

Planning Position Statement

DATE: 16/11/2020
SITE: P20-1433 - Land at Cragdale Gardens
APPLICATION REF: 20/01360/FUL Erection of 86no. affordable residential dwellings
(use class C3)

Introduction and Background

This planning application has been submitted on behalf of Gentoo Group, who are a registered provider of affordable housing within Sunderland, creating social value by improving the lives of its tenants. Gentoo has a vision to build great homes, strong communities and inspired people in Sunderland. As one of the most significant registered providers and indeed landowners within Sunderland City they are afforded an opportunity to deliver significant social benefits across the city. They currently manage more than 29,600 dwellings and provide homes for over 60,000 people within Sunderland. As part of Gentoo's affordable development programme this site at Cragdale Gardens is one of eight sites proposed to deliver a total of 268 shared ownership and affordable rented homes, to provide significant long term economic and social benefits for the area.

In considering the merits of each individual scheme as part of that affordable programme it is important to consider the overall portfolio that Gentoo manage within Sunderland and the significant social and economic benefits that result from their operations as a whole, and those that would then come forward as part of the individual schemes within the programme.

In order to demonstrate the significant benefits that result from the programme, a Benefits Statement has been prepared and is submitted alongside this Planning Position Note illustrating some very significant benefits that are delivered within Sunderland and will continue through this programme and this development at Cragdale Gardens.

It is this portfolio and the strength of the affordable development programme that is a significant consideration in determining each of the individual planning applications which are commented on further below.

Planning Considerations

Gentoo and their consultant team have worked closely with Sunderland City Council's Officers to enable this ambitious affordable programme to come forward for the benefit of the City, and to optimise Homes England grant funding to secure much needed affordable homes. In this context the Benefits Statement highlights significant issues that have arisen as a result of the impact of COVID-19 which will undoubtedly put more pressure on the need for affordable housing within Sunderland and Gentoo themselves which needs to be considered in the context of an already significant affordable housing need. The Council's SHMA (2017 and 2018 Addendum) identifies an annual imbalance of 542 affordable dwellings across Sunderland.

The delivery of the site at Cragdale Gardens for 86 affordable homes assists significantly in terms of addressing this overwhelming affordable housing need and as such, significant weight must be placed on that in determining the proposal.

A Consultation Response Schedule has been submitted alongside this Statement, setting out what amendments and additional information has been submitted as a result of comments raised during the consultation process.

This planning position statement responds to the final consultation responses and highlights the key considerations before Officers and Members, as well as addressing comments from Hetton Town Council.

Planning Policy

SCC's planning policy team have provided comments on the proposal covering the principle of development, amenity greenspace, housing mix and design.

Open Space/Principle of Development

The site is partially allocated in the UDP as New and Upgraded Open Space / Leisure Use (Policy L&(deleted) and HA11). The Site is also identified within the Council's Greenspace Audit and Report (GAR) (2018) as Amenity Greenspace (AG), although this itself is not a development plan document.

It is considered that Policy HA11 of the UDP is an out of date allocation for the provision of new playing field provision that has not been implemented. Further to this, the Site is not assessed within the Council's Playing Pitch Plan (2018) which confirms that the policy allocation has not been implemented and is not playing field. Furthermore, it is considered that this is an outdated policy intention, as there is no indication of commitment to deliver that extant UDP allocation. It is noted that the commentary for the policy also references delivery of the "new" provision to align with the boundary of the Hetton By-Pass however there is no commitment by the Authority to deliver that route, which aligns with no commitment to deliver the HA11 new playing field provision.

The western area of the Site has a saved allocation within the UDP for part of the 'Hetton Bypass' route where Policy HA28.2 applies. Although it is noted that the Hetton By-pass has not been delivered, the allocation demonstrates the Council's commitment to the loss of this area of greenspace through the proposed construction of a major road. It is therefore deemed that the Council consider that the loss of this land would not have an adverse impact.

The site was assessed as part of the Council's Strategic Housing Land Availability Assessment (SHLAA, 2018) for its potential future suitability for residential development (site reference: 440). This SHLAA notes that the Site is currently open space, however, in an area which has above average provision, therefore the loss of open space is considered negligible.

Policy NE4 of the CSDP covers matters relating to open space/greenspace. It is a criteria-based policy focused on the way that the Council will protect and enhance greenspaces.

