

# Local Plan

# Local Development Scheme 2018-2020





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## **1. Introduction**

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008 and Localism Act 2011) requires Councils to prepare and maintain a Local Development Scheme (LDS). Its main purpose is to inform the community and other partners of the Local Plan documents that are being prepared for the area and the envisaged timescales for their preparation, and to establish the Council's priorities for the preparation of the Local Plan documents and their associated work programmes, including in relation to budgeting and resources.
- 1.2 This LDS sets out the Council's commitment to the production of various planning documents that will make up the City of Sunderland Local Plan.
- 1.3 This Local Development Scheme replaces the Council's last LDS which was adopted in 2017.

## 2. Policy Context

- 2.1 The Town and Country (Local Plan) (England) Regulations 2012 came into force in April 2012. These Regulations prescribe the form and content of a Local Plan and Policies Map and set out procedural arrangements for preparing Local Plans. They also list the prescribed bodies in relation to the Duty to Co-operate, the requirements in relation to the Authority Monitoring Report, and set out how information should be made available for inspection.
- 2.2 The Neighbourhood Planning (General) Regulations 2012 came into force on 6 April 2012. The Regulations include the process and procedures for setting up Neighbourhood Areas, preparing Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders. Any Neighbourhood Development Plan will need to be in general conformity with the National Planning Policy Framework and strategic planning policy of the local authority. It will also be subject to an independent examination and a referendum before it is adopted as a statutory planning policy document by the City Council. There are currently no Neighbourhood Plan designated in Sunderland.
- 2.3 The NPPF was published in March 2012 and sets out the presumption in favour of sustainable development. Core planning principles include the need to be plan-led and to pro-actively drive and support sustainable economic development. Various strategic priorities must be addressed in the Local Plan, including policies to deliver the homes and jobs needed together with any necessary retail, leisure and other commercial development.
- 2.4 It is stressed that plans must be based on adequate, up to date and relevant evidence. In preparing the Local Plan, the Council will bring together a wide-ranging evidence base to underpin the Plan. A range of information including background studies, research, surveys and feedback documents have been prepared and will be published on the Councils website.
- 2.5 Any plan must be prepared in accordance with the Duty to Co-operate, legal and procedural requirements, and be sound. As part of the Duty to Co-operate, the City Council is committed to working collaboratively with other local authorities and stakeholders on matters of cross boundary and sub-regional significance. The NPPF sets out the tests of soundness. An Annex to the NPPF relating to implementation specifies that the weight to be attached to policies in existing plans depends on their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that can be given to them).
- 2.6 The National Planning Practice Guidance (NPPG) was launched in March 2014 and is updated as necessary by the Government. The NPPG contains guidance on a wide range of planning matters, for example, on housing and economic development needs assessments and on housing and economic land availability assessment. The 'need' part of the guidance contains a detailed methodology as to how the objectively assessed need should be calculated.

2.7 All policies and proposals contained within the Local Plan will be subject to a Sustainability Appraisal and also a Strategic Environment Assessment and Habitat Regulations Assessment where appropriate. This involves scoping reports and assessments throughout the preparation of the Local Plan to ensure an iterative approach to consider policies.

### 3 Sunderland's Local Plan

#### Current Development Plan

3.1 The current statutory development plan for the City is the:

- **Unitary Development Plan (UDP)**. Adopted in 1998, the plan provides both City-wide and site-specific policies.
- **UDP Alteration No.2**. This updated policy framework was prepared to reflect emerging regeneration initiatives and proposals along the Central Sunderland riverside. This was adopted in 2007. The policies of the UDP and Alteration No.2 were "saved" in 2009.
- **Local Plan Part Three - International Advanced Manufacturing Park (IAMP) Area Action Plan (AAP) 2017-2032**; which will set out site specific policies for delivery of a large advanced manufacturing park on land to the north of the existing Nissan car manufacturing plant. Sunderland City Council and South Tyneside Council jointly adopted the AAP on 30 November 2017.

