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Dear Toni

**HYBRID PLANNING APPLICATION AT THE INTERNATIONAL ADVANCED
MANUFACTURING PARK ('IAMP ONE') (APPLICATION REFERENCE: 18/00092/HE4)**

We write to you in connection with the above planning application which has been submitted on behalf of Henry Boot Developments Ltd and which proposes an employment led scheme on land north of the Nissan Car Plant at Washington. This is intended to form part of the emerging International Advanced Manufacturing Park ("IAMP") and is referred to as "IAMP One".

Our client, the Church Commissioners for England ("the Commissioners"), owns land to the north of the planning application site which is also identified to form part of the wider IAMP development and in this respect, they have actively taken part in the process to bring forward the IAMP to date. This includes participation in the plan-making process by their involvement in the now adopted IAMP Area Action Plan ("IAMP AAP"), as well as ongoing discussions concerning the related Development Consent Order ("DCO").

We have previously written to you on 9 February 2018 to outline our initial concerns and objections regarding the above planning application. We note that the applicant responded to our letter on 15 March 2018. Since this time, additional information has been submitted to support the planning application. This letter seeks to elaborate on our initial objection letter and take into account the Applicant's response on a number of issues.

We detail our concerns below.

1. Consistency with the International Advanced Manufacturing Park Area Action Plan

Whilst it is acknowledged that a letter issued by the Secretary of State on 4th December 2017 under Section 35 of the Planning Act 2008 effectively removes IAMP One from the DCO process, we do not agree that this presents the applicant with a 'free hand' to submit a standalone application such as that which is proposed.



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Irrespective of whether IAMP One forms part of the wider DCO process or not, it does fall within the boundaries of the IAMP AAP and as such, it needs to comply with its policies and its overall strategy.

As set out in our initial objection to the planning application, paragraph 3 of the adopted IAMP AAP is quite clear that:

"The IAMP Area Action Plan (AAP) is a policy framework to guide the comprehensive development of the IAMP. The AAP sets out planning policies to direct and enable the comprehensive development of a high quality employment site which is targeted at automotive and advanced manufacturing end users, and their supporting facilities."

This need to plan and deliver IAMP comprehensively is repeated in paragraphs 7, 12, 42 and 75 of the IAMP AAP and in Policy S1.

Whilst the response from the Applicant highlights that IAMP One has formally been removed from the DCO process (through the S.35 letter) it does not adequately explain how, as a standalone application, it seeks to plan for comprehensive development of the wider IAMP.

The Applicant's response refers to a draft Design Code submitted with the planning application. Whilst this provides an indicative outline of how IAMP One will sit within the wider IAMP development, it falls short of explaining how infrastructure between the two will be addressed and does not give any reassurances that IAMP One will not prejudice the wider IAMP development. Instead it simply outlines a broad overview of the scheme which we consider does not fully address the requirements of the IAMP AAP and its policies.

Similarly, the accompanying Planning Statement contains only a small section on undertaking a comprehensive approach. It states that IAMP One will not prejudice the delivery of the wider IAMP site because of the following measures:

- Reserving land for the future widening of the A1290;
- Providing a dual carriageway connection to the north west which can be extended in the future through the Southern Development Area and into the Northern Development Area; and
- Ensuring the amount of ELMA land required for the offsite mitigation for IAMP One is the minimum area necessary. This is required to ensure that sufficient land remains to mitigate the effects of IAMP Two.

However, given our analysis below, the Commissioners are doubtful that a robust assessment has been undertaken to establish fully that these measures alone can ensure that the delivery of IAMP Two is not fettered in any way.

A statement (by the applicant) confirming that IAMP One will not be prejudicial to the delivery of the wider IAMP site is not, in the Commissioners' view, a sufficiently robust basis on which to determine a planning application. The AAP requires a comprehensive approach to the development of the IAMP and this is not achieved by the current application's apparent lack of consideration of impact on IAMP Two.

The Transport Assessment Addendum (March 2018) states that "*IAMP ONE is only the first phase of development at IAMP.*" – this is a view that pervades the entire application. If IAMP One is indeed being treated as a 'first phase' then the application simply must consider the potential impacts and interactions with later phases if the proposal is to accord with the policies and objectives of the AAP. The Commissioners believe that the current application fundamentally fails to do this and therefore, firstly, the overall principle of development cannot be established on the site and, secondly, it cannot be proven that the emergence of IAMP One will not prejudice the

future development of the wider IAMP. We consider some specific elements of this further below.

2. Consideration of Biodiversity Offsetting

The Environmental Statement that accompanies the planning application submission highlights that IAMP ONE is able to mitigate its own impact either through on-site measures or thorough adjacent land within the Applicant's control. This is particularly the case when it comes to ecology, where land outside the application's red line boundary is proposed for biodiversity offsetting.

