

Statement of Community Involvement

June 2020



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1. Introduction

Planning affects everyone in our communities, however most people only get involved in planning when it directly affects them. We are a council that wants to put our communities first in the planning process - listening to our residents and businesses, and championing early engagement between local people, developers and the council. Sunderland City Council recognises the important role that the community plays in shaping their built environment.

All local planning authorities are required to produce a Statement of Community Involvement and to keep it updated. This SCI replaces the council's previous SCI which was prepared in 2015. This SCI aims to set out the way in which we will involve residents, businesses, community groups, investors and other stakeholders on planning matters. Not only do we want our SCI to set out how residents and stakeholders can get involved in planning, which is an iterative process, but we also want to make it quicker, easier and more accessible to have your say in the planning process. We want to widen access to planning, so that all our communities feel they have a voice in shaping our places and spaces.

The council's planning functions can be grouped into three categories.

Plan making

The Government is clear that councils should make Development Plans, setting out the council's vision for the city and range of policies and site allocations/designations in order to deliver that vision.

Local Plan

The council is currently preparing the Sunderland Local Plan in three parts.

- **Part One** – Core Strategy and Development Plan (CSDP): sets out an overarching strategy, strategic policies and strategic allocations and designations for the future change and growth of Sunderland. The Plan also includes local policies for Development Management purposes. The Plan covers the period 2015 to 2033 and is for development within Sunderland's administrative boundaries. The CSDP was adopted by Sunderland City Council in January 2020.
- **Part Two** – Allocations and Designations Plan (A&D Plan): will set out local policies including site-specific policy allocations and designations for the development, protection and conservation of land in the city in order to deliver the overall strategy as set out within the CSDP.
- **Part Three** – International Advanced Manufacturing Park (IAMP) Area Action Plan (AAP) 2017-2032: The IAMP AAP was adopted by Sunderland City Council and South Tyneside Council in November 2017. This part of the Local Plan sets out site-specific policies for the comprehensive development of the IAMP.

The policies within the Local Plan are the legal tools which the council can use to manage growth and change to ensure new development is sustainable.

Supplementary Planning Documents

Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on development plan policies.

Neighbourhood planning

Neighbourhood Plans were introduced in the Localism Act 2011. They are an important and powerful tool that gives communities the statutory power to shape how their areas develop. Neighbourhood Plans are prepared by local communities or local businesses and not by the council.

Decision making

Planning and related applications should be considered against the policies in the Local Plan unless material considerations indicate otherwise.

When planning applications and related applications are considered, we look at whether the proposed development is in accordance with the policies in the Local Plan alongside the policies within the NPPF.

Ensuring compliance

The council has discretionary power to take action against development that has been carried out without planning permission or where a development has not taken place in accordance with the consent granted. The local planning authority will assess the level of harm that is being caused to the local area and make an informed decision whether or not it is expedient and in the public interest to seek to rectify the breach.

You can notify the council of any planning breaches on the council's website at: www.sunderland.gov.uk/report-planning-breach or by contacting the council's Planning Enforcement Team by phone at 0191 520 5551.

2. What is the Statement of Community Involvement?

National legislation¹ requires the council to prepare a SCI stating the local planning authority's policy of engagement in the planning process with all those with an interest in development in the area. The National Planning Policy Framework (NPPF) (February 2019) sets out the Government's planning policies for England and how these should be applied. It states in Chapter 3 (paragraph 16) that 'the planning system should be genuinely plan-led' and that 'Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees'.

Principles of engagement

It is important that everyone is given the opportunity to get involved in planning decisions, including where we provide the homes we will need, how we will create new job opportunities, how we will get around, and the quality of our environment. We will aim to make the planning process more accessible to everyone within the community, including those who traditionally have not engaged or may have felt excluded from planning decisions. We will use the following principles of engagement:

- We will continue to adhere to **legislative requirements**, including relevant acts and regulations, in all planning matters.
- We will reach out to our communities in the **most direct and least resource-intensive** manner possible, so that we can deliver simple and cost-effective mechanisms for engagement in planning matters.
- We use **digital technology** to make it easy for you to view information and get involved. However, the council also recognise that many people also like to have access to hard copies and therefore the council will try to strike the right balance between both approaches when undertaking consultation.
- Where required, the council can also **provide documents in a range of other formats** such as large print or audio PDFs upon request.