#### Sunderland's Local Plan

3.2 Sunderland Local Plan is being prepared in three parts;

- **Part One - Core Strategy and Development Plan (Hereafter referred to as CSDP)**; which will set out an overarching strategy for future change and growth in the city and include detailed development management policies. It is a strategic Plan which covers the period 2015 to 2033. The CSDP will cover the whole of the area within Sunderland's administrative boundaries (Figure 1). The CSDP will replace some of the saved policies of the Sunderland Unitary Development Plan (UDP) 1998 and UDP Alteration No. 2 (2007) which covers the Central Sunderland area once adopted.
- **Part Two – Allocations and Designations Plan**; which will set out site-specific policies for the development, protection and conservation of land in the city in order to deliver the overall strategy set out within the CSDP.

**Part Three - International Advanced Manufacturing Park (IAMP) Area Action Plan (AAP) 2017-2032 - Adopted.**



3.3 Development Plan Documents (DPDs) in the Local Plan have statutory status and carry the most weight when making decisions on planning applications. They are subject to independent examination by an independent Planning Inspector and undergo a rigorous procedure of community involvement and consultation.

- 3.4 Supplementary Planning Documents (SPD) are intended to expand upon, or provide further details to, policies in Development Plan. New or replacement Supplementary Planning Documents will go through a consultation process in accordance with the Statement of Community Involvement. Supplementary Planning Documents are not subject to examination but are adopted by the City Council, having been informed by community and stakeholder involvement in their preparation. Once adopted, Supplementary Planning Documents will form part of the Local Plan as non-statutory documents.
- 3.5 The Council must also produce a Statement of Community Involvement (SCI) setting out how it intends to consult and involve the community in the preparation and review of local development documents and in development management decisions.
- 3.6 The Authority Monitoring Report (AMR) assesses whether policies, targets and milestones have been met and it will inform the review of the Local Development Scheme.



## 4.0 Programme Management and Timescales

4.1 The Council will use effective programme management techniques in the delivery of their Local Plan and producing the supporting evidence base. This section of the LDS explains the arrangements being made to ensure delivery of the programme set out earlier.

- **Core Planning Policy Team:** The Local Plan is managed on a day to day basis by the Strategic Plans and Housing Manager. A Policy Team Leader and three Senior Officers provide the bulk of the Council's resource to progress the Local Plan but specialist expertise is drawn from elsewhere across the Planning Directorate and wider Council when required.

A dedicated Project Manager ensures that proper project management principles are established and adhered to in delivering the Local Plan.

- **Local Plan Board:** the Local Plan Board has overall responsibility for the delivery of the Local Plan. It provides strategic direction and ensures that appropriate resources are made available to ensure the delivery of the project. It also provides challenge on progress. The Board is chaired by the Executive Director of Economy and Place, and comprises the Chief Operating Officer (Place), Head of Planning and Regeneration, the Head of Housing Support, Director of People Services, Director of Public Health and Head of Infrastructure and Transportation.
- **The Local Plan Working Group** considers and undertakes actions to progress the plan. The Working Group comprises the core planning policy team, Financial Resources Officer, Communications Officer from Corporate Communications and Transportation Officer. Representation is provided from other council services on request and helps to ensure an integrated policy and infrastructure delivery approach.

An officer from the Council's Risk Assessment team sits on both the Local Plan Board and Local Plan Working Group.

- **Member Steering Group:** Elected Member input and endorsement of key plan documents is provided by the Member Steering Group which is made up of the Cabinet Secretary and Cabinet Portfolio Holders for Housing and Planning and the Chair of Planning and Highways Committee.

4.2 The complex nature of the Local Plan means that external advice and evidence preparation will continue to be required at all stages of plan preparation. The engaging of these services will be undertaken in accordance with the Council's established procurement processes.

4.3 Budgetary provision is sought on an annual basis based on the Service Delivery Plan and Local Development Scheme programme. Specific costs relating to the submission of documents and the Examination process are identified in the Council's Medium Term Financial Plan.

