



R & K Wood Planning LLP

Our ref: RW/JF

Date: 9th May 2019

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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 7 MIQ Response – Strategy and Housing Growth Areas for the Coalfield

We write with reference to the above and specifically with relation to the MIQs relating to Issue 2 - Identification of Sites and Protected areas. We wish to make comments on a number of MIQs and in particular to issue 2.1/2.2/2.3 with reference to issue 2.4 the settlement break configuration within the Coalfield and with specific regards to our clients site situated within the settlement break (SHLAA ref 181). We will address each of the issues under separate sub headings for ease of reference.

2 - Identification of Site and Protected Areas

In relation to issue 2.1 and the exceptional circumstances for removal of land from the green belt within the Coalfield, we do not consider that exceptional circumstances have to date been demonstrated. We conclude this due to the fact that within the Coalfield area there are areas of non-green belt land available which are capable of being developed for housing and which have not been included in the plan for this purpose. In making this comment we are referring to our own client's land within the Coalfield area but also with regard to other non-green belt land. We have previously made separate representations in relation to Matter 2 on the basis that we believe that settlement break land is in many ways being afforded greater protection than green belt land within the plan as currently proposed. We are of the view that this is also specifically the case within the Coalfield area. Due to what we consider to be a quasi green belt approach being applied to settlement breaks, we do not consider that proper assessment and regard has been had to the ability of land within settlement breaks to be able to provide land capable of contributing to the housing delivery required. We have acknowledged in relation to other matters that we consider that some green belt land release will inevitably be required, due to the plan's unrealistic expectations on the level of delivery from SHLAA sites. We do not however consider that exceptional circumstances have been demonstrated for the scale and quantity of green belt release

given that other non-green belt land exists. In this respect, we must conclude in relation to issue 2.3 that the scale of HGAs proposed within the Coalfield are not justified given that we do not believe that exceptional circumstances have been demonstrated to justify the scale of green belt release currently proposed.

This conclusion directly leads us into issue 2.4 and the question of whether the configuration of the settlement break is justified. We have previously submitted within our representations on the plan a number of arguments in relation to the configuration of settlement breaks within the Coalfield and with specific reference to our client's land (SHLAA ref 181). As has been set out in relation the MIQs on Matter 2, we do not believe that settlement break policy is in fact now even required or justified. Notwithstanding this however, and without prejudice, even if the policy is to be maintained we do not consider that its current configuration within the Coalfield is justified in particular with reference to our client's site. We do not consider that the assessment of the function of settlement breaks within this area is robust or indeed consistent with the manner in which green belt release is being considered. As a further example of this, supplementary to our previous plan representations, further evidence can be referred to in order to show that the inclusion of our client's land within the settlement break is not justified. As has already been set out within previous representations, SD.48 acknowledges that the settlements of Houghton le Spring and Hetton le Hole are already linked by built development. In this respect, the function of preventing the merging of settlements has already been compromised. The maintenance of land intended to prevent this is therefore superseded. What must therefore be considered when looking at the configuration of settlement breaks in this area is whether or not the potential pattern of development that could result if our clients land was not part of the settlement break, would be incompatible with maintaining the existing level of physical separation which exists. Given the prime purpose of settlement breaks is to actually prevent the merging of settlements, this is the prime assessment which is required.

To help further in consideration of this configuration question, it is useful to look at the urban boundary map of Sunderland contained in SD.30 listed as map 1 on page 12. A copy of this map is appended to this letter. This map is useful because, unlike the policy proposal map for the plan it removes the ambiguities created by showing green belt, settlement breaks and open countryside. Instead, it shows what is considered to be the urban boundary of Sunderland and therefore how the built-up areas interrelate. From the map it can be clearly seen, as identified, that our client's site is surrounded by built development on 3 sides to the west, north and east. It can be seen as a clear inset site, the development of which would undoubtedly represent infill development on the southern boundary of Houghton le Spring. It can be seen that if a new southern boundary was established along the south edge of this inset land, there would be an appropriate and logical rounding off of Houghton le Spring with a new settlement boundary clearly bounding the open countryside (non-urban) area to the south. What is also important to note is that the infilling of this site would in no way lead to any greater merging of the settlements of Houghton le Spring and Hetton le Hole.