How to get involvement in planning?

You can check our website for updates regarding planning decisions and you can request to be added to our Local Plan Consultation Database if you wish to be automatically consulted during the preparation of planning policy documents by emailing: planningpolicy@sunderland.gov.uk

Email notifications will be sent to statutory consultees and people registered on the consultation database when consultation on planning policy documents take place. Your data will be processed in accordance with General Data Protection Regulations. Further information is available at: www.sunderland.gov.uk/article/13420/Data-Protection

¹ The Planning and Compulsory Purchase Act 2004 (Section 18) (as amended)



3. Methods of consultation

We will utilise a range of consultation methods to actively engage with people including:



Online written methods

Website – Plan making documents, planning applications, consultations and supporting information will be available on our website.

Email – We will use email to keep those registered on the Local Plan Database up to date on relevant policy matters and those who have subscribed to receive email alerts informed about new planning applications in their area. You can sign up to receive updates at www.sunderland.gov.uk/online-applications

Online comments – Online comments forms will be used to gauge views on planning policy documents.



Written methods (letters/press notices)

Letters – In relation to plan making documents, if we do not have email addresses for those registered on the Local Plan Database we will send letters to keep those people updated on relevant policy matters. Letters will be sent to the neighbouring properties that directly adjoin the application site for minor applications. For major applications, we will notify properties within a larger radius depending on the proposal.

Press Notice – We will advertise the following by way of notices in the local press: major applications; listed building consent; developments affecting the character or appearance of a conservation area; applications accompanied by an Environmental Impact Assessment (EIA); and, departures from the development plan.

Site notices – We will display site notices in a public place at or near the application site.



Social Media

We will use social media such as Facebook, Twitter and Instagram, to spread the word about plan making consultations and opportunities to discuss major planning applications.



Face to face

Face to Face Meetings – We may meet with groups and organisations relevant to policies or applications that are in development. We may also utilise online meeting spaces such as Microsoft Teams to engage.

Public events – We may also hold public meetings/events where individuals can contribute their thoughts. We may facilitate workshops that may be appropriate to discuss issues.



4. Plan making

The council produces a Local Development Scheme (LDS) which sets out the programme for preparing plan making documents. It is regularly updated so people can be aware of forthcoming opportunities to participate in the preparation of planning policy documents. Plan making documents include:

- **Development plan documents (the Local Plan)** – The Local Plan is the council’s overarching planning policy document. As set out in chapter 1, the Sunderland Local Plan consists of three parts: the Core Strategy and Development Plan, the Allocations and Designations Plan and the International Advanced Manufacturing Park Area Action Plan.

To develop the Local Plan, the council has to have regard to statutory provisions, case law, and national guidance. The Local Plan is consulted upon and undergoes public examination conducted by an Inspector appointed by national Government. The Local Plan must progress through a number of stages until its ultimate adoption. The regulations set minimum requirements for consultation. Once adopted, development plan documents must be reviewed every five years.

- **Supplementary Planning Documents** – Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on development plan policies. We have two types of SPDs: those which relate to the development of a particular site or area, and those which relate to a city-wide issue. SPDs are not subject to an independent examination and do not form part of our development plan. They do not introduce new planning policies into the development plan. They are however a material consideration in decision-making.
- **Neighbourhood planning** – Neighbourhood Plans were introduced in the Localism Act 2011. They are an important and powerful tool that gives communities the statutory power to shape how their areas develop. They have real legal force as they contain the policies that will be used alongside those within the council’s own Local Plan and are applied, where relevant, in deciding planning applications. Neighbourhood Plans are prepared by local communities or local businesses and not by the council. As such it will be for the Neighbourhood Forum (the group set up to draft the Neighbourhood Plan) to decide how they wish to involve local people and businesses in the drafting of their Plan. The approach for neighbourhood planning is set out in chapter 5.