For the Commissioners, this raises several fundamental points. The area for offsetting is clearly required to mitigate the impact of IAMP One and the revised Chapter K of the Environmental Statement states that the 43.6ha offset area is in the Applicant's control (being beyond the red line boundary of the planning application). However, the chapter confirms that only 15ha is currently available, with the remainder being made up of two land parcels which will be available at the end of June and August 2018. Without this land the proposed development cannot come forward, yet no evidence has been provided by the applicant to categorically confirm when this land will become available. Therefore, given its importance to the biodiversity mitigation, it is critical that evidence of the ownership position is provided by the applicant and that the delivery of the off-set area is secured via legal agreement.

Related to this point is the wider consideration of the offsetting land in relation to the wider IAMP development. Given the land sits outside the Applicant's red line, it is imperative that it is understood how this land ties in with IAMP Two and whether it is also required as offsetting for the wider IAMP development and how this may also be achieved. This is especially important given that the IAMP Two land falls within the DCO process.

It is also noted that the land is currently in use for agriculture and it is understood that it will continue to remain in agricultural management after development is completed in accordance with environmental stewardship principles. The Applicant has not been clear in its submission on how the land can be used for offsetting whilst remaining in agricultural management and whether the two are indeed compatible with each other.

The Commissioners therefore have strong doubts whether the offset area can firstly be delivered as part of this planning application and second, actually provide the biodiversity enhancement that is required by adequately offsetting the loss of biodiversity on the application site. There is also no explanation as to how the offsetting is to tie in with the wider IAMP development, which may also require this land for offsetting/mitigation.

Given these concerns, the Commissioners continue to object to the scheme on these grounds given that it is unclear whether on this basis that the Applicant can mitigate successfully the development proposals and so the application fails when assessed against Policy EN2 of the IAMP AAP.

3. Consideration of Other Mitigation

Further issues have been raised concerning proposed mitigation in relation to other elements of the proposed development and how these could potentially prejudice the ability of wider IAMP site to be delivered. Within the Applicant's response to our initial objection, little reassurance is given as to the ability to demonstrate how IAMP One and the wider IAMP development can effectively join up with regards to mitigation and infrastructure provision; rather the letter simply confirms that mitigation solely focusses on IAMP One and its delivery. We examine some of the specific issues below.

Highways

Whilst the Applicant is keen to highlight the proposed mitigation works which will be delivered through IAMP One, this does not explicitly explain how this then seeks to integrate with the wider IAMP development.

Indeed, the IAMP One Transport Assessment ("TA") (and its March 2018 Addendum) explicitly does not take into account the wider IAMP development at all. Whilst the Applicant's response to this is that it is not appropriate to consider the wider IAMP in its TA, as this will need to be subject to significant highway mitigation which will influence how traffic routes on the network, we do not deem this reasoning adequate in any way. In fact, the Commissioners are concerned that instead of seeking that the whole IAMP is able to come forward with sufficient mitigation and infrastructure provision, the Applicant instead states that IAMP Two will have to take into account IAMP One as a 'committed development'. This fundamentally shows a disjointed approach to the wider IAMP development and the Applicant's approach clearly conflicts with the adopted IAMP AAP and most notably Policy T1 which calls for a comprehensive approach to the provision of highway infrastructure.

The IAMP AAP is part of the adopted statutory development plan and is intended to guide development on the entire IAMP up to 2032. The operation of the surrounding highway network during a future design year of 2028 is discussed within the TA submitted for IAMP One, without giving any due consideration to the traffic generating potential of the remainder of the IAMP site. Indeed by 2028 it is anticipated that the wider IAMP site will have been largely developed by this point (including infrastructure improvements). Given the adopted status of the AAP we are somewhat surprised that the TA does not consider this at all.

Consequently, from a highways point of view, there are no reassurances that the mitigation proposed in IAMP One will not prejudice or frustrate the delivery of the wider IAMP development and so the Commissioners continue to object to the IAMP One application on these grounds.

Flooding and Drainage

As part of the IAMP One submission, the Flood Risk Assessment undertaken in support of the planning application acknowledges that ground levels need to be raised in order to protect against 1 in 100 year flood events (plus climate change).

The application submission acknowledges that this work will have impact in relation to other areas within the AAP boundary and that further flood mitigation measures will be required for those parts of the site. It is acknowledged that these areas are in third party ownership but can be picked up during the DCO process. However, this may mean such work cannot be concluded until the DCO is in place. This would then clearly have implications for the delivery of IAMP One as it appears that it will have a flood impact on the wider AAP site and on land which the applicant currently does not control. Again, little thought has been given as to practical implications of flood risk and drainage and how IAMP One and the wider IAMP site can tie together and be brought forward in a deliverable manner.

In a similar manner to the Commissioners' concerns regarding highways, until more details are provided in terms of the delivery of wider drainage infrastructure, the Commissioners maintain their objection to IAMP One on these grounds.

4. Planning Appeal by Town End Farm Partnership

We are also aware of the current planning appeal submitted by the Town End Farm Partnership ("TEFP") in relation to other land within the IAMP AAP boundary. This is ongoing, and it is noted that the Planning Inspectorate has written to the Appellant to request further information is provided with respect to certain aspects of their submitted Environmental Statement.

