	-	-	-	-	-	-	-	-	-	-
Green Belt Stage 1 Review	Area considered to be fundamental to the purposes of Green Belt. The hamlet of Offerton is expected to remain "washed-over" by the Green Belt. This portion of land constitutes brownfield land, and there is no proposal to remove the site from the Green Belt.																	
Green Belt Stage 2 Review	No Category 1 constraints affecting the site.																	
Suitability conclusion	Potentially suitable. Ground conditions, physical constraints, hydrology and access appear to be suitable and feasible and there is no impact to Category 1 constraints. Mitigation to particularly focus on reducing the impact to the historic hamlet, the wildlife/GI corridor and area of high landscape value, and to noise/air/vibration issues in relation to the adjacent A19.																	
Sustainable access conclusion	Partly sustainable, distanced from local facilities but within walking distance of a main public transport route.																	
Availability conclusion	Site is considered available for development- site is promoted by developer with no known legal issues to consider.																	
Achievability conclusion	Site is considered to be achievable for development, consisting of a greenfield site that appears to be free from abnormal costs, and in a desirable location in a high market value area.																	
Overall site conclusion	Actively marketed by Ward Hadaway, this cleared brownfield site lies on the edge of Offerton in a central part of the Green Belt. This land would not be proposed for Green Belt release, but may come forward as a brownfield site within the Green Belt.																	
Policy requirements	<ul style="list-style-type: none"><li>• Mitigate against loss of Green Belt and ensure ecological net gain</li><li>• Sensitive design in order to fit in with the historic village of Offerton (and its setting within the Green Belt), and the high landscape value afforded by the Magnesian Limestone Escarpment</li><li>• Design to minimise noise/air/vibration issues relating to the adjacent A19.</li></ul>																	

