



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

Response to Matter 7 MIQ Response – The Strategy and Housing Growth Areas for  
North Sunderland

We write with reference to the above and specifically two issues raised relating to 2) The Identification of Sites and 4) Proposed HGA8 Fulwell. 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.

## 2 Identification of Sites

In relation to the question of exceptional circumstances for the removal of land in the green belt within North Sunderland, we maintain our view that these exceptional circumstances have not yet been demonstrated. Whilst we acknowledge that green belt release within the plan area and within the North Sunderland area will undoubtedly be required to meet housing need, at present we do not consider that exceptional circumstances have been demonstrated to justify the extent of green belt release currently proposed. This is on the basis that we consider that other non-green belt land remains available, which we consider is capable of development and should be developed prior to consideration of green belt release. Due to the presence of this land in various parts of the plan area including land within settlement breaks, we consider that until these have been fully and exhaustively considered a justification for the full extent of green belt release has not been made. For the avoidance of doubt therefore, we are not objecting to green belt release per se, but do consider that the scale and extent of green belt release as currently proposed has not been sufficiently justified at this point.

#### 4 HGA8 - Fulwell

We would like to specifically consider issues 4.3 and 4.4 as raised in the MIQs in relation to the constraints present on the site and the deliverability of the site. Having reviewed the green belt assessment and justification documents SD29-34 and relevant SHLAA SD.22, we do not consider that HGA8 has been robustly assessed in a manner consistent with other green belt sites and indeed non green belt sites. We make this submission with direct reference to the records of historic landfill on this site, as shown within the accompanying DEFRA spatial data records appended 1 to this letter. HGA8 is located within the south east portion of the historic landfill area as shown on the accompanying plan. It is understood that this landfill relates to a former municipal site which operated until approximately 40 years ago.

The presence of a landfill within the site was noted within the original SHLAA assessment of the site (ref SHLAA 675). This matter does not however appear to have been further considered in detail in relation to the green belt release process. It is simply noted along with archaeological areas in SD.31 Page 44. A review of the methodology for the assessment of green belt sites indicates that the presence inter alia of potential landfill contamination would potentially represent impacts which would prevent further consideration of a site within the green belt assessment. This is confirmed in paragraph 3.4 of SD.31. The preceding paragraph 3.3 within SD.31 lists those themes identified for consideration within the assessment methodology and this includes landfill sites.

The presence of historic landfill records, it is understood, would normally prevent further consideration of a site allocation based on the methodology adopted. Notwithstanding this, it can be noted that the site is nevertheless proposed for removal from the green belt and to all intents and purposes is therefore 'allocated' for residential development. On the basis of the historic landfill records, this is considered to be premature.

The approach is also inconsistent with the approach adopted to assessment of other non-green belt sites. We would highlight the approach adopted to other land assessments including the SHLAA and settlement break review (SD.22 and SD.48). Within both of these documents' examples can be seen whereby the presence of historic landfill records is deemed to be prejudicial to any further consideration of relevant parcels of land. Notwithstanding this, it can be seen that the green belt assessments contained in SD30 and SD31 do not discount the site on this basis. This conclusion is inconsistent with the SHLAA and DEFRA records. We would also submit, in this context, that it is premature to release this land from the green belt for residential development purposes given that this will effectively establish the principle of development on the site. It is clearly the case with any planning application, even in simplest outline form with all matters reserved, that matters of contamination are required to be assessed pre-determination. This approach is indeed reflected within the other policies of the core strategy and in particular policy HS3. Paragraph 5.11 of the supporting text to HS3 advises that *any potential risks associated with contaminated land should be identified and assessed at the pre-application planning stage*. We consider that a release of land from the green belt, which has the effect of allocation of the site for development purposes, must be construed to be represent a stage in the process which actually postdates that which would be undertaken at pre-application stage. In our client's own case and their current outline application on SHLAA site 181 – Ref 18/00202/HYB, a historic landfill record is cited by the LPA, to necessitate full intrusive investigation before the principle of development can be considered. The CS

approach to this issue is inconsistent. We must therefore conclude that it is yet to be demonstrated that the site can be appropriately mitigated or delivered.

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



Robin Wood  
On behalf of Mr C S Ford

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Environment Agency - Hg

DEFRA Spatial Data Downl

DEFRA Spatial Data Downl

Interactive Map Viewer (C

1147506-746907\_003).e

https://environmentdata.gov.uk/DefraDataDownload/MapService=EA/HistoricLandfillModespatial

DATA.GOV.UK<sup>™</sup> DEFRA Spatial Data Download

Choose a location on the map

Layer List

Operational layers

☐ Historic Landfill Sites

☒ Historic Landfill Sites

100m

14.0

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06/05/2019

Contains OS data