



R &amp; K Wood Planning LLP

Our ref: RW/JF

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Dear Sir

Sunderland Core Strategy and Development Plan – Matters, Issues and Questions  
Submission of behalf of Mr C S Ford– ID1170835

Matter 2 MIQ Response – Issue 3 and 5

We write with reference to the above and with reference to Matter 2 and the MIQs relating to Issue 3 - Green Belt and Exceptional Circumstances and Issue 5 - The Principle of Settlement Breaks and the Terms of Policy NE7. These responses are supplementary to our previous submissions on the Core Strategy and we would like to make these further comments on the MIQs in line with the guidance published. For ease of reference these comments will be provided under sub headings relating to each issue and the questions posed.

Issue 3 Green Belt and Exceptional Circumstances

In relation to issue 3.1, the question is whether exceptional circumstances have been demonstrated for the alteration of green belt boundaries? We continue to be of the view that this is not the case for the reasons expressed in our previous submissions. Having reviewed matters further, we consider that whilst there is undoubtedly likely to be a need for green belt release, we do not consider that the need for the full extent of green belt release as now proposed, has been satisfactorily proven in line with the thresholds established within the NPPF and specifically paragraph 136 and 137. It is considered that the plan in its current form is unrealistic in relation to its assumption that the identified SHLAA sites in conjunction with the proposed HGAs will meet the housing requirements during the plan period. It is not considered that the delivery levels for SHLAA sites expected within the plan are realistic. This leads us to the conclusion that some release of green belt land will almost certainly be inevitable. At present however, it is not considered that exceptional circumstances have been demonstrated to justify the scale of green belt release now proposed, due to the presence of potentially developable non-green belt land. This remains our view as a result of the continued presence of non-green belt land being available for development such as our client site

at Houghton le Spring (SHLAA ref 181). Notwithstanding the availability of such land the plan nevertheless proposes the release of green belt land. The issue in relation to non-green belt land, as evidenced in relation to our clients site which is located within the proposed Settlement Break, is that the plan appears to be adopting an approach whereby the release of green belt land is being considered more readily and indeed acceptably compared to other non-green belt land. In relation to land within Settlement Breaks, it further appears that land within Settlement Breaks is actually being afforded a greater level of protection than land within the green belt given the large-scale extent of green belt land release than continues to be proposed within the plan. We consider that this approach of seemingly elevating protection of Settlement Break land above that of already designated green belt land, is not in line with the requirements of the NPPF. It is clearly the case that green belt is a long established nationally recognised planning policy which has been in place for many years. Its pre-eminence is considered to be reflected in the fact that the tests for both its designation and alteration are directly addressed within the NPPF. The NPPF puts in place a very high level test in relation to green belt matters because of its status. In this respect, we do not consider that 'lesser' land use planning policies can or should take pre-eminence over green belt. Notwithstanding this, we consider that this is the situation which is present within the Core Strategy. In this context we do not consider that alternatives to green belt release, utilising all available non green belt land, including Settlement Break land has been fully and exhaustively examined and as a consequence we do not consider that exceptional circumstances have been demonstrated to justify the alteration of the green belt boundaries to the extent proposed.

In relation to the question of methodology in issue 3.2, further consideration in relation to methodology related to specific HGA site assessments will be provided in relation to the consideration of each HGA as part of the separate area specific MIQs.

#### Issue 5 – The principle of Settlement Breaks and the Terms of Policy NE7

In relation to the principle of Settlement Breaks, we consider that consideration of this question is in many ways directly linked to the previous question relating to green belt release. This is considered to be the case because in its present form the Core Strategy adopts an approach to Settlement Break policy which in many ways gives it a quasi green belt status. Based on a number of considerations we would submit that a justification for such a policy is in fact no longer present and further that the aims and objectives of the policy, as set out within the SD.48 and Policy NE7 are in fact addressed by other policies within the plan.

