



The Planning Inspectorate

Report to Sunderland City Council

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Sunderland Core Strategy and Development Plan 2015-2033

The Plan was submitted for examination on 21 December 2018

The examination hearings were held between 21 May 2019 and 13 June 2019

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Abbreviations used in this report

AAP	Area Action Plan
AM	Additional Modification
A&DP	Allocations and Designations Plan
DtC	Duty to Co-operate
Dpa	Dwellings per annum
ELR	Employment Land Review
GI	Green Infrastructure
GTAA	Gypsy and Traveller Accommodation Assessment
Ha	Hectares
HGA	Housing Growth Area(s)
HIS	Housing Implementation Strategy
HMA	Housing Market Area
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
IAMP	International Advanced Manufacturing Park
IDP	Infrastructure Delivery Plan
KEA	Key Employment Areas
LCA	Landscape Character Assessment
LEP	Local Enterprise Partnership
LP	Local Plan
LPA	Local Planning Authority
MM	Main Modification
NDSS	Nationally Described Space Standards
NPPF	National Planning Policy Framework
OAN	Objectively Assessed Need
PEA	Primary Employment Areas
PPG	Planning Practice Guidance
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SAMM	Strategic Access Monitoring and Management
SANG	Suitable Alternative Natural Greenspace
SCC	Sunderland City Council
SCI	Statement of Community Involvement
SD	Submission Document
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SP	Supporting Document
SPA	Special Protection Area
SPD	Supplementary Planning Document
Sq m	Square metres
SSGA	South Sunderland Growth Area
SSTC	Sunderland Strategic Transport Corridor
UDP	Unitary Development Plan
UEP	Unauthorised Encampment Policy
WPVA	Whole Plan Viability Assessment

Non-Technical Summary

This report concludes that the Sunderland Core Strategy and Development Plan 2015-2033 [LP or the Plan] provides an appropriate basis for the planning of the City, provided that a number of main modifications [MMs] are made to it. Sunderland City Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Many of the MMs concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared a Schedule of the proposed MMs and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. My recommendations on the MMs take into account all the representations made in response to consultation on them. In some cases, I have amended their detailed wording or made consequential modifications where necessary.

The MMs can be summarised as follows:

- Clarifying and adjusting the distribution of housing and employment land and supply figures to reflect up-to-date information
- Articulating the exceptional circumstances for the release of Green Belt land
- Clarifying and updating the components of housing land supply, the assumptions that will be relied upon to calculate the five-year supply and the role of a Housing Implementation Strategy
- Ensuring that policies and proposals for gypsies and travellers are positively prepared, effective and consistent with national policy
- Clarifying the components of employment land supply and ensuring employment policies are effective
- Ensuring that the strategic and generic policies, including those relating to the Green Belt, valued landscapes, housing, and minerals and waste, are positively prepared, justified, effective, consistent with national policy, and clear to the decision-maker
- Deleting Green Belt Housing Growth Areas [HGA] and Safeguarded Land at East Springwell, Rickleton and North Hylton so that land release is positively prepared, justified and consistent with national policy
- Avoiding the protection of the part of the Hendon Key Employment Area where there is no reasonable prospect of the land being used for that purpose
- Ensuring that the extent of Settlement Breaks is positively prepared and justified
- Modifying the development criteria for HGA and the South Sunderland Growth Area so that they are positively prepared, justified and effective
- Ensuring that key triggers that would lead to a review and the Implementation and Monitoring Framework are embedded in the LP

Introduction

1. This report contains my assessment of the Sunderland Core Strategy and Development Plan 2015-2033 [LP or the Plan] in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. Paragraph 182 of the National Planning Policy Framework 2012 [NPPF or the Framework] makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised Framework was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance [PPG] has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the local planning authority [LPA] has submitted what it considers to be a sound plan. The Sunderland Core Strategy and Development Plan 2015-2033 submitted in December 2018 is the basis for my examination (Submission Document [SD] SD.1). It is the same document as was published for consultation in June and July 2018. A Schedule of Minor Modifications (SD.3) was also submitted alongside the Publication Draft but, as this was not subject to consultation, I am not treating it as a formal addendum to the Plan. I have included some of the modifications as Main Modifications [MMs] as appropriate. The remainder have been included as Additional Modifications [AMs]. I have been provided with the representations on the Publication Draft and have taken them into account in my examination of the Plan and this report.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, many of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal [SA] of them. The MM schedule was subject to public consultation for six weeks during September and October 2019. I have taken into account the consultation responses in coming to my conclusions in this report. In the light of the consultation responses I have made some amendments to the MMs and made consequential amendments to others as necessary for consistency or clarity. None of the amendments significantly alters the content of the MMs as published for consultation or undermines the participatory processes and SA

that have been undertaken. Where necessary, I have highlighted these amendments in the report.

6. The Council has also proposed some AMs which have also been publicised. But as these do not go to soundness, I do not need to address them in this report.

Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Publication Draft Core Strategy and Development Plan 2015-2033 Policies Map (SD.2).
8. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. I have referred to these changes to the policies map within this report.
9. These further changes to the policies map were published for consultation alongside the MMs (EX19.007 – Proposed Policies Map Amendments).
10. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in SD.2 and the further changes published alongside the MMs in EX19.007.

Assessment of Duty to Co-operate (DtC)

11. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
12. I have had regard to the DtC Statement (SD.11) in considering whether the DtC has been met. The Statement describes the consultation that has taken place with prescribed bodies, regional working with other LPAs and cross-boundary co-operation on strategic priorities.
13. Sunderland is one of the seven local authorities comprising the North East Local Enterprise Partnership [LEP]. My assessment of whether the DtC has been met focuses on the relationship of Sunderland with other authorities and prescribed bodies within the LEP area and in particular with adjoining LPAs. Areas beyond the LEP, such as the Tees Valley, which has its own LEP, do not share any significant DtC issues. The seven authorities and the Northumberland National Park Authority entered into a Memorandum of Understanding setting out how they would comply with the DtC. The creation

of the new North of Tyne Combined Authority (Newcastle, North Tyneside and Northumberland) should not detract from effective working across the Sub-Region and should have positive effects.

14. The nearby authorities of Gateshead, Newcastle, Durham and South Tyneside are at different stages of LP preparation. A joint Gateshead and Newcastle Core Strategy was adopted in 2015 and allocation plans for the authorities are currently being examined. Durham's LP is also currently under examination. South Tyneside is preparing a new LP and has recently consulted on a pre-publication draft version. However, notwithstanding the different stages that LPs have reached, the approach to evidence gathering has been reasonably consistent and, in some cases, such as the earlier Gypsy and Traveller Accommodation Assessment [GTAA] 2014 with South Tyneside, derived from a joint study.
15. Notwithstanding the synergies within the LEP, the Strategic Housing Market Assessment Update [SHMA – SD.23] concludes that Sunderland has a largely self-contained Housing Market Area [HMA]. Similarly, the Employment Land Review [ELR – SD.37] identifies Sunderland as demonstrating a reasonably high level of self-containment with regard to its Functional Economic Market Area with 67% of Sunderland's working residents being employed within the City's boundaries. That said there are strong commuting flows to Durham, Gateshead and South Tyneside and vice-versa.
16. In this context the Council asked neighbouring authorities, Durham, Gateshead and South Tyneside, whether they could accommodate some of Sunderland's housing needs because of the extent of the Tyne and Wear Green Belt in the northern and central parts of the City. However, Gateshead and South