

Sunderland City Council Response to Matters, Issues & Questions

Matter 1 – Legal Compliance, Procedural Requirements and the Duty to Cooperate

1. Compliance with Procedural Requirements Including Consultation/ Participation Procedures

1.1 Is there any evidence that the Council has not complied with the Statement of Community Involvement (SCI) or otherwise not met the minimum requirements for consultation or that consultation and publicity has otherwise been inadequate at various stages of the LP process?

The Council has complied with the Statement of Community Involvement (SD.16) and the minimum requirements for community involvement in the production of development plan documents as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. Detail of how the Council has complied with these requirements is outlined in the Consultation Statement (SD.7). Chapter 2 of the Consultation Statement (SD.7; pgs. 5-10) outlines the Council's approach to the 'Preparation' (Regulation 18) and 'Publication' (Regulations 19 & 20) stages of plan production.

Further information on the public engagement strategy and schedule is outlined in Chapter 2 of the Consultation Statement (SD.7; pgs. 5-10); which sets out how the Council has complied with the SCI and meets the minimum requirements for consultation and publicity at each stage of the plan-making process.

2. Compliance with the DtC, Particularly in Relation to Consideration of Housing Needs

2.1 Is there evidence that the Council has cooperated effectively with adjoining authorities in exploring whether any of Sunderland's housing land needs can be met elsewhere in the Housing Market Area (HMA)?

The Sunderland Strategic Housing Market Assessment (SHMA) Update (SD.23; pgs. 29-45) defines Sunderland as a self-contained HMA. The Council is therefore satisfied that the Plan is meeting all of Sunderland's housing land needs within the Housing Market Area, as this does not extend into any of the neighbouring authorities.

Notwithstanding this, as set out in para. 6.23 of the Compliance Statement (SD.66; pg. 35), once it became clear that the Council would be unable to meet its Objectively Assessed Housing Needs in full without amending Green Belt boundaries, the Council wrote to neighbouring authorities to ascertain whether they would be able to accommodate any of Sunderland's housing need without requiring amendment to their own respective Green Belt boundaries. In response to this request, Gateshead Council, Durham County Council and South Tyneside Council all responded to advise that they would be unable to meet any additional growth from

Sunderland without revisions to their own Green Belt boundaries (see SD.11 Appendix 3-6). Further details of cross-boundary discussions are outlined in chapter 4 of the Duty to Cooperate Statement (SD.11; pgs. 15-49) which set out the Council's compliance with the DtC in relation to housing needs.

2.2 Is there evidence that the Council has cooperated effectively with infrastructure providers and technical consultees on relevant issues such as transport, education, waste, minerals and flood risk?

Section 5 of the Duty-to-Cooperate Statement (SD.11; pg.44-49) sets out how the Council has cooperated effectively with prescribed bodies, including infrastructure providers on relevant issues. Appendix 2 of the Duty-to-Cooperate Statement also provides a schedule of meetings with prescribed bodies during the preparation of the Plan.

In addition, the Infrastructure Delivery Plan (IDP) (SD.59; pg. 9) sets out the Council's approach to delivering the necessary infrastructure required to support the growth outlined in the CSDP. A key component of this is cooperation with infrastructure providers and technical consultees. The Council set up an IDP working group which helped produce the IDP. The IDP working group includes representatives from the following Council service areas:

- Highways
- Public rights of way and cycling
- Drainage
- Primary and Secondary Education
- Public Health
- Libraries
- Museums & culture
- Sports grounds
- Parks, open spaces, leisure
- Ecology and geodiversity
- Waste

Appendix 3 of the IDP lists the names of key stakeholders within the Council and their department/sections, as well as key external stakeholders, their organisation and role there within that have been involved in the preparation of the IDP. Those identified within these tables include key stakeholders from essential technical areas with experience in the delivery of various infrastructure types. The Council's approach set out in the IDP is delivered in collaboration with these stakeholders and organisations, to which explicit reference is made throughout.