Who we will consult when preparing development plan documents and SPDs

The council has a legal requirement to make information available to interested residents and organisations, as well as a legal duty to consult the ‘specific’ and ‘general’ consultation bodies². The ‘specific’ consultation bodies are groups that have expertise and knowledge in a particular subject. The ‘general’ consultation bodies are those on the Local Plan database. The regulations³ also include a ‘duty to co-operate’ which places a legal duty on local authorities to engage “constructively, actively and on an ongoing basis” with relevant strategic policy makers.

During the preparation of the Local Plan and any associated planning policy documents (such as Supplementary Planning Documents) the council will formally consult the ‘specific’ and ‘general’ consultation bodies at all stages.

Where to view consultation documents

All consultation documents will be made available on the council’s website at www.sunderland.gov.uk/planningpolicy and hard copies will be made available to view at the council’s principal office. Where possible, the council will also make hard copies available in all council libraries.








² As set out in the Town and Country Planning (Local Planning) (England) Regulations 2012

³ As set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended), ‘Duty to cooperate in relation to planning of sustainable development’







Methods of consultation at each stage

There are several stages in the preparation of a development plan document (Local Plan) and Supplementary Planning Document before it can be adopted. The following sets out the stages and the approach that will be undertaken.

Development plan document stages⁴

| Stage of preparation | | Potential consultation techniques |
|----------------------|---|--|
| 1 | Pre-engagement Scope policy review, early engagement to identify issues and evidence gathering |   Email Letters Social Media |
| 2 | Draft policies (Reg 18) Engagement on draft policies |   Social Media Face to Face |
| 3 | Soundness of policies (publication) (Reg 19 & 20) Consultation on the "soundness" of planning policies to submit to the Secretary of State |   Email Letters Social Media |
| 4 | Submission of policies for examination (Reg 22) Notify those who requested to be notified of the submission |  |
| 5 | Local Plan examination (Reg 24) Planning Inspector invites participants to hearings | |
| 6 | Consultation on modifications Consultation on modifications if required by the Inspector | |
| 7 | Inspector's report published (Reg 25) Give notice to those who requested to be notified | |
| 8 | Adoption (Reg 26) At full Council meeting | |

Supplementary Planning document (SPD) stages⁵

| Stage of preparation | | Potential consultation techniques |
|----------------------|--|--|
| 1 | Preliminary consultation Identify the issues to be addressed in the SPD, either through a scoping report or initial draft |   Email Letters Social Media |
| 2 | Draft SPD (Regulation 12/13) Consult on a draft SPD |   Social Media Face to Face |
| 3 | Adopt SPD (Regulation 14) At cabinet meeting |   Email Letters Social Media |

⁴ Where appropriate, the Council may wish to undertake more focused consultation methods including drop-in sessions, public meetings, press releases, leaflet drops and through the Council's social media channels. Whether the Council considers additional consultation methods are necessary will depend on a number of factors including the stage of preparation and the likely impact of the proposals.

⁵ Where appropriate, the Council may wish to undertake more focused consultation methods including drop-in sessions, public meetings, press releases, leaflet drops and through the Council's social media channels. Whether the Council considers additional consultation methods are necessary will depend on a number of factors including the stage of preparation and the likely impact of the proposals.

Consultation periods

All consultations on the development plan documents (Local Plan) will be for a period of at least 6 weeks and consultations on Supplementary Planning Documents will be for at least 4 weeks.

Transparency

As part of the preparation of the Local Plan and any other planning policy documents, the council will publish a consultation statement at each stage of the process. This will set out how the consultation has taken place, a summary of representations made and how these comments have been taken into consideration when finalising the document. The Consultation Statement will be published alongside any subsequent draft documents or alongside the adopted version.



5. Neighbourhood planning

Neighbourhood planning gives communities another way to shape development in their local area. Neighbourhood Plans set out policies prepared by town councils or Neighbourhood/Business Forums. There is currently only one town council present within Sunderland at Hetton.