The planning statement submitted with this application undertook an assessment of the level of open space in the locality of the site concluding that the loss of this site would result in a negligible quantitative impact on open space provision in the area. The response from the Planning Policy team in consultation to the proposal concurred that there is an above average quantity of greenspace and as such there may be justification to release the site for development. Whilst it is noted that there is reference to the quality of provision in the locality it is considered that the areas of open space that are retained within the scheme offer

significant amenity and landscape enhancement to the provision that is found on the site currently.

The provision on site also needs to be seen in the context of Policy NE4 which states that developments of 10 residential units or more should provide amenity open space for new residents. It gives a requirement of 0.9ha per bed space. The submitted landscape plan (Reference: 1105.01, 1105.02, 1105.03) provides a comprehensive scheme for the improvement of the existing grass on the undeveloped part of the site, including but not limited to measures such as ornamental planting, native scrub mix, native hedges and species rich grass areas covering 0.81ha.

Based on the 313 bed spaces to be created by this development, the Policy requirement would be for the development to deliver 0.28ha of open space so the proposal represents a significant over delivery against this policy test.

Notwithstanding the applicant's position that the loss of open space is marginal in the context of the existing provision locally, the applicant is agreeable to making a S106 contribution in accordance with the calculation set out in the Council's Planning Obligations SPD. In this instance the payment would be £42,705.72. This contribution will be directed towards the improvement, enhancement and maintenance of existing greenspace in the local area as required by Policy NE4 and the Council's SPD, to ensure that it is to the benefit of the new residents of this development, as well as existing residents within the vicinity.

As such, the proposed development is considered to meet the requirements of NE4 in full.

Equipped Play Area

The Planning Obligations SPD suggests contributions towards play space should be requested for developments of 10 units or more. The applicant already owns and maintains an equipped play park on land adjacent to the site (less than 200m to the east) which is subject to regular safety inspections and maintenance as required at cost to Gentoo, these measures will continue representing an investment in local play areas. The Economic Benefits report submitted alongside this statement sets out that in 2019/20 Gentoo undertook 880 safety inspections of its playparks, cut grass to the equivalent of 475 football pitches, actioned 2,201 incidents of fly tipping and graffiti and inspected 4,531 trees. Gentoo has an extensive landholding across the City and much of the open space in the vicinity of the Keighley Avenue site is owned and maintained by Gentoo. Protecting the environment and ensuring their estates are safe and attractive places to live is a vital part of what Gentoo do. They believe that greener and cleaner estates can assist their tenants in living more sustainable lifestyles and being proud of their home and area. This is demonstrated by the significant commitment to deliver a high-quality landscaping scheme on the Keighley Avenue.

In any event, should a S106 contribution be provided in this case, the money would be directed to the adjacent Play Park (as the closest one to the site) and SCC would therefore use the money to pay Gentoo to maintain their own site. As a result of this and the points set out above, it is not considered to be appropriate in this case.

Affordable Housing Provision and Mix

The proposed scheme is for 86 affordable dwellings forming part of the wider programme set out above which will deliver 268 affordable homes in Sunderland. The provision of these affordable units in the area is a material consideration in the determination of this application.

In the report to the Secretary of State regarding the appeals by St Modwen Developments Ltd against decisions made by East Riding of Yorkshire Council in 2015 (APP/E2001/A/13/2200981 and APP/E2001/A/14/2213944) there is discussion regarding the weight which can be attributed to the provision of affordable units during the decision process. It concludes that in an area where affordable housing has been under delivered, as in the SCC area with an annual imbalance of 542 affordable units (SHMA), the contribution of affordable units can be given substantial weight in the planning balance:

"substantial weight should attach to the proposals in proportion to the contribution they would make to the supply of affordable housing (para 11)."

It is also acknowledged in the Planning Policy Consultation Response that the site "would be considered a windfall site for the purposes of housing delivery and would assist in meeting the Council's housing requirement". Policy H1 of the CSDP encourages a variety of house types and sizes which is again a benefit of this scheme, which provides bungalows as well as 2-, 3- and 4-bedroom homes therefore catering to a variety of household types.