## 5.0 RISK ASSESSMENT

5.1 An assessment has been carried out of the factors that could affect the ability of the Council to deliver the Local Plan in accordance with the indicated programme. Actions to manage these risks have been identified.

Risk Identified	Likelihood/ impact	Management Action
Programme Slippage	<p>Medium/ High</p> <p>The Council is required to meet the milestones for development plan documents in the LDS. Failure to deliver against the key milestones will be damaging to the reputation of the local planning authority and the absence of up-to-date planning policies will hamper the realisation of the Council's vision and lead to uncoordinated developments in the City.</p> <p>Recently the Government announced that it would "intervene" in the preparation of Local Plans where significant slippage from published LDS milestones had occurred.</p>	<p>The Council will ensure that progress is carefully monitored and that priority is given to achieving the key milestones set out in the LDS through the Local Plan Board.</p>
Staff Resources	<p>Medium/ High</p> <p>Loss of experienced staff will impact on the production of documents. Over the past few years there has been a reduction in staff available to carry out local plan work. Recruitment of replacement staff has proven difficult but progress is now being made.</p>	<p>Ensure that sufficient staff resources with the necessary experience and expertise are available for plan production. Work on the Local Plan will be made a priority. Consultants will be engaged to provide specialist advice. Agency Staff will be employed to ensure appropriate resources are available for plan-making.</p>
Financial Resources	<p>Medium/ High</p> <p>Government spending cuts continue to affect resources across the Council. Sufficient financial resources are required to prepare documents and consult.</p>	<p>Ensure the Local Development Scheme informs the Council's Medium Term Financial planning.</p>
Resources of external agencies	<p>Medium/ High</p> <p>The preparation of the Local Plan will require considerable input from other organisations (Environment Agency, Natural England, Highways England, etc). Many will be involved in the preparation of Local Plans by other authorities. They are also being affected by reduced resources which could affect their capacity to provide input to the Local Plan.</p>	<p>In order to minimise risk, the Council will seek to talk to such organisations as early as possible and build upon existing working relationships in order to minimise slippage of the Local Plan.</p> <p>The LDS provides forward notice of the Council's Local Plan programme. Regular liaison takes place between key infrastructure bodies and statutory consultees.</p>

<p>Legal compliance/ soundness/ legal challenge</p>	<p>Medium/ High The Planning Legislation and Regulations place specific responsibilities on the Council regarding the need to prepare a plan that is “sound”. Failure to prepare a plan that is “sound” will result in the Local Plan being rejected by the Planning Inspectorate.</p>	<p>The Council will seek to ensure that the Local Plan is legally compliant, “sound” and based upon a robust evidence base. The Council will work closely with the Planning Inspectorate at all stages to ensure that the tests of soundness are met. The Council will take legal advice on the plan process as appropriate.</p>
<p>Failure to comply with Duty to Cooperate</p>	<p>Medium/ High A legal duty on the Council for the Local Plan. The duty cannot be demonstrated retrospectively therefore failure to demonstrate it will have significant effect</p>	<p>Ensure cross-boundary strategic priorities are scoped at an early stage and early sustained engagement with adjacent authorities and other key stakeholders is established. Document engagement and outcomes and how this has led to effective policies on strategic matters.</p>
<p>Changes in national policy/ legislation</p>	<p>Medium/ High Changes to the statutory process or new substantive policy which affects the content and direction of local policy preparation and decisions may cause delays to the programme.</p>	<p>The Council will carefully monitor new policy and legislation and give priority to managing any impacts on the key milestones set out in the LDS. Advice will be sought from Department of Communities and Local Government and the Planning Inspectorate as appropriate</p>