We will support communities undertaking neighbourhood planning. This will include sharing information, providing guidance and making arrangements for any examination and referendum.

Neighbourhood area/forum designation

Local communities will be involved in the designation of a neighbourhood area, where the boundary is different to that of the town council (where applicable). This also applies to the vast majority of the administrative areas of the council which do not have a town council, where a neighbourhood forum will need to be set up. Where this is the case, we will use the council's website to inform people of the process and will seek to encourage people to respond online. There are currently no designated neighbourhood areas or forums within Sunderland.

Preparation of a Neighbourhood Plan

The town council or forum will lead in putting together the Neighbourhood Plan and they will need to think about how best to involve the community. They will need to carry out a formal consultation on their draft plan before they can submit it to the council.

Submission and examination

Once this formal consultation has finished, the town council or forum will finalise the draft plan and send it to us for checking. When we have completed these checks, we will carry out our own formal consultation. We will use our website and social media to inform the local community and key stakeholders and you will be able to respond online or in writing via email/letter.

All the comments we receive at this stage will be submitted with the draft Neighbourhood Plan and supporting documents to an independent inspector. The inspector will decide who needs to be involved in the examination. We will use the council's website to keep people informed during the examination.

Referendum

If the council decides that the Neighbourhood Plan should be put to a referendum, we will notify you if you are eligible to vote. You will then get the opportunity to vote on whether or not the plan should be accepted. We will then use the council's website to keep people informed of the outcome.



6. Decision taking

Planning and related applications/notifications are made by a range of individuals and organisations including homeowners, businesses, developers and others. Before making a planning application/notification many potential applicants wish to get advice from the local planning authority about how they can bring forward an application that best aligns with local planning policies and local communities' wishes.

We provide advice because:

- It gives the local planning authority an opportunity to discuss with potential applicants how they might better reflect what the council and community want to see and achieve;
- It reduces the likelihood that development proposals contrary to local planning policies and our communities' wishes are brought forward, which cost the local planning authority, applicants, residents and businesses time and money;
- It reduces the likelihood that applications will be refused, with the associated risk that developments not supported locally might be granted on appeal; and
- It is good customer service to positively engage with those looking to invest in the city. Developers are given greater certainty around what might be acceptable. Having certainty around what is and is not likely to be acceptable is more likely to guide good growth in the city.

The council as local planning authority cannot require potential applicants to discuss their proposals with residents, business and others who may be affected. However, we will strongly encourage engagement at every stage of the planning process.

The local planning authority recognise the importance of early community engagement and how much of a key role it can have in informing development and the benefits it can bring to a neighbourhood and the city.

Consultation by applicants/agents

We strongly recommend that applicants/agents seek pre-application advice from the local planning authority prior to making a planning application. The benefits of this are that applicants/agents can: avoid costly mistakes and save time; understand our policies and specialist areas that apply to the development; identify potential problems early on and find solutions; and get advice above how to improve a scheme.

Applicants are expected to engage with the local community as part of the pre-application process on major planning applications. This provides an important opportunity for neighbours and local communities to raise any issues directly with the applicant and influence the proposals at an early stage, enabling the applicant/agent to respond to any comments they have received.

Where pre-application consultation is undertaken, applicants should prepare a report summarising the type of consultation carried out, the key issues raised and how the scheme addresses these issues. This report should be submitted with any subsequent planning application.