Turning first to the purpose of Settlement Breaks, these are noted to be three-fold as set out within SD .48 and policy NE7. These are to prevent the merging of settlements, to assist in the regeneration of the urban areas of the city and to maintain the green infrastructure network. It can clearly be seen that the first two objectives of the policy are an almost direct replication of two of the stated purposes of green belt (NPPF Para 134 b) and e)). This is considered to be further evidence of the quasi green belt approach to policy that the plan seeks to adopt for Settlement Breaks. We consider that this intention is further evidenced within the use of the phrase 'inappropriate development' as identified , within the preliminary views on matters and issues set out in EX1.005. We consider that the use of the word inappropriate, as originally intended, was for the purpose of directly replicating green belt policy. Turning to the third purpose of Settlement Breaks, it can be seen that the maintenance of green infrastructure

networks represents a new introduction to the purpose of Settlement Breaks when compared to previous iterations of the policy as expressed within the last UDP. The purpose was previously expressed as being related to providing open space as lungs for the area as a means of alleviating local deficiencies. The UDP provided specific examples of the areas where this was relevant. This focus has now however been replaced by the current reference to maintenance of green infrastructure networks. The purpose of settlement breaks and the contended need for them has therefore to a degree evolved.

We now consider that there is no valid justification for the maintenance of Settlement Breaks going forward. It is a unique situation within the Sunderland Core Strategy as proposed, that in effect there are three distinct 'non-urban' policy designations now proposed. These are 1) Green belt, 2) Settlement Breaks and 3) Open Countryside (2 and 3 as defined on the proposals map). We do not consider that this approach is now justified or sustainable. We consider that the plan should in fact only contain two non-urban designations, these being either green belt or open countryside. At present, we consider the situation is that the plan is seeking to establish a quasi green belt or 'local green belt' approach within Settlement Breaks. We consider that if such protection is genuinely required then this should really be delivered through the expansion and extension of the existing green belt. This is the appropriate and correct way to achieve objectives 1 and 2 of the Settlement Break policy in line with the nationally stated role of green belts. In reality, it is however clearly the case that the plan cannot on the one hand propose the extension of the green belt, when at the same time also proposing the widespread deletion of green belt land for development purposes. Clearly therefore the plan cannot credibly propose the extension of the green belt. The alternative is therefore that the areas in question should simply be considered as open countryside in line with the rest of the areas designated as such within the local plan.

The requirement for Settlement Break policy and its justification as set out in SD.48, must also be questioned in light of the rest of the local plan content. This is for a number of reasons. The first reason that can be identified is that it is difficult to identify how Settlement Breaks can be justified on the basis of their necessity to help regeneration of the urban areas of the city when the plan is also proposing the deletion of green belt. Given that one of the stated purposes of the green belt is to assist in urban regeneration, if green belt land is now proposed for deletion, it must be concluded that no land exists within urban areas necessitating assistance through restrictive policies such as Settlement Break Policy.

The second point which calls into question the necessity for the policy is in relation to the objective of preventing the merging of settlements. As detailed, this can either be achieved through the extension of the green belt or simply through the inclusion of the land within policy relating to development in the open countryside i.e. policy NE8. This adequately restricts development within areas identified as open countryside and it cannot be identified why a further designation of land as a Settlement Break is necessary to achieve a restriction on such land. The same situation applies in relation to the third stated purpose of Settlement Breaks in relation to green infrastructure networks. The protection of such green infrastructure networks is already specifically addressed within CSDP Policy NE1. This sets out clear restrictions on development affecting Green Infrastructure and criteria for their assessment. Again, we must question therefore why a further policy is required to achieve this aim? In respect of all other considerations relating to land currently within Settlement Breaks in relation to

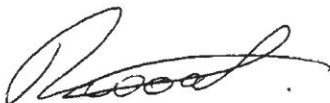


matters such as archaeology, ecology, contamination and all other normal material considerations, it is also the case that adequate other policies exist to address the assessment of any proposed development. In this context we would therefore further question what the justification for Settlement Break policy is? We do not consider that SD.48 does provide adequate justification for the policy.

Finally, in relation to the general extent of Settlement Breaks, for the reasons stated we clearly consider that their extent is unjustified in the context that we do no longer consider that the policy is required. Similarly, in relation to policy NE7 and the question raised in relation to issue 5.2, we consider that the restrictions as set out are too strict and again seek to apply a quasi green belt or 'local green belt' policy approach to the assessment of development proposals. In relation the more specific configuration of Settlement Break boundaries these will be considered further in relation to the specific MIQs for the relevant sub areas of the plan.

We hope that the information contained in this letter is of assistance in setting out our views on the MIQs and trust that should any further clarification be required you will not hesitate to contact us. We look forward to discussing these matters further at the forthcoming examination in public.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Robin Wood', with a stylized flourish at the end.

Robin Wood

On behalf of Mr C S Ford