In particular, the Planning Inspectorate has requested that the likely significant cumulative effects of the proposals on the wider IAMP is provided as well as impacts on nearby key junctions where there are proposed improvements being put forward under separate NSIP schemes (A19 Testo's Junction and Downhill Lane Junction).

The Commissioners' view on this is that any development in the IAMP AAP boundary should be required to take into account the wider IAMP development (as part of the Development Plan). This avoids the issue of piecemeal development and ensures all relevant components of the IAMP can join-up and the relevant wider infrastructure be provided.

Given that this is the view of the Planning Inspectorate, we believe this requirement should equally apply to the IAMP One application given that it is also within the IAMP AAP boundary. Currently on key issues such as highways and ecology, there is no clear indication as to the detailed cumulative effects and whether the mitigation offered will prejudice future delivery at the IAMP.

This to us reinforces the view that a further assessment of the implications on the wider IAMP proposals should be included in the IAMP One application.

5. Revised Planning Application Documents

The applicant submitted a series of updated documents and addendums in April 2016 to address comments raised by consultees and Officers, and to address revisions to the detailed proposed for Plot 3. These included:

- Environmental Statement - Revised Chapter I – Water Resources and Flood Risk (including a Revised Flood Risk Assessment and Drainage Strategy)
- Environmental Statement - Revised Chapter K Ecology and Biodiversity
- Environmental Statement – Revised Chapter L - Access and Transport (including a Transport Assessment Addendum)
- Outline Construction Management Plan
- Applicant Response Letter to Comments made by Urban Design Officer on compliance with IAMP AAP and Design Code
- Revised Plot 3 Design and Access Statement; and
- Revised Plot 3 Drawings.

On review of these documents, particularly those relating to the Environmental Statement, it is clear that the impact of the IAMP One development on the wider IAMP project has not been considered. No reference is made in any of the documents on the potential for the development and mitigation proposed as part of IAMP One could impact on the future development of the wider IAMP site. It is the Commissioners view that this is a fundamental shortcoming which is out of accord with the policies of the AAP.

It is noted, however, that references to IAMP Two are made where it appears to be beneficial to the applicant. For example, the updated Flood Risk Assessment uses the area of the wider IAMP site (circa 150ha) to generate greenfield run-off rates which results in a lower estimated greenfield run off value than if a run off rate had been generated for each development area within the wider IAMP site. This appears to be in direct conflict with statements made elsewhere on the need to account for IAMP Two. For example, the Transport Assessment Addendum states:

"IAMP ONE is only the first phase of development at IAMP. It is neither necessary, proportionate nor reasonable for IAMP ONE to provide public transport routes across the entirety of IAMP at this stage."

It is the Commissioners' view that a consistent approach should have been taken throughout the application in terms of the way in which IAMP Two was considered as part of the assessments undertaken.

Within the submitted documents, a number of references are made to future management and monitoring and the Commissioners trust that these measures will be secured by condition or legal

agreement. These include *inter alia*:

- Monitoring operational trip generation rates to ensure that these remain within the parameters assessed in the TA (and the ES);
- Ensuring that the commitments (wider public transport connectivity and the use of the east-west link) made in paragraphs 5.4 and 5.5 of the 'Transport Assessment Addendum' are delivered through the IAMP Two DCO;
- Securing an appropriate and effective governance structure for the Traffic Management Working Group
- All conditions requested by Highways England in their response to the application, including the latest response of 26th April 2018 which states that a number of the issues raised by Highways England remain unresolved.

Given the levels of mitigation proposed, it is suggested that the applicant is required by the Council to produce a 'Schedule of Mitigation' for the entire application. This document should set out an overview of the main mitigation measures proposed and setting out how, in each case, these will be secured (whether by condition, legal agreement, or through the future DCO).

6. Summary and Conclusions

The Commissioners remain of the view that the IAMP One scheme conflicts with the fundamental aims on the IAMP AAP which seeks to bring forward the IAMP in a comprehensive and joined-up manner. The rationale for a joined-up approach is clear, as it allows the required mitigation and infrastructure to be provided in a comprehensive manner which means that early elements of the development do not impinge or prejudice the delivery of future phases.

The current approach to IAMP One manifestly fails to take this comprehensive approach and is instead piecemeal in nature. In respect of key issues (ecology, highways and drainage) it is unclear as to how IAMP One takes into account IAMP Two and does not prejudice its delivery. It is also unclear how the mitigation proposed for IAMP One will affect the ability to deliver any required mitigation for IAMP Two. Given that IAMP Two is a development of national significance (being designated as an NSIP), its delivery is critical and it is important that the wider IAMP is not fettered in any way.

As the IAMP One application cannot demonstrate this, the Commissioners continue to object to it. We trust that the Council will seek clarification from the applicant on the issues raised and will ensure that these are robustly assessed in the decision-making process.

We reserve the right to comment further on the planning application and any further revisions to its associated technical documents.

Should you have any queries regarding our comments, please do not hesitate to contact me.

Yours sincerely



BEN LEWIS

Infrastructure & Energy Director