Notwithstanding this, the configuration of settlement breaks, as proposed within the local plan, still includes this land albeit that it is acknowledged that it does not actually separate the two settlements. Instead it is now referred to in SD.48 as having the function of maintaining the 'perception' of a settlement break. This is not however one of the stated functions of a settlement break. The function attributed to our client's land

is therefore not a function which is even present within the stated aims of settlement breaks.

As has already been detailed in relation to matter 2 it can also be noted that the maintenance of this land within the settlement break cannot be deemed to be necessary to assist in the regeneration of the urban area. As detailed, this purpose is consistent with NPPF green belt functions and yet the plan proposes the release of green belt land. The implication must therefore be that a necessity to maintain green belt is no longer present for the purposes of assisting in urban regeneration if the plan also advocates that green belt land must be removed. The two positions are incompatible, and, in this respect, this purpose cannot be attributed to our client's land. Finally, in relation to the third stated purpose of settlement breaks, to maintain green infrastructure networks, it can be identified that there is already a policy (policy NE1) which fulfils this function. There is therefore no need for the maintenance of land in settlement breaks so as to protect green infrastructure. In addition to this, it can also be seen in relation to the configuration of the settlement break relating to our client site that the land cannot function as a green infrastructure link given that it has built development on 3 sides. We consider that the settlement break, if it is to be maintained must realistically have a northern boundary on the southern edge of our client's site consistent with the northern boundary of the Hetton Boggs SSSI.

In relation to the configuration of the settlement break and the pattern of development surrounding our client's land, it is also informative in relation to the justification for green belt release within the Coalfield to look at the manner in which the proposed green belt HGAs in this sub area have been assessed. Specifically, if reference is made to the green belt assessment undertaken for HGA10 – New Herrington it can be seen within the context of the green belt assessment that the fact that the site is surrounded on three sides by existing development is a significant consideration in published assessments in favour of the sites release from the green belt. The assessment undertaken in SD.30 page 116 shows that as the site is surrounded on three sides by built development is considered to effectively have no contribution at all to the purpose of inclusion within the green belt. The level of contribution is categorised as (A) in relation to purpose 2 for SHLAA site 113 (HGA10) (preventing settlements merging). In this context, there is clearly a question of consistency when considering how our client's site is assessed in respect of its function within the settlement break. Purpose 2 of the green belt assessment is in effect the same as purpose 1 of the settlement break policy. In the context of green belt assessment, a site that has development on three sides is deemed to make no meaningful contribution to purpose of the green belt in respect of both checking unrestricted sprawl and preventing settlements merging. Similarly, it makes no contribution toward the third aim of the green belt of assisting in safeguarding the countryside from encroachment. Notwithstanding that this is green belt being assessed, when the same pattern of development is assessed in relation to settlement break policy in the context of our client's site, the fact that development exists on three sides is not considered positively. Its contribution to preventing settlements merging is assessed completely differently with its role in settlement break policy viewed very differently to the parallel green belt example. Although the two policy matters being assessed may be different, nevertheless their purposes are so similar it is considered that there must be consistency within the approach to assessment. This is not the case and it further demonstrates, in our view, that unjustified pre-eminence is being given to the protection of the settlement breaks and their proposed boundaries when compared to the green belt boundaries. It can also therefore be concluded HGA

9 and HGA 11 given their relatively open boundaries on at least two sides should actually be viewed as having a much greater role in supporting settlement separation, compared to our client's land. Again though this is not the case in the CSDP.

Looking further at the justification for configuration of the settlement break in this area, as expressed in SD.48, it can be also noted that a wide range of other issues are cited as a basis for not removing parcels of land from the settlement break. In relation to our client's land, this includes reference to the function of the site as an ecological buffer to the SSSI to the south, impact on local ecology within the SSSI, flood risk, hydrological impacts and on-site contamination from a historic landfill. These within SD.48 are cited as reasons why the land should continue to be included within the settlement break. We would submit that these considerations are not actually directly relevant to the question of whether the land in question actually contributes to the stated functions of the settlement break. We would submit that when proper consideration is given to these matters and the ability to develop the site, then it can be seen that the site can be appropriately removed from the settlement break. On the issue of contamination and historic landfill sites, we would in particular cite the fact that this is clearly not prejudicial to the acceptability of the site given, as we have identified in other MIQs that the plan has proposed for allocation and removal from the green belt a number of sites which contain wholly or partially historic landfills. Examples have been provided in relation to HGA6 and HGA8 with reference to the relevant matter MIQs on these sites. There is therefore an inconsistency in methodology within the preparation of the plan in relation to the treatment of constraints such as this.

