

# Hetton Town Council

## Extraordinary meeting - 5 January 2021

### **Item 4a: Planning Position Statement dated 16 Nov 20 from Pegasus Group on behalf of Gentoo re Planning Application Ref: 20/01360/FUL - Land at Cragdale Gardens**

#### **Submission of:**

**Cllr K Rowham, Chairman, Planning & Development Committee, Hetton Town Council**

The Planning Position Statement (PPS) is regarded as containing a range of speculative and unsupported assumptions, predictions and contradictions.

These comments follow the sub-headings of the PPS.

#### **Introduction and background**

The PPS states that "in order to demonstrate the significant benefits that result from the programme, a Benefits Statement has been prepared ....and is submitted alongside the 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".

In response, local residents claim the area has been allowed to deteriorate in recent years with many tenants waiting for a very long time for repairs and many homes still have single glazed windows, are damp and have mould. They report the standard of works carried out in the area is extremely poor. They report poorly behaved tenants from outside of the area have been relocated in Gentoo properties leading to anti-social behaviour affecting longstanding model tenants, Gentoo failing to act promptly, resulting in model tenants living in fear. The area has an alarming high rate of crime.

Serious assaults are common as is gang warfare and 'neighbours from hell' complaints, all of which are well documented with Gentoo and Northumbria Police. Northumbria Police Risk Assessment dated 8 September 20 submitted for this proposal is considered "High".

There is a prevailing view that Gentoo has failed to maintain the play park in the area for years. It was locked up pending repairs for two years until the Spring of 2020 and currently it is an extremely unappealing and poorly maintained play park.

Gentoo has failed to maintain the green open space around Cragdale Gardens in the Peat Carr/Moorsley area adequately for years. Requests for barriers to prevent motorbikes and other off road vehicles accessing it and CCTV installation to deter fly tipping have gone unheeded. Grass cutting has been intermittent or non-existent. Requests for a dog waste bin went unheeded for years until recently.

Combined , these views are at odds with the statements from Gentoo relating to creating social value and improving the lives of its tenants. It is difficult to see any long term economic or social benefits from a social landlord who has allowed most of its housing stock in the area to deteriorate because of lack of, or poor, maintenance compared to the standards Sunderland City Council delivered prior to the transfer of housing stock to Gentoo.

It is unclear how a development at Cragdale Gardens will have any effect on retaining annual household spend in the Sunderland area or could generate additional Council Tax revenue. The reference to the 'impact of Covid-19' and claims of a sharp rise of claimants of Universal Credit and Job Seeker's Allowance as a need for more affordable housing seems implausible. Claims normally include rent and council tax costs.

### **Planning considerations**

The suggestion of close working with SCC on this application is disputed.

A key forum for raising issues affecting Hetton and district is the SCC Coalfield Area Committee. Unfortunately, that Committee has not had the opportunity to discuss the application, and attempts to raise awareness have been unsuccessful.

Liaison with residents is considered to have fallen far short of what might be reasonably expected with a proposal of this significance.

The consultation letter delivered to local residents at the end of May included only three questions seeking opinions on affordable homes. Gentoo has declined requests for "live" on-line public consultation.

The subsequent consultation leaflet and 4 August 20 letter issued to residents after the planning request had been submitted could be considered an after-thought, especially in view of the extensive preparation necessary by Gentoo for a planning application of this magnitude.

Gentoo has conceded that Hetton Town Council had been overlooked in its' approach to consultation.

### **Planning Policy**

1) The recently adopted Sunderland Core Strategy & Development Plan (SCSDP) supersedes Gentoo's claims, as explained in the Campaign to Protect Rural England's 28 August 20 letter to Sunderland City Council:

*"We therefore represent that there are no material considerations that justify departing from the very recently adopted SCSDP and object to this application and represent it should be refused permission".*