Planning Performance Agreements

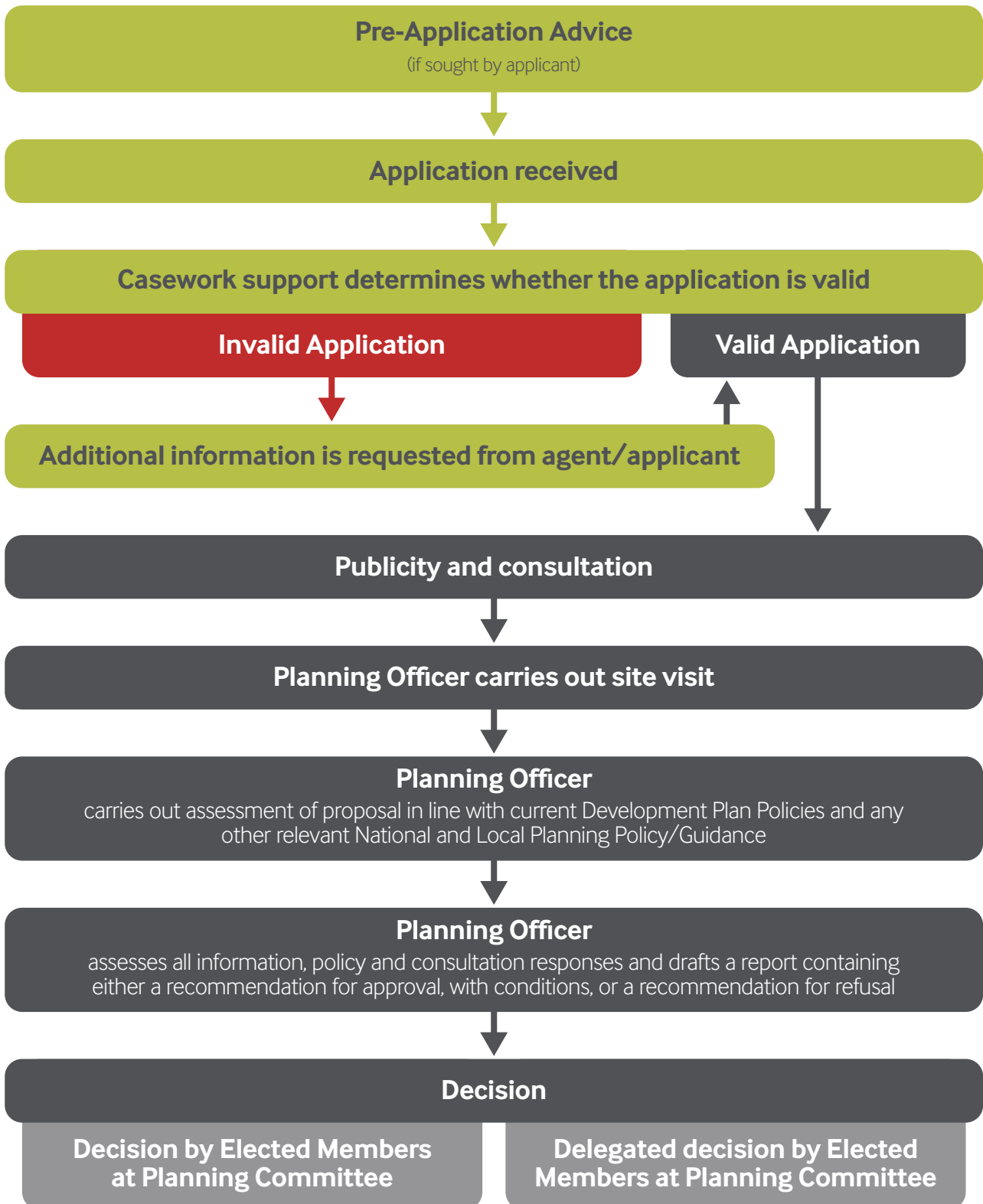
The local planning authority encourages a collaborative approach to important developments using Planning Performance Agreements (PPAs). These are generally used for large scale developments but can also be used for smaller scale schemes depending on the detail of it. They encourage joint working between the applicant and the local planning authority and can help bring together other parties such as statutory consultees and local residents. They are also useful in setting out an efficient and transparent process for determining applications.

The planning application process






The council considered over 900 applications under the Planning Acts in 2019/20. This included applications for development proposals, changes of use, works to listed buildings and advertisements.