3. The SA and its Consideration of Reasonable Alternatives

3.1 Does the SA meet statutory and legal requirements in relation to the assessment of reasonable alternatives?

The Council consider that the SA (SD.5) meets statutory and legal requirements by assessing alternative policy criteria and site allocations that are realistic, related, and within the geographical scope of the CSDP. Reasonable alternatives are identified in

paragraph 3.6.4 of the SA (SD.5; pg. 24) and include alternative affordable housing requirements, alternative Housing Growth Area allocations, and alternative Primary Employment Area and Key Employment Area allocations among other reasonable alternatives. These alternatives were subject to the SA in the same way as proposed plan components. Appendices E and F of the SA provide further detail of each of the reasonable alternatives considered for each policy and site allocation.

4. Habitats Regulations Assessment (HRA)

4.1 Will the mitigation measures proposed within the HRA ensure that there will be no significant effects on the integrity of the Coastal Sites of European importance?

The measures in Table 18 of the HRA for North Sunderland Regeneration Sites (EX1.015; pg. 50) provide a summary of the proposed mitigation requirements for the Sunderland North Sites which include a combination of SANG and SAMM mitigation. It is considered that these requirements will be sufficient to ensure there will be no significant effects on the integrity of the Coastal Sites of European Importance. Table 17 (EX1.015; pgs. 47-49) identifies individual sites by SHLAA site reference (HGA7 (North Hylton) is site 416 and HGA8 (Fulwell) is site 675) and provides number of units, population, SANG requirement and their distance from European sites. The site references identify which sites will rely on each mitigation measure in Table 18. Mitigation measures are covered more generally throughout Chapter 8 of the HRA for North Sunderland Regeneration Sites (EX1.015; pgs. 39-52). Figure 5 (EX1.015, pg.67) provides a visual representation of proposed mitigation arrangements.

The Council have signed a Statement of Common Ground with Natural England (EX1.016), which demonstrates that they are satisfied that the proposed mitigation measures would ensure that there would be no significant effects on the integrity of the Coastal Sites of European Importance.

4.2 Has the evidence base for HGA7 (North Hylton) and HGA8 (Fulwell) been updated to demonstrate that mitigation measures will ensure there will be no significant effects on the integrity of the European Coastal Sites?

The evidence base for sites HGA7 and HGA8 has been updated to demonstrate that mitigation measures will ensure there will be no significant effects on the integrity of the European Coastal Sites. This has been submitted to the Inspector within the HRA for North Sunderland Regeneration Sites (EX1.015) and the updated HRA report for the CSDP (EX1.014). Table 17 of the North Sunderland HRA (EX1.015; pgs. 47-49) identifies individual sites by SHLAA site reference (HGA7 (North Hylton) is site 416 and HGA8 (Fulwell) is site 675). Table 18 of the HRA for North Sunderland Regeneration Sites (EX1.015; pg. 50) provides a summary of the proposed mitigation requirements and identifies which sites will rely on each mitigation measure. Mitigation measures are covered more generally throughout Chapter 8 of the HRA for North Sunderland Regeneration Sites (EX1.015; pgs. 39-45). Figure 5 (EX1.015) provides a visual representation of proposed mitigation arrangements.

5. The Local Plan Timeframe

5.1 Is the timeframe of the LP appropriate (2015-2033) or should it be extended to provide a 15-year period upon adoption?

The plan period for the Local Plan is 2015-2033 which covers an 18-year period. As the LP is being submitted under transitional arrangements, it is being examined against the 2012 Framework, paragraph 157 of which states that LPs should be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date. Whilst it is acknowledged that the earliest that the LP can now be adopted is 2019, which would provide a 14-year plan-period, the Council considers that this would provide an appropriate plan period upon adoption and is broadly consistent with paragraph 157 of the NPPF.

The Council feels it would be inappropriate to rebase the library of evidence to provide a new LP timeframe for such a difference. A 14-year plan-period is considered appropriate considering the marginal difference and the additional work to the evidence base which would be required to provide a 15-year timeframe. As set out within paragraph 33 of the revised NPPF (2019) and as required under Regulation 10A of the Town and County Planning (Local Planning) (England) Regulations (2012) it is a legal requirement for all local plans to be reviewed and updated where necessary at least every 5 years and this will ensure that the plan is updated in a timely manner.

5.2 Is the start date of 2015 consistent with the evidence base?

Yes, the evidence base covers the plan-period 2015-2033.