

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 258

**THE CITY OF SUNDERLAND (CHAPELGARTH) PUBLIC PATH EXTINGUISHMENT ORDER
2016**

RELATING TO LAND SOUTH OF WEYMOUTH ROAD, CHAPELGARTH, SUNDERLAND

PROOF OF EVIDENCE OF

KATIE SULLY

DEVELOPMENT DIRECTOR

SIGLION

PLANNING INSPECTORATE REFERENCE ROW/3181702

1. **Experience and qualifications**

- 1.1 I am a Chartered Surveyor (1992) and have been employed for the past 3 years as a Development Director for igloo Regeneration.
- 1.2 I have been involved in major mixed-use regeneration projects across the country for the over the last 14 years. These projects have been complex and have involved acquiring third party interests, resolving title issues and providing new transport and public services. I have worked with and led design teams to create innovative design solutions so creating quality environments in which people can enjoy working, living and socializing with real community benefits. Such projects have included,
- 1.2.1 Brentford Lock West in the London Borough of Hounslow, to deliver 520 new homes, leisure and commercial space and a new Bus Depot;
- 1.2.2 Granary Wharf in Leeds with 280 new homes, a hotel and complimentary restaurant and leisure uses; and
- 1.2.3 Islington Wharf in Manchester with 500 new homes, retail and leisure uses.
- 1.3 For the last 3 years I have been leading on the regeneration and development projects in Sunderland, Chapelgarth and Seaburn, on behalf of Siglion (for whom igloo Regeneration provide Development and Project Management resource).
- 1.4 In relation to Chapelgarth, I appointed the Design team and have led the team from inception, through the planning application process and during the ongoing pre-implementation phase.

2. **Consultation Process**

- 2.1 In advance of the planning application being submitted, extensive consultation was undertaken with local residents. This comprised public exhibitions held on 17th October 2015 and 30th January 2016 and two separate meetings with residents to allow more detailed questions to be raised and responses to be provided, held on 10th December 2015 and 20th January 2016. The public exhibitions and meetings were advertised both by leaflet drops and press notices. In addition, briefings were held with local ward Councillors as well as formal pre application meetings with Officers of Sunderland City Council.
- 2.2 As a result of the consultation process changes were made to the outline masterplan. The amended masterplan and the hybrid planning application was submitted to the Council in March 2016. The masterplan changes included walking routes within the Suitable Alternative Natural Greenspace (SANG) which provide for a circular route around the outer fringes of the site, as well as a number of routes across and through the site, including through the new park areas and adjoining retained hedgerows, as have been evidenced in the Proof of Evidence of Peter Owens.
- 2.3 Further community consultation was carried out once the Order was made with equestrian users. This involved a public meeting on 7th February 2017, which was advertised by the equestrian users themselves using social media and included equestrians from across South Sunderland and North East Durham. The details of this meeting have been covered in the Proof of Evidence of Tim Ducker.
- 2.4 The development now benefits from an outline planning approval and, in relation to the initial phase of infrastructure works, full planning permission). Accordingly, there will be a number of opportunities for further consultation and engagement as reserved matters approval applications are progressed for the different phases of development. The form of community engagement would be tailored to the particular requirements at the point of the relevant reserved matters application, but this may involve public exhibitions and awareness raising through letter drops / leaflets.

3. Securing delivery through phasing of development

- 3.1 Due to the scale and nature of the proposals, it is intended that development would be delivered in phases. Indeed, the involvement of a range of housing developers is considered to be a positive approach, which would result in a wider range of homes being made available and (through the implementation of the parameters, rules and guidance set out in the Design Code) the creation of areas of distinct character and ensure the phased creation of new routes across the site.
- 3.2 Upon submission of each reserved matters approval application, a compliance statement requires to be submitted to the Council to demonstrate how the application conforms with the Design Code. The creation of new routes within the respective phase forms one aspect of the requirement to conform with the Design Code. The approval of reserved matters for each phase and the imposition of conditions relating to each phase, including conditions requiring development to be carried out in accordance with approved drawings, would ensure that the development within each phase accords with the Design Code, including the requirements in relation to new routes.
- 3.3 Accordingly, measures are in place to ensure that new routes would be delivered on a phased basis.
- 3.4 In addition, the Section 106 Agreement controls the provision of SANG which forms part of the development proposals. The provision of a circular walk forms one of the components of the proposed SANG, with specific reference to the circular walk contained within the definition of "SANG" and the route of the circular walk and the extent of the SANG areas shown on Plan 4 in the S106 (Plan L1515-PRP-025). The SANG specification for each phase requires to be approved before any development may be commenced in the respective phase..
- 3.5 The S106 also controls the timing for the delivery of the SANG areas and requires public access to be provided and maintained at all times.
- 3.6 The above mechanisms therefore ensure that new routes, in accordance with the Design Code terms, would be made available on a phase by phase basis.
- 3.7 Until such time as development commences in each phase, the existing routes within the site would be maintained and public access would continue to be permitted. Access would only be restricted within a phase during the construction period for the phase. Following completion within a phase access would be permitted to the new routes created within the phase.
- 3.8 The evidence of Peter Owens addresses the evolution of the design and demonstrates the rationale for the new provision. As can be seen from Drawing L-1515-PRP-027.Rev.12 Existing and Proposed Movement Routes (Peter Owens Proof of Evidence, Appendix C), many of the new routes run on or close to the alignment of the existing routes.
- 3.9 As set out in the Statement of Reasons, the network of all purpose highway, multi user route and circulatory footpaths which form part of the proposals for the site would provide alternative provision to the existing routes following the carrying out of the development.

