

# Sunderland Local Plan Examination

## Burdon Lane Consortium - Burdon Lane

### Matter Statement 11 - Monitoring and Implementation

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Issued May 2019

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#### 1.0 Monitoring Framework

##### **(1.1) Is the plan clear in indicating how the plans policies and proposals will be monitored?**

- 1.1 We respond to Matter 11 on behalf of the Burdon Lane Consortium (consisting of Taylor Wimpey, Persimmon Homes and Story Homes) (“our Client”).
- 1.2 The Core Strategy and Development Plan (CSDP) advises that all policies will be monitored regularly and reviewed (in accordance with the monitoring framework) and updated if necessary (para. 1.7). The Council’s Monitoring Framework is then listed as one of the evidence base documents in Appendix 2.
- 1.3 Paragraph 1.7 could be expanded to include greater information about the Monitoring Framework and the relationship to the Authority Monitoring Report to explain how the Plan’s policies and proposals will be monitored. We recognise that reference is made to how various policies will be monitored within the individual chapters of the CSDP.

##### **(1.2) Will the indicators in the Monitoring Framework be effective in monitoring the success of the plans policies and proposals?**

- 1.4 This is considered a question for the Council to answer.

#### 2.0 Review of the Plan

##### **(2.1) Is the LP clear as to when a review or partial review of the LP would be triggered due to a failure to meet key targets, for example for those relating to the delivery of housing?**

- 2.1 Our Client considers that the CSDP provides an adequate explanation of the circumstances for when the Safeguarded Land would be reviewed, namely as part of a Plan review if the Council could not demonstrate a five year land supply (paragraphs 4.45 – 4.47).
- 2.2 With regard to housing supply and delivery, paragraph 6.5 advises that this Plan will be reviewed in 2024 and will need to reassess the strategy. Paragraph 6.9 advises that the annual monitoring of the housing trajectory may trigger a review of this Plan if housing delivery is not keeping pace with the minimum target. This paragraph then suggests some measures to be put in place should there be a sustained under-performance against the requirement.
- 2.3 The NPPF (paragraph 33) advises that Plans should be reviewed at least once every five years and that they are likely to require earlier review if local housing need is expected to change

significantly in the near future. The NPPF specifically refers to the Housing Delivery Test and the need for authorities to prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery. The measures suggested in the LP relate to ways of increasing supply. A reference could be included to understand the causes of under-delivery.

- 2.4 Our Client considers that to ensure the CSDP is flexible and able to adapt to unforeseen circumstances, Policy SP8 should include the following additional text:

*“At any point in the plan period where there is no longer a demonstrable supply of sites to fully meet the five year land requirement, sustainable housing sites, which are located entirely or partially within the Open Countryside, that would both make a positive contribution to the five year supply of housing land and be well related to existing settlements will be supported where these proposals comprise sustainable development and are consistent with relevant policies in the CSDP. Proposals that come forward under this mechanism should be of a scale that respects the physical size of the settlement.”*

- 2.5 This additional text is an adapted version of a Main Modification (ref. MMO8) to Scarborough Borough Local Plan Policy HC1. Following the examination of the Local Plan, during September 2016, Inspector William Fieldhouse proposed a similar modification in his report (paragraph 139) dated 9 February 2017.
- 2.6 Our Client suggests including the above text to ensure the CSDP is positively prepared and effective. The inclusion of this text is also discussed in our Client’s response to Matters 2 and 4.

### **3.0 Supplementary Planning Guidance**

#### **(3.1) Is the plan clear on the SPD that will be prepared to provide guidance on the implementation of the plan?**

- 3.1 We consider that the CSDP is clear on which SPDs have been or will be prepared to provide guidance on the implementation of the Plan. However, our Client has concerns about the statements that all development on the South Sunderland Growth Area (SSGA) should be in accordance with the SSGA SPD (para. 4.52) and that developments should be in accordance with the Planning Obligations SPD (para. 6.22).
- 3.2 Greater flexibility is provided within the CSDP text that relates to the other SPDs, and is as follows:
- Design SPDs – paragraph 9.5 states that ‘*development should take into consideration SPDs on design*’ and that they ‘*will be a material consideration in the determination of planning applications for relevant proposals*’;
  - Design and Access SPD - paragraph 9.14 states that ‘*further guidance is provided within the council’s Design and Access SPD*’; and
  - Biodiversity and Geodiversity SPD – paragraph 10.16 states that this forthcoming ‘*SPD will support the natural environment policies*’. (Our Client’s emphasis)
- 3.3 With regard to the Planning Obligations SPD, we respectfully request that paragraph 6.22 is amended to state that development should ‘*take into consideration the Planning Obligations SPD, subject to site viability*’. This reflects the text provided in Policy ID2 ‘*Planning Obligations*’ and ensures that this Plan is positively prepared.

- 3.4 In terms of the SSGA SPD, our Client has previously submitted extensive representations on this document. Although our Client broadly supports the SSGA SPD, they consider that it is overly prescriptive and does not take into account issues of viability and deliverability. Flexibility is sought to enable the development to respond to changing market conditions, local context and developer / site requirements.
- 3.5 Our Client recognises that planning permission or minded-to-grant resolutions have been secured for the other four developments in the SSGA (namely Chapelgarth, Cherry Knowle, South Ryhope and Land at Burdon Lane<sup>1</sup>) and hence many aspects of the SPD have not already been applied to these schemes, for example a contribution towards the District Heating System. This has set a precedent for the development of the Land North of Burdon Lane. Our Client is therefore seeking a consistent approach for the Land North of Burdon Lane development, rather than for additional financial burdens to be placed on this scheme when compared to the neighbouring developments.
- 3.6 Our Client therefore respectfully requests that paragraph 4.52 of the CSDP be amended to state that '*developments should take into account the SSGA SPD and it will be a material consideration in the determination of planning applications for relevant proposals*'. This text is similar to that provided at paragraph 9.5 in relation to the Design SPDs. This will ensure that the CSDP has been positively prepared.

## 4.0 Saved Policies

### **(4.1) Is the plan clear on which UDP policies are to be saved or superseded?**

- 4.1 Appendix 1 lists the Saved UDP Policies and our Client considers that this is a clear approach.
- 4.2 The Council could include text to advise that any other UDP policies which are not shown on this list have not been saved.

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<sup>1</sup> Chapelgarth – planning application reference: 16/00388/HY4  
Cherry Knowle – planning application reference: 16/01524/HYB  
South Ryhope – planning application reference: 16/01502/OU4  
Land at Burdon Lane – planning application reference: 13/00799/FUL