*They "represent that the only relevant policy for housing allocations in this part of Sunderland are those now contained in the SCSDP. The site falls within the Coalfield Area in this document. The SCSDP is quite specific in the allocations for housing in the Coalfield Area and this site is NOT allocated. As the SCSDP has been adopted this year, it is up to date in accordance with the National Planning Policy Framework. No representations were made to allocate this site for housing during the process before the SCSDP was adopted. The site is clearly marked as Open Countryside in Figure 29 in the SCSDP. Policy SP6 states that these areas should be protected from inappropriate development. We represent that this proposed development would be inappropriate. We represent that there are no material considerations that justify departing from the very recently adopted SCSDP and therefore object to this application."*

2) If the recently adopted SCSDP does NOT supersede the UDP then it would be contrary to the UDP as follows:

The site is allocated as Policy EN10, which dictates that, where the UDP does not indicate any proposals for change, the existing pattern of land use is intended to remain

The land functions as amenity open space and as such, policy L5 is relevant, which states that open space will be protected from development that would have a serious adverse effect of its amenity

The site is also subject to policy B3 which states that public and private open space should be protected from development which would have a serious adverse impact upon its amenity.

The occupant of 43 Ennerdale recently purchased land to the side of her property. This land was on the same title deed as some of the proposed site development. Sunderland City Council refused planning permission to this resident because of the above.

Gentoo's claims regarding Policy HA11 of the UDP being an out of date allocation for the provision of new playing field provision that has not been implemented is disputed; the site in question has been used for leisure and as an open recreational space for decades by local residents despite the lack of maintenance by Gentoo. Residents carry out their own litter picks, bollard and fence painting. During COVID 19 the recreational space has been of even more benefit to residents and their wellbeing and its loss would have a serious, negative impact on residents particularly the elderly and those with mobility problems.

3) Approval of this development would contradict Sunderland City Council's Coalfield Neighbourhood Delivery Plan 2020/2023. The Plan commits the Coalfield Area Committee to a significant number of priorities, which will be delivered within the Coalfield area of Sunderland to address the key issues raised by residents which include: Parks, play areas, cycle and walking routes; Local Green space; transport and parking.

4) The PPS claim that “the Council’s commitment to the loss of this area of green space through the proposed construction of a major road” and they note “the Hetton by-pass has not been delivered” is disingenuous. To construct a major road such as a by-pass, Central Government approval must be sought with substantive reasons e.g. Giant Logistics Centre, Production Site or Airport. There has never been any request to Central Government by Sunderland City Council for a proposal to construct a major road at this location.

### **Highways & Parking**

The Systra report of 2 April 2020 is not an accurate reflection of the ongoing traffic issues in the area at peak times as lockdown began on 23 March 2020. In addition 2011 Census data was used. Additional homes (86) will generate approximately 172 more cars in the area which will have a massive detrimental effect on safety particularly outside Hetton Primary School which has no school crossing. Parking provision is considered inadequate and the proposed development will exacerbate the existing parking problems. Both sides of Ennerdale Street are used for residents’ parking evenings and weekends. The drives of proposed homes would mean half of those spaces would disappear. The Transport Assessment was carried out during the lockdown and is therefore invalid.

### **Equipped Play Area**

The PPS claims that Gentoo 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 and that these measures will continue.

These descriptions are at odds with local residents opinions that their area and play park have been purposely run down for years. It was locked up pending repairs for two years until the Spring of 2020 and currently it is an extremely unappealing and poorly maintained play park.

Gentoo has failed to maintain the green open space area adequately for years. Requests for barriers to prevent motorbikes and other off road vehicles accessing it and CCTV installation to deter fly tipping have gone unheeded. Grass cutting has been intermittent or non-existent.

### **S106 Contribution**

The PPS states that the financial contributions set out will be secured through an S.106 agreement. Gentoo has a history of renegeing on S.106 commitments and secondly, it is groundless. The statement advises the contribution would be directed towards upkeep, enhancement and maintenance of existing green space. This means Gentoo would be giving money to Sunderland City Council to give back to Gentoo to pay them for what they are already supposed to be undertaking.

## Affordable Housing and Mix

The PPS makes reference to Case Law regarding appeals by St Modwen Developments Ltd (a private developer not a social landlord as Gentoo is) against decisions made by East Riding of Yorkshire council in 2015.