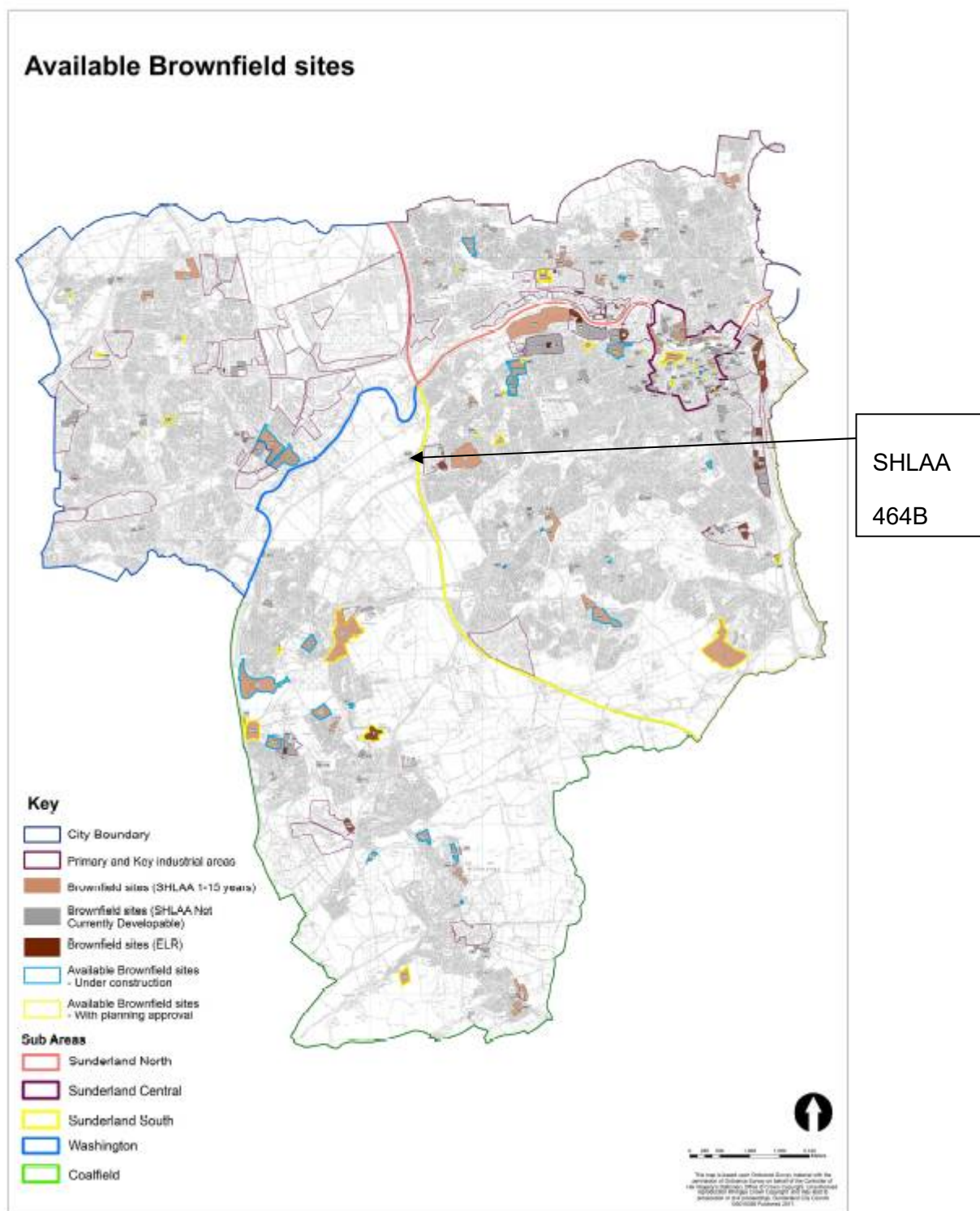


**Appendix 2 : Extract from Stage 3 Green Belt Site Selection Report 2015 – 2033  
(SD.31)**

**Map 4 – Green Belt Site Selection Outcomes - Coalfield**



## Appendix 3 – Map Showing Available Brownfield Sites 2017



## Appendix 4 – Extract from Inspector's Report on the Examination into 'Planning for the Future' : Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne

199. A site at Greenside was rejected at the stage one assessment as being too small to contribute to the strategic housing needs of the borough. It is divided into two small plots: one contains a large store/stable block and the other is occupied by a smaller structure. Based on an appeal decision in 2010, the landowner argues that the site should be removed from the Green Belt. That Inspector observed that the development before him would not cause any additional harm to the openness or visual impact of the Green Belt, but dismissed the appeal on the grounds that any review of its boundaries should take place through the Local Plan process.

200. I agree with my colleague that the openness and visual amenity of the Green Belt at Greenside are compromised by the existing buildings. I also accept Gateshead Council's argument that because the CSUCP is making strategic allocations, very small sites have not been fully investigated. But this does not mean that the housing contribution from small previously developed sites such as this should be ignored.<sup>14</sup> I was advised that there may be potential for 20-30 dwellings on similar sites across the borough. Because the Council is preparing its Local Plan in two stages, it should consider whether very minor Green Belt adjustments to sites such as this are warranted at the next stage of plan preparation.

201. A number of sites failed the stage one Green Belt assessment carried out jointly by the Councils in 2011 and were subsequently promoted late in the selection process, after the detailed suitability and sustainability analysis had been carried out. Because these sites have not been subject to detailed analysis by Gateshead Council, or to public consultation, a proper comparison with the preferred locations cannot be made. Consequently it is not appropriate to consider them in detail at this examination; they are addressed briefly below.

202. Two parcels of land off Scotland Head, Winlaton would represent a significant projection into the countryside south of the settlement and would appear prominent in the landscape as housing encroached onto the upper slopes of the Derwent Valley. In addition, the western parcel is not wholly contiguous with the existing settlement boundary, and neither parcel would utilise strong boundary features to define the southern limit to development. Even if this land has better access to services and facilities than some of the Village Growth Areas (which is not clear from the partial evidence available), it would not have the regeneration benefits of the latter. Overall there are compelling reasons for excluding it from the Plan.

203. Land to the east of Stargate Lane, Stargate is part of Ryton and lies within the strategic gap to Stella and Winlaton, both parts of the Gateshead urban area. Because the Council regards incursion into the strategic gap to be a critical shortcoming, the site did not progress beyond the stage one assessment. The existing Green Belt boundary is drawn tightly around the eastern edge of Stargate and includes typical urban fringe uses such as a playing field, allotments and rough pasture fields. The proposed housing development would remove part of the allotments and pasture and would enclose the

<sup>14</sup> The Framework gives greater opportunity for the redevelopment of previously-developed Green Belt sites than existed previously. During the examination the Council granted planning permission for a dwelling to replace the existing store/stable block on the larger of the two plots at Greenside.

Treatment of  
small  
brownfield  
sites in Green  
Belt