As indicated within previous representations, our clients land is already the subject of a hybrid application for residential development. This application ref 18/00202/HYB – Land South West of A182 Houghton le Spring, is currently being assessed and is yet to be determined by the LPA. As part of the application an extensive amount of work has been undertaken to demonstrate that development of the land can be undertaken in a manner which does not adversely impact on the nearby SSSI, hydrology of the area or any protected species. The site scheme also undertaken full archaeological and contamination assessments which are currently being assessed by the LPA. Although it is noted that the Inspector will not be considering the promotion of sites when assessing the soundness of the current plan, for completeness it is considered helpful to provide the Inspector with a full copy of all the documents submitted as part of this application as an appendix to this submission. Due to the scale and number of these documents we would not propose at this stage to provide hard copies of all documents, given that it is unlikely that all of these would need to be directly referenced at any point within the forthcoming EIP. Hard copies of relevant plans are therefore appended to this letter with 3 no. copies of all other application documents on CD following a discussion about this matter with the Programme Officer. Should any further hard copies of particular plans or documents forming part of the application be required we can provide these. In relation to the matters that the application addresses, in respect of ecology, hydrology, protected species etc. it is considered that these issues, notwithstanding that they are cited within SD.48 are issues which actually sit outwith consideration of the settlement break and are simply site specific material considerations which must be assessed in the same way as any other application. We consider that if the application is able to demonstrate that the technical impacts of the proposal are acceptable, given that the proposal is not contrary to the purposes of a settlement break policy, then permission can be appropriately granted. Notwithstanding this, we do, for the purposes of this plan examination, consider that

the configuration of the settlement break boundary in respect of our client's land is not appropriate or justified.

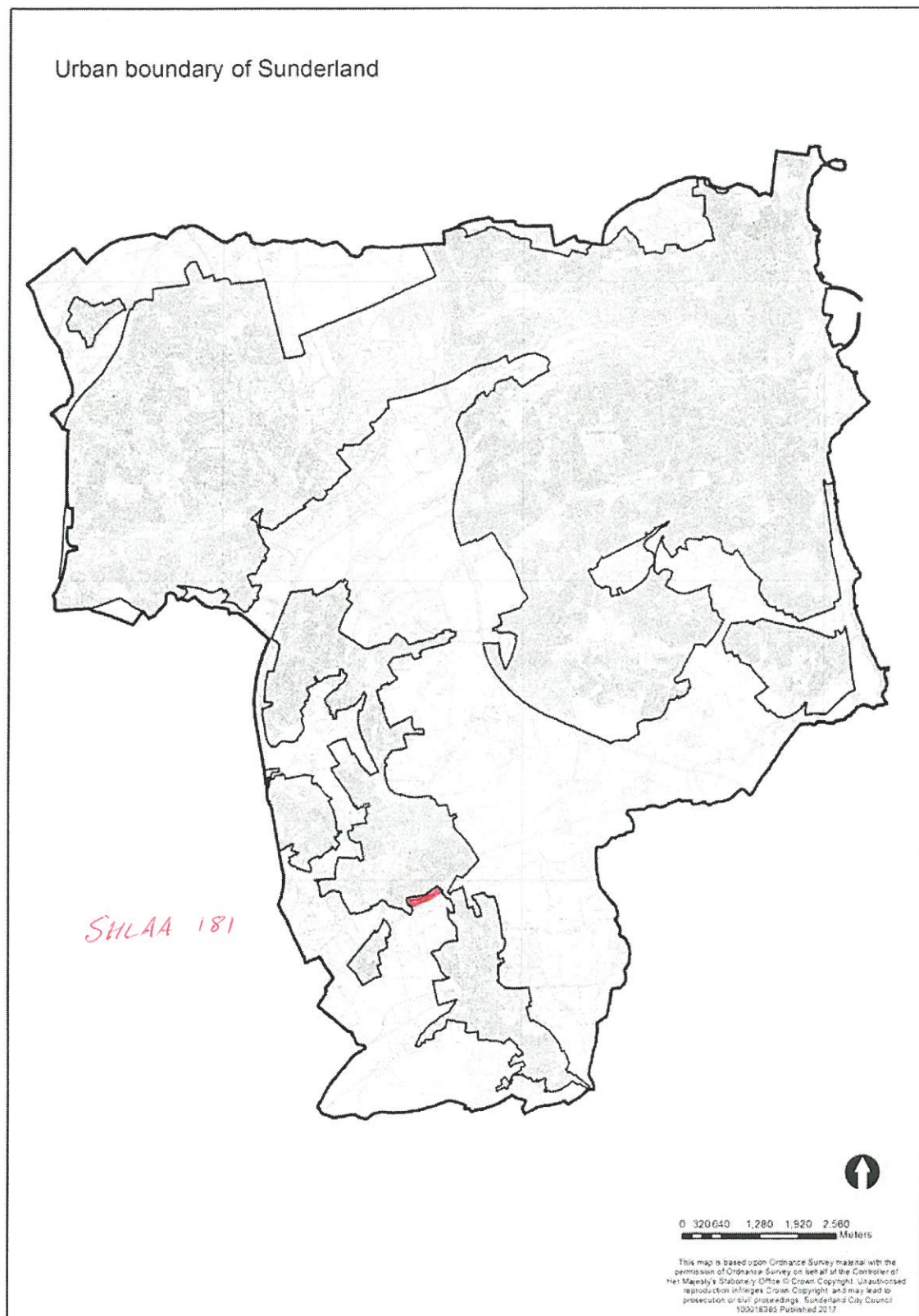
We hope that the information contained in this letter is of assistance in setting out our views on the MIQs and trust that should any further clarification be required you will not hesitate to contact us. We look forward to discussing these matters further at the forthcoming examination in public.