Gentoo's claims there is an 'overwhelming demand for social housing and much needed affordable homes' in the area is disputed.

If it can be proved that Sunderland is an area overall where affordable housing has been under delivered, then Gentoo is guilty of contributing to this as Gentoo ran down and demolished 189 of their retirement homes then sold off this 'windfall' site on which only 20 social housing units were built.

Shared ownership is under the spotlight following recent media scrutiny - citing cases of owners in houses they can't sell, afford to repair and paying higher overall costs. The problem is so significant that the Government has undertaken to review the scheme and it is believed rather than helping buyers/tenants it is leaving them in a far worse financial position.

Part of the land on which Gentoo wishes to build has a restrictive covenant stating nothing should be built upon it and to protect the recreational area for the community enjoyment.

## Biodiversity

Despite the area having mature trees and plenty of wildlife, the PPS claims the site is of 'low ecological value' and grassland is of 'little value'. However, the Mitigation Strategy Document submitted contradicts these statements as several actions are proposed to address Potential direct and indirect impacts of the development on: nesting birds, provision of boxes for birds and bats, any mammals trapped in excavations, bats being affected by external lighting.

## Hetton Town Council comments

Comment	Response
Loss of Open Space	The site is clearly marked as Open Countryside in Figure 29 in the SCSDP. Policy SP6 states that these areas should be protected from inappropriate development. This proposed development would be inappropriate. There are no material considerations that justify departing from the very recently adopted SCSDP.
Financial Risk	Gentoo has demonstrated previously that proposed financial contributions set out in an S.106 agreement carry little weight.
Gentoo Property Management	The PPS and Benefits Statement claims of competent and effective management measures in place across Gentoo's properties in Peat Carr/Moorsley have seriously failed in recent years as has been covered in detail above.
Highways & Parking	The Planning Position Statement fails to address the loss of 50% of current parking availability in Ennerdale Street likely to be caused by this potential development. The Transport Plan uses 2011 data and was carried out during Lockdown and is therefore invalid. Over capacity at Four Lane Ends which is acknowledged by

	Sunderland City Council has been disregarded.
Need for Social Housing	This is disputed .There are longstanding empty Gentoo bungalows, 2 and 3 bedroom homes throughout the Hetton Town Council area. In Peat Carr/Moorsley very recently there were 21 properties - a mixture of bungalows and 2/3-bedroom homes empty and in nearby Easington Lane, 15. These figures have been typical for a prolonged period. Many of these properties have been empty for more than 6 months. It may be that there is no housing shortage in the area, but an issue of not fully effective properties management.

**Summary**

Notwithstanding the speculative and unsupported assumptions, predictions and contradictory and untrue statements in the Planning Position Statement, this application should be refused as the SCSDP was adopted in 2020 and is up to date in accordance with the National Planning Policy Framework. No representations were made to allocate this site for housing during the process before the SCSDP was adopted. The site is clearly marked as Open Countryside in Figure 29 in the SCSDP. Policy SP6 states that these areas should be protected from inappropriate development and there are no material considerations that justify departing from the very recently adopted SCSDP and therefore object to this application.

If the Planning Committee does not accept this then the application would be contrary to the UDP.

Town Council is asked to:

