

**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**

**SUMMARY OF PROOF OF EVIDENCE**

**KATIE SULLY  
DEVELOPMENT DIRECTOR  
SIGLION**

**PLANNING INSPECTORATE REFERENCE ROW/3181702**

## **1. Consultation Process**

- 1.1 Extensive consultation was undertaken with local residents and as a result changes were made to the development proposals for Chapelgarth in advance of submission of the outline masterplan and the hybrid planning application in March 2016. These changes included new walking routes across and around the site as has been evidenced in the Proof of Evidence by Peter Owens, Landscape Architect.
- 1.2 Further consultation was undertaken with equestrian users once the Order was made to explain the provision of new routes. As a result of this a further bridleway through the site is now proposed, as has been evidenced in both Tim Ducker and Peter Owen's Proof of Evidence.
- 1.3 As the development benefits from a hybrid planning consent there would be further consultation and engagement as reserved matters approval applications are progressed.

## **2. Securing delivery through phasing of development**

- 2.1 The development would be delivered in phases and with each reserved matters application, a compliance statement would be submitted to show how it conforms with the Design Code approved as part of the hybrid planning consent. The Design Code includes the provision of the new routes, including all purpose highway, multi user routes and circulatory footpaths across the site.
- 2.2 In addition to the Design Code, the S106 Agreement controls the provision and timing of the Suitable Alternative Natural Greenspace (SANG), which forms part of the development proposals and the provision of a circular walk is contained within the SANG. The extent of the SANG is shown on Plan 4 in the S106 (Plan L1515-PRP-025). The S106 requires public access to be provided and maintained at all times to the SANG areas, with the new routes being made available on a phase by phase basis.
- 2.3 As Drawing L-1515-PRP-027 Rev 12 demonstrates, many of the new routes run close to or on the alignment of the existing routes. Until such time as development commences in each phase, the existing routes within the site would be maintained and public access will continue to be permitted.

## **3. The programme for delivery for the development**

- 3.1 The first phase of development would comprise the initial infrastructure works to form new access routes, off site highway and drainage ponds, which have full planning permission. The first phase of housing would be 160 homes adjacent to Doxford Park, by Miller Homes.

- 4. Proposed arrangements for long term management of the development**
- 4.1** New routes created as part of the development would either be privately maintained by a management company or adopted by the Council as publicly maintainable highway. Siglion intends to establish a site wide Management Company, the principal role of which would be the maintenance of the common areas including the new routes.
- 4.2** The S106, Schedules 3 and 4 contain obligations in respect to the future maintenance of the privately maintained areas which are identified on Regulatory Plan 12 (Open Space Strategy) together with the SANG. A management plan would be required to be approved by the Council prior to occupation of any unit within a phase. The implementation of the management plan would introduce a high standard of management and maintenance of the proposed privately maintained areas. This would result in a significant improvement over the current provision and would address such matters as unauthorised access from vehicles and reduce anti social behaviour.
- 4.3** The roads and pavements would be adopted by the Council, subject to the completion of a highways adoption agreement and therefore would be maintainable at the public expense.
- 4.4** New routes would be lit and allow access for everyone including people with pushchairs and less abled bodied, with mobility scooters and wheelchairs, an enhancement on the current provision. New routes would provide safer and better access for all, with the SANG areas designed to allow dog walkers to safely let dogs off the lead.
- 4.5** Robust arrangements would therefore be made for the future management and maintenance of all new routes to a significantly higher standard than the existing arrangements.
- 5. Justification for extinguishment of existing rights of way**
- 5.1** The evidence of Peter Owens has explained the design process behind the evolution of the new routes. The evidence of Tim Ducker has explained the Council's reasons for concluding that alternative right of way will be provided, and the evidence of Danielle Pearson has set out the controls within the planning permission relating to the new provision.
- 5.2** My evidence demonstrates how the new routes have been informed by consultation, the programme for delivery and the arrangements for the future management of the new routes. My evidence therefore supports the Council's overall conclusion that alternative rights of way will be provided and will result in considerable betterment for users.