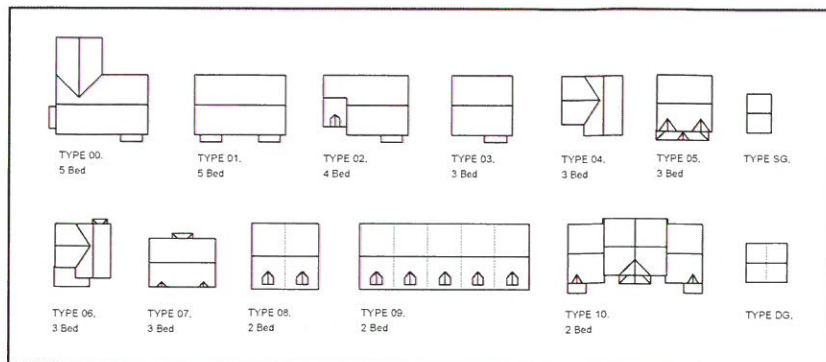
Yours faithfully

A solid black rectangular box used to redact the signature of Robin Wood.

Robin Wood
On behalf of Mr C S Ford

Map 1: Urban Boundary of Sunderland





- Key**
- Private Amenity / Landscaping
 - Emergent Vegetation
 - Meadow Grassland
 - Standing Water
 - SUDS Channel
 - Wet Grassland
 - Wet Woodland
 - GCN Pond
 - GCN Hibernacula
 - Fence

Wet woodland to support similar species to those with in the SSSI to the south

Ponds designed for use by great crested newts

SUDS Channel to be at least 2m in width and hold water or at least wet ground through the year