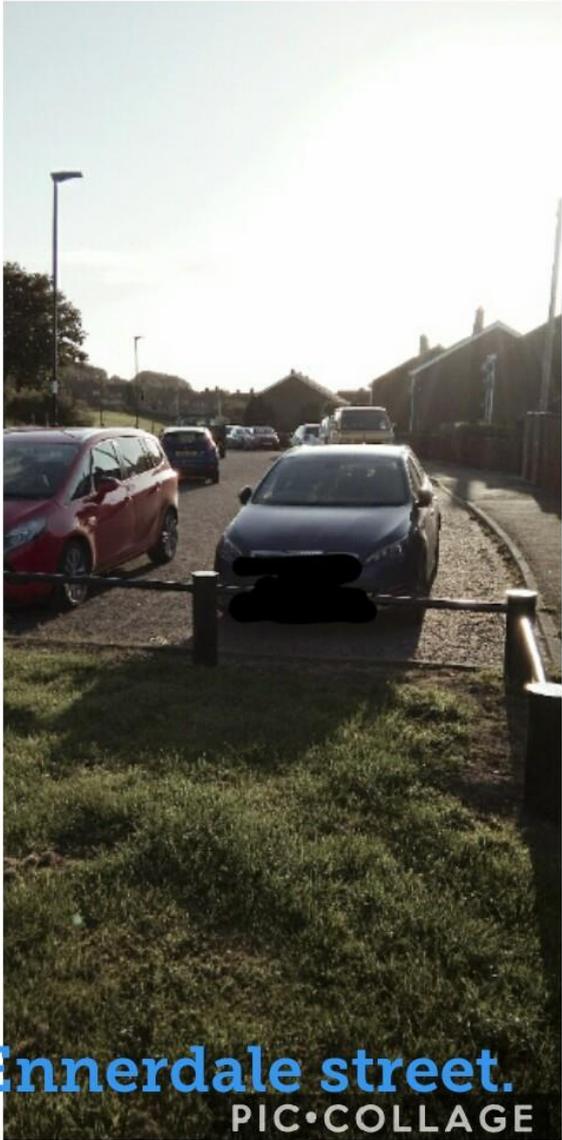
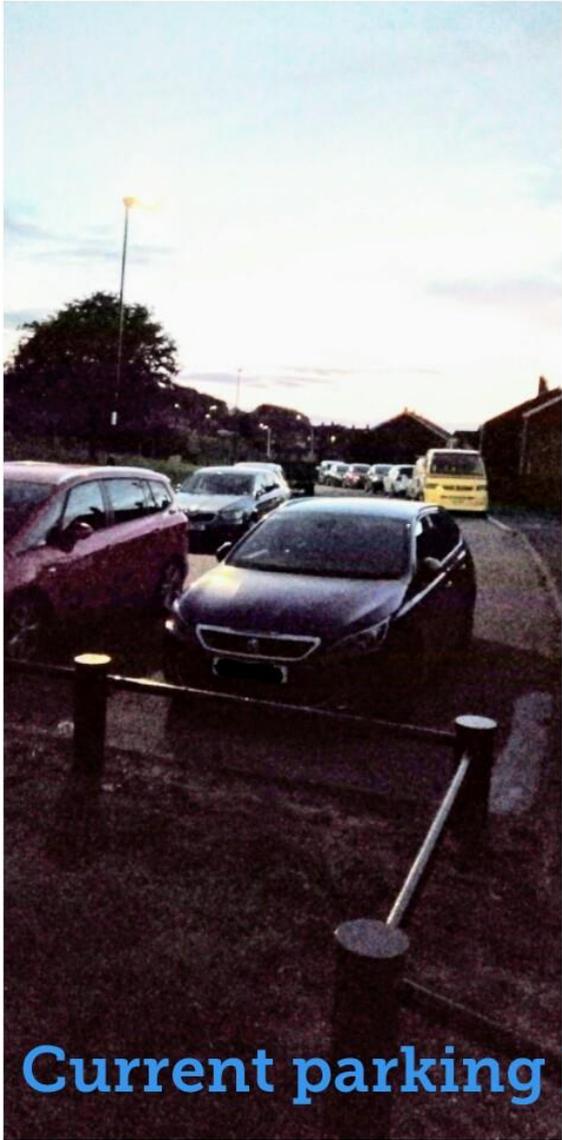
Consider this report as the basis of a submission to SCC in response to the Planning Position Statement from Pegasus on behalf of Gentoo;

and,

Nominate Chairman of Planning & Development Committee to speak at the relevant meeting of SCC Planning & Highways West Committee.



Pics 1-8 show poor area and workmanship in Moorsley/Peat Carr where Gentoo fails "to protect the environment and ensure neighbourhoods are safe and attractive places to live" - derelict garages, abandoned vehicles, fly tipping.



**Current parking Ennerdale street.**  
PIC•COLLAGE



# Peat Carr park

PIC•COLLAGE

Pics 11-14 show poorly maintained Peat Carr play park