## 6.0 PROFILES OF LOCAL DEVELOPMENT DOCUMENTS

### 1. Core Strategy and Development Plan

Overview	
Title	Core Strategy and Development Plan
Role and Content	Sets out strategic policies allocations and designations for development of the City. The plan also contains development management policies.
Coverage	City wide
Status	Development Plan Document
Chain of Conformity	In accordance with legislation and national planning policies and guidance
Timetable	
Consultation on draft plan	Summer 2017
Consultation on Publication	Summer 2018
Submission	Autumn 2018
Examination	Autumn/Winter 2018
Adoption	2019

### 2. Allocation and Designations Plan

Overview	
Title	Allocations and Designations Plan
Role and Content	Sets out detailed site-specific allocations and designations
Coverage	City wide
Status	Development Plan Document
Chain of Conformity	In accordance with legislation and national planning policies and guidance. Accords with strategic policies in the Core Strategy.
Timetable	
Draft	Summer-late 2018
Publication	Early 2019
Submission	Summer 2019
Examination and adopt	2019/2020

3. Existing Supplementary Planning Documents (SPD's) will need to be reviewed in light of policy changes in the emerging Local Plan. However, in addition to the Council's current (SPD's), the Council intend to prepare the following SPD's.

Timetable		
SPD	Draft	Adoption
South Sunderland Growth Area	Winter 2015/16	Early 2019
Stadium Village	Spring 2018	Summer 2018
Holmeside	Summer 2018	Autumn 2018
Planning Obligations	Summer 2018	Subject to CSDP
North Sunderland	Summer 2018	2019/20

## **7.0 GLOSSARY**

### **Authority Monitoring Report (AMR)**

The AMR monitors progress in preparing documents in the Local Development Scheme and assesses the extent to which planning policies are being implemented successfully.

The AMR also updates monitoring information in key subject areas, including housing, economic development and retail, and examines the implications of the information for the Development Plan.

### **Development Plan Documents (DPDs)**

Development Plan Documents are planning policy documents which make up the Local Plan. They help to guide development within a local planning authority area by setting out the detailed planning policies, which planning officers use to make their decisions on planning applications.

DPDs were introduced as part of the reforms made to the planning system through the Planning and Compulsory Purchase Act 2004.

### **Duty to Cooperate**

The duty to cooperate was created in the Localism Act 2011. It places a legal duty on local planning authorities in England and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

### **Habitats Regulations Assessment (HRA)**

The Local Plan may require a Habitats Regulation Assessment, as set out in the Conservation of Habitats and Species Regulations 2010 if it is considered likely to have significant effects on European habitats or species, located in the local planning authority's area or in its vicinity.

### **Local Plan**

Local Plans have statutory development plan status and are subject to rigorous procedures involving community involvement and formal testing through examination by an independent Planning Inspector to assess whether a plan has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements and whether it is sound.

### **National Planning Policy Framework (NPPF)**

The NPPF (March 2012) is a single document that sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development. The NPPF prioritises the role of planning in supporting economic growth.

### **National Planning Practice Guidance (NPPG)**

The NPPG (March 2014) is an online resource setting out further detail on the Government's national planning policies set out in the NPPF.

### **Statement of Community Involvement (SCI)**

A document which sets out how a Council will engage with communities in reviewing and preparing planning policy documents and consulting on planning applications.

### **Strategic Environmental Assessment**

A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

### **“Soundness”**

A Local Plan must be 'sound'. The tests of soundness are set out in paragraph 182 of the NPPF. A plan must be:

- Positively prepared
- Justified
- Effective
- Consistent with national policy.

### **Supplementary Planning Document (SPD)**

A type of planning document that provides support, and additional detail on the implementation of policies contained in Local Plans. An SPD is a material consideration, but carries less weight than a Local Plan.

### **Sustainability Assessment (SA)**

Examines the impact of proposed plans and policies on economic, social and environmental factors, and ensures that these issues are taken into account at every stage so that sustainable development is delivered on the ground. It also appraises the different options that are put forward in the development of policies and the process of allocating sites. Each Local Plan that the Council produces is accompanied by its own SA.