Emergent vegetation grading to species rich grassland

Access allowed to mown routes through the grassland area

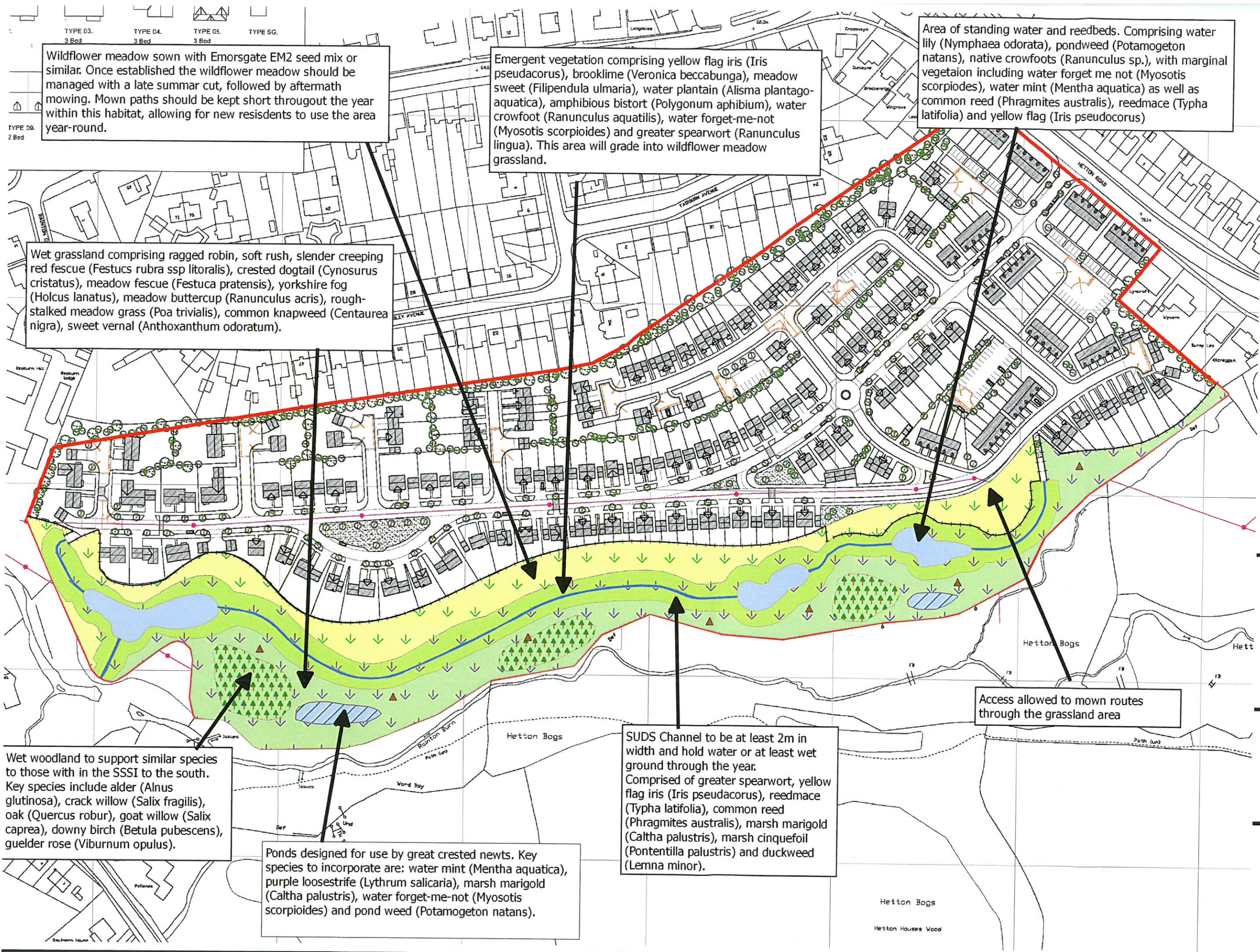
TOTAL SITE AREA: 10.9 Ha / 26.9 Acre
TOTAL DEVELOPABLE AREA: 7.5 Ha / 18.5 Acre
TOTAL DWELLINGS: 214
HIGH DENSITY: 100 [47%] - 1:28 Dwellings/Hectare
MEDIUM DENSITY: 84 [39%] - 1:28 D/H
LOW DENSITY: 30 [14%] - 1:14 D/H

EXISTING DRAINAGE
SITE BOUNDARY

E	10/02/17	ECOLOGY / HABITAT
D	01/11/16	AMENITY SPACE
C	28/08/16	ECOLOGY / HABITAT
B	27/01/16	REVISED SITE LAYOUT
A	18/11/15	REVISED SITE BOUNDARY
D	23/05/14	INITIAL ISSUE
REV	DATE	DESCRIPTION
CLIENT	Mr C Ford	
DRAWING	Proposed Site Layout	