Biodiversity

The Planning Policy comments also reference Policy NE2 and consideration of biodiversity net gains (BNG). Policy NE2 states that BNG will only be required 'where appropriate'. It is not considered that this application represents an instance where it would be appropriate for a number of reasons. The supporting text for Policy NE2 sets out clearly the circumstances in which net gain will be required. Paragraph 10.16 states "*The forthcoming Biodiversity and Geodiversity SPD will support the natural environment policies, and this will include clarification regarding the types of development that require delivery of net gains in biodiversity. The A&D Plan will identify land to deliver this policy.*" It is therefore the SPD and the A&D plan which will define which types of development and which sites will deliver the aims of the policy. Until that work is undertaken, Part 1 of NE2 cannot be engaged. The developments are therefore not in conflict with Part 1 of NE2 and net 'gain' is not a material consideration in the determination of the applications.

Whilst the NPPF supports proposals which are "minimising impacts on and providing net gains for biodiversity" it goes on to state that planning permission should be refused where "significant harm to biodiversity resulting from a development cannot be avoided". (Pegasus emphasis). Given the low ecological value of the existing site it is clear that the application would not cause significant harm. Indeed, it is clear that the scheme does include improvements to the biodiversity of the site. The existing site is grassland and of little value. The open space and landscaping scheme proposed includes varied planting, native species and mixes chosen specifically for their ecological value.

It should also be noted that the Council's Ecology consultee has stated that the proposal is acceptable in principle subject to addressing some comments, predominantly relating to HRA and Local Wildlife site potential impacts. A mitigation strategy prepared by Biodiverse consulting is submitted with this submission that addresses those comments.

Hetton Town Council Comments

In the interest of clarity, we have addressed each of the Town Council's comments below:

Comment	Response
Loss of Open Space	This is covered in detail above.
Impact upon wildlife	The mitigation measures proposed are detailed in the submitted Ecological Mitigation Strategy. We consider this to satisfactorily address any minor impacts caused by the development.
Financial risk	The financial contributions set out will be secured through a S106 agreement.
Gentoo property management	The submitted benefits statement sets out the ongoing management measures in place across Gentoo's properties.
Highways & Parking	<p>The proposal provides more than the required minimum parking requirement with most properties benefitting from 2no. parking spaces as well as visitor spaces throughout the development.</p> <p>The submitted Transport Assessment confirms that the development can be accommodated without causing a detrimental impact upon the safety r operation of the local and wider highway network. This has been accepted by SCC Highways officers who have no objection to the scheme.</p>
Flood Risk	Our application is supported by an FRA and Drainage Statement which confirm the development will not increase the risk of flooding on site or in the surrounding area.
Need for Social Housing	As set out above, the Council's SHLAA identifies an annual imbalance of 542 affordable dwellings.

Planning Assessment

The proposal and the site location represent a sustainable form and location of residential development. It is noted that the proposal does represent a marginal reduction in the locally available amenity space and, as a result, the applicant is agreeable to making a S106 contribution of over £42,000 towards improvements, enhancements and maintenance of existing greenspace locally, in accordance with the calculation set out in the Council's Planning Obligations SPD.

All other matters raised through the consideration of the application are addressed satisfactorily with reasoned justification set out within this submission. Notwithstanding that differing standpoint, in the event that officers and members consider a planning balance exercise is to be undertaken, this submission sets out a clear and substantiated benefits position that would address any perceived adverse impacts.

The accompanying Benefits Statement clearly sets out how the scheme and wider programme of affordable housing proposals will benefit the local area directly and indirectly for years to come. These benefits include significant financial investment in the local area, supporting 175 jobs throughout the on-site construction process and supply chain as well as supporting 1,142 FTE roles within Gentoo which is one of the biggest employers in the Sunderland area. The proposal will deliver good-quality, efficient, affordable homes and high standards of public open space, planting and landscaping. Gentoo also provide additional support for their residents with initiatives providing support for victims of anti-social behaviour and domestic abuse, activities for extra care and sheltered accommodation tenants and safeguarding for children.

The scheme is also providing a financial contribution towards education, providing over £292,462 towards school places to accommodate children who will live in the proposed dwellings as well as the abovementioned £42,000 contribution towards open space.

In summary, it is the view of the applicant that the significant benefits of the proposals should be given substantial weight, as set out in case law, in providing affordable homes to meet a significant affordable housing need. It is not considered that there are any unmitigated adverse effects of the scheme, however in the event officers and members consider that there may be some minor policy tensions the benefits of this scheme demonstrably outweigh any minor adverse impacts and planning permission should be granted.