4. The programme for delivery for the development

- 4.1 As indicated earlier, the programme for the construction of the development comprises a number of phases.
- 4.2 The initial infrastructure works to form the new access routes in to the development, off site highway and drainage ponds form the first phase. These works benefit from full planning permission. Subject to the confirmation of the Order, the infrastructure works phase would commence in Summer 2018.
- 4.3 The first phase of housing development would comprise 160 homes adjacent to Doxford Park to the west and Weymouth Road to the north. Siglion has entered into a contract with

Miller Homes to deliver this phase. Subject to the confirmation of the Order, this phase would commence in Summer 2018.

- 4.4 The exact timescales for progression of further residential phases is subject to a number of commercial considerations. However, it is anticipated that residential phases would run consecutively and that the entire development would be built out over a period of approximately 10 years following commencement on site.
5. **Proposed arrangements for long term management of the development.**
- 5.1 New routes to be created as part of the proposed development would be either privately maintained through the operation of a management company regime or adopted by the Council as publicly maintainable highway.
- 5.2 In relation to privately maintained areas, Schedules 3 and 4 of the S106 Agreement contain obligations in respect of future maintenance. The privately maintained areas within the development would comprise existing woodland, existing hedges, existing tree groups, new woodland, amenity open space, play areas and green links. These are identified on Regulatory Plan 12 (Open Space Strategy), together with the proposed SANG surrounding the site.
- 5.3 There is an obligation within the S106 Agreement that the privately maintained areas shall be open to the public at all times and that a management plan shall be approved by the Council prior to occupation of any unit within the respective phase.
- 5.4 Siglion intends to establish a site wide Management Company prior to occupation of the first new dwelling within the development. A service charge would be levied in relation to each dwelling to ensure that the activities of the management company are adequately resourced. The principal management company activity would comprise the maintenance of the common areas, including new routes within the development. The operation of the management company would therefore ensure continued public access across new privately maintained routes and the future maintenance of the privately maintained routes.
- 5.5 Schedule 4 of the S106 Agreement outlines the requirements for each management plan to be established for a phase of the development. Implementation of a management plan for each phase of development would introduce a high standard of land management and maintenance for the proposed privately maintained areas. This would represent a significant improvement in the form of management and maintenance that is currently provided in relation to these areas, particularly in relation to routes within the site. The improved management and maintenance by the Management Company would also address unauthorised access from vehicles such as quad bikes as happens now and thereby reduce anti-social behaviour.
- 5.6 In relation to the new roads and pavements within the development, these would be constructed to adoptable standards and, subject to completion of a highways adoption agreement, adopted by the Council as highway maintainable at the public expense.
- 5.7 New routes would be lit and maintained to allow access for everyone, including people with pushchairs and the less abled bodied, with mobility scooters and wheelchairs. The SANG areas are designed to allow dog walkers to safely let dogs off the lead with dogs on leads allowed in the other recreational areas.
- 5.8 All the new routes therefore would provide safer and better access to all.
- 5.9 The drainage ponds would either be adopted by Northumbrian Water or the Council, subject to the completion of an adoption agreement, or they would be managed as part of the overall estate by the Management Company.
- 5.10 Each housebuilder would become a member of the Management Company with ultimately the individual home owners all having a share in this overarching vehicle as well as the plot specific Management Company. This is provided for in the contract with Miller Homes in respect of the first residential phase of development.

- 5.11 The Management Company would employ contractors to maintain the communal areas. An outline budget has been prepared by the Design team and the QS to quantify the responsibilities of the Management Company and level of service charge to be levied.
- 5.12 A website would be developed by the Management Company that would, in part be open for everyone to see and would include things like any events happening within the new development as well as the surrounding areas. This website would be a communication tool and be a means of engaging with the wider community.
- 5.13 In summary, therefore, robust arrangements would be made for the future management and maintenance of all new routes comprised in the development together with common areas and drainage ponds. These arrangements would ensure that management and maintenance of new routes is performed to a significantly higher standard than the existing arrangements.

6. Justification for extinguishment of existing rights of way

- 6.1 The evidence of Peter Owens has explained the design process behind the evolution of the new routes proposed as part of the development.
- 6.2 The evidence of Tim Ducker has explained the Council's reasons for concluding that alternative rights of way will be provided within the site and the evidence of Danielle Pearson has set out the relevant controls within the planning permission and S106 Agreement relating to new provision.
- 6.3 My evidence has demonstrated how the evolution of the proposed new routes has been informed by consultation responses received from the local community. It has outlined Siglion's proposals to implement the development in phases and has provided details of the programme for delivering the development. It has also set out the arrangement for the future management and maintenance of new routes.
- 6.4 My evidence therefore supports the Council's overall conclusion that alternative rights of way will be provided as part of the development. Furthermore, it highlights that the specifications, management and maintenance of the new routes will exceed the characteristics and arrangements in relation to the existing routes and will result in considerable betterment for users.