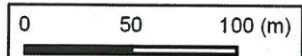
PROJECT	Proposed Development Hetton Bogs Hetton Road Houghton le Spring [X:434433 Y:548714]		
DRAWING	R1738_02	DRAWN	JW
CHECKED	RM	SCALE	1:1250
SHEET	A2	DATE	23/06/15

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- Key
- GCN Hibernacula
 - Fence
 - Site boundary
 - Watercourse
 - Emergent
 - Meadow
 - Standing Water
 - Water
 - Wet Grassland
 - Wet Woodland
 - GCN Pond

Title: Habitat Creation
Plan Species Lists
Project Name: The Sinks
Job No: 3807
Date: 05.02.18
Drawn By: CW/MP



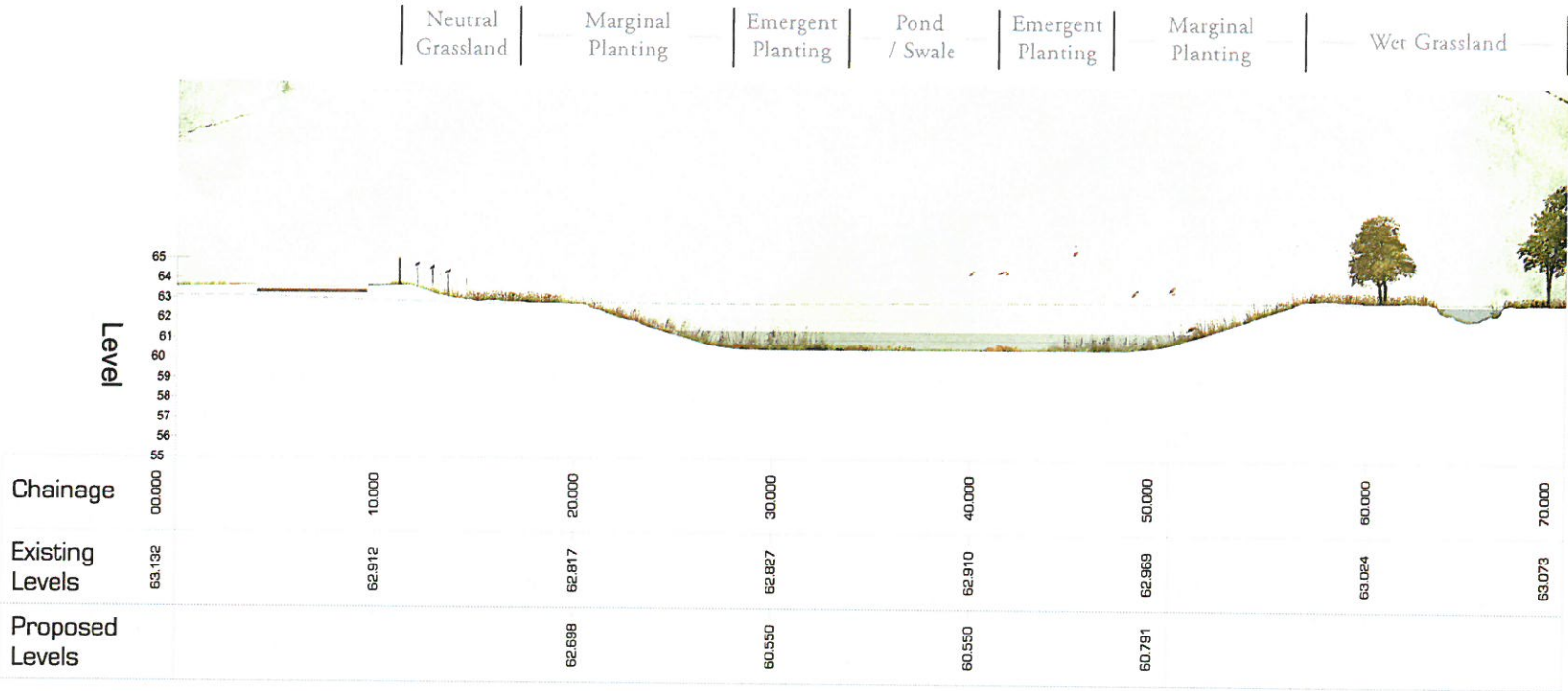
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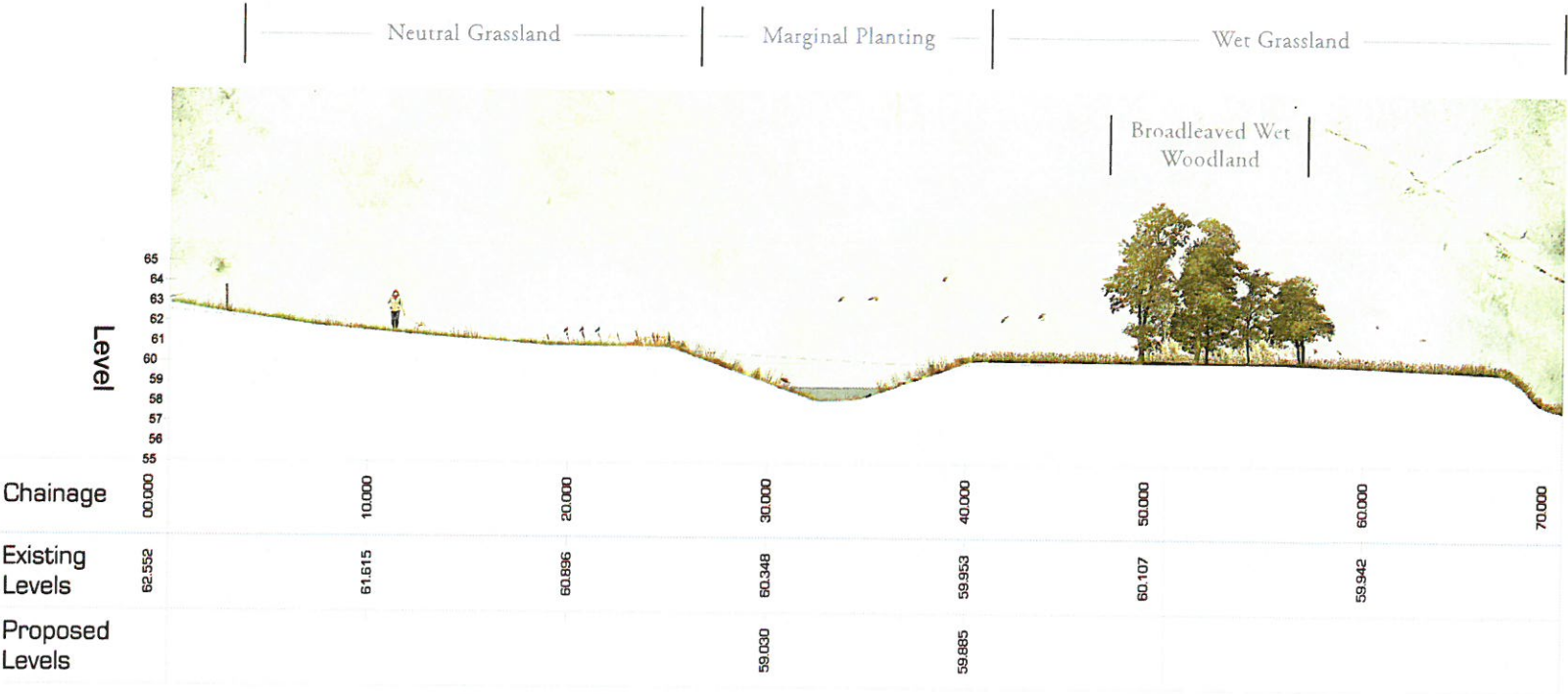
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ALIGNMENT - SECTION AA - LONGSECTION
SCALE: H 1:250,V 1:250. DATUM: 55.000



ALIGNMENT - SECTION BB - LONGSECTION
SCALE: H 1:250,V 1:250. DATUM: 55.000



Meadow grassland, comprising crested dogtail (*Cynosurus cristatus*), tall oat grass (*Arrhenatherum elatius*), meadow foxtail (*Alopecurus pratensis*), common knapweed (*Centurea nigra*), ribwort plantain (*Plantago lanceolata*), self heal (*Prunella vulgaris*), creeping fescue (*Festuca rubra litoralis*), meadow fescue (*Festuca Pratensis*), oxeye daisy (*Leucanthemum vulgare*), red clover (*Trifolium pratense*)

Access allowed to mown routes through the grassland area

Wet grassland comprising ragged robin, soft rush, slender creeping red fescue (*Festuca rubra ssp litoralis*), crested dogtail (*Cynosurus cristatus*), meadow fescue (*Festuca pratensis*), yorkshire fog (*Holcus lanatus*), meadow buttercup (*Ranunculus acris*), roughstalked meadow grass (*Poa trivialis*), common knapweed (*Centaurea nigra*), sweet vernal (*Anthoxanthum odoratum*).



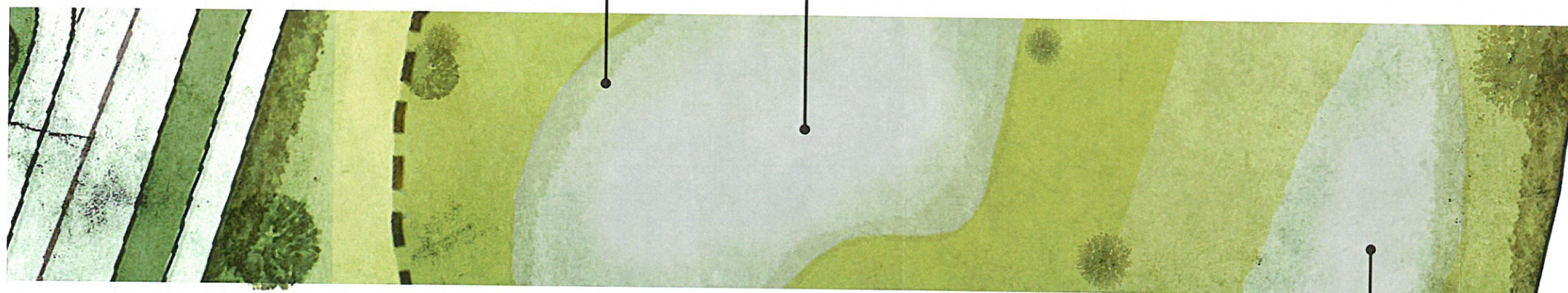
ALIGNMENT - SECTION BB - LONGSECTION
SCALE: H 1:250, V 1:250. DATUM: 55.000

SUDS Channel to be at least 2m in width and hold water or at least wet ground through the year. Comprised of greater spearwort, yellow flag iris (*Iris pseudacorus*), marsh marigold (*Caltha palustris*), marsh cinquefoil (*Pontentilla palustris*) and duckweed (*Lemna minor*).

Wet woodland to support similar species to those with in the SSSI to the south. Key species include alder (*Alnus glutinosa*), crack willow (*Salix fragilis*), oak (*Quercus robur*), goat willow (*Salix caprea*), downy birch (*Betula pubescens*), guelder rose (*Viburnum opulus*).

Emergent vegetation comprising yellow flag iris (*Iris pseudacorus*), brooklime (*Veronica beccabunga*), meadow sweet (*Filipendula ulmaria*), water plantain (*Alisma plantago-aquatica*), amphibious bistort (*Polygonum amphibium*), water crowfoot (*Ranunculus aquatilis*), water forget-me-not (*Myosotis scorpioides*) and greater spearwort (*Ranunculus lingua*). This area will grade into species rich grassland.

Area of standing water. Comprising water lily (*Nymphaea odorata*), pondweed (*Potamogeton natans*), native crowfoots (*Ranunculus* sp.), with marginal vegetation including water forget me not (*Myosotis scorpioides*), water mint (*Mentha aquatica*) as well as reedmace (*Typha latifolia*) and yellow flag (*Iris pseudocorus*)



ALIGNMENT - SECTION AA - LONGSECTION
SCALE: H 1:250, V 1:250. DATUM: 55.000

Ponds designed for use by great crested newts. Key species to incorporate are: water mint (*Mentha aquatica*), purple loosestrife (*Lythrum salicaria*), marsh marigold (*Caltha palustris*), water forget-me-not (*Myosotis scorpioides*) and pond weed (*Potamogeton natans*).