How we will involve the community in planning applications

The planning application process



We will use the following methods to notify the community about planning applications:

| Notification method | Statutory | Comment |
|---|-----------|--|
|  Website email alerts | No | You can subscribe to receive email alerts about new planning applications in your area if you register online at www.sunderland.gov.uk/online-applications |
|  Site Notices | Yes | <p>Notices are displayed in a public place at or near the application site. They contain:</p> <ul style="list-style-type: none"> • the application reference, site address and applicant details; • details of the proposal; • the reason for the notice; • where plans can be viewed; and • how you can comment on the application. <p>One or more notices may be displayed depending on the size and location of the proposed development. The notice is usually displayed for 21 days or 30 days for Environmental Impact Assessment Development</p> |
|  Letters | Yes | We will notify all the neighbouring properties that directly adjoin the application site for non-major applications. For major applications, we will notify properties within a larger radius depending on the proposal. |
|  Website | Yes | <p>The Council's website contains details of all applications including copies of all associated documents and drawings.</p> <p>You can search by a number of criteria, track the progress of applications and submit comments online.</p> |
|  Press notice | Yes | <p>A notice is placed in a local newspaper for the following types of applications:</p> <ul style="list-style-type: none"> • major applications; • listed building consent; • developments affecting the character or appearance of a conservation area; • applications accompanied by an Environmental Impact Assessment (EIA); • departures from the development plan; and • applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies. |

There is no statutory requirement to consult on the following types of applications. However, if you sign up to online at www.sunderland.gov.uk/online-applications, you can choose to be notified of these applications:

- certificates of lawfulness of proposed use or development;
- certificates of lawfulness of existing use or development;
- internal alterations only to a Grade II listed building;
- advertisements;
- approval of details; and
- non-material amendments (AM1).

Consultation for planning applications

As set out above, when the council receives a valid planning application, **we will notify all the neighbouring properties that directly adjoin the application site.** In addition, the standards and methods for the consultation of different types of planning applications are set out below (and table overleaf).

<https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Public-consultation>

Prior notification consultation will be carried out in line with the Town and Country Planning (General Permitted Development) (England) Order 2015 <http://www.legislation.gov.uk/uksi/2015/596/made>

| Type of development | Site Notice | Press Notice | Website |
|---|-------------------------------|--------------|---------|
| Applications for major development as defined in Article 2 of the Development Management Procedure Order (which are not covered in any other entry) | Yes | Yes | Yes |
| Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement | Yes | Yes | Yes |
| Applications which do not accord with the development plan in force in the area | Yes | Yes | Yes |
| Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies | Yes | Yes | Yes |
| Applications for planning permission not covered in the entries above e.g. non-major development | Yes (if considered necessary) | No | No |
| Applications for listed building consent where works to the exterior of the building are proposed | Yes | Yes | Yes |
| Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building | Yes | Yes | Yes |
| Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area. | Yes | Yes | Yes |

In determining who we will consult on planning applications, there is a clear distinction between statutory and non-statutory consultees. Regulations about statutory consultation set out what bodies constitute a statutory consultee required as part of a planning application. The Planning Practice Guidance <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Public-consultation> provides details of this.

There is no statutory requirement to consult local civic and amenity societies or residents' associations. However, we recognise that they are an important part of the planning application process. In order that these groups are made aware of planning applications, we will promote the use of registering online at www.sunderland.gov.uk/online-applications in order to receive alerts of planning applications and will encourage applicants to contact local groups in advance of the submission of a planning application.

How representations are considered by the council

After the consultation period has ended, the case officer should have all of the information that they need to assess the planning application. The law requires the council to consider the application/notification against the adopted policies of the Local Plan and the policies of the NPPF. We will also take into account all material planning considerations in arriving at a decision, including matters raised through representations from the local community.

Ultimately, the local planning authority is legally responsible for making the final decision on a planning application and for deciding how much weight representations should be given in each case.

Public involvement at Planning Committee

In some cases, planning applications will be determined by the council's Planning Committee, which comprises of a number of elected Councillors.

Anyone who wishes to speak at Planning Committee as part of this process should contact dc@sunderland.gov.uk at the earliest opportunity.

Planning Appeals

If an application is refused, the applicant can appeal against the decision. Planning appeals are dealt with by the Planning Inspectorate. Further information on the appeals process can be found at <https://www.gov.uk/topic/planning-development/planning-permission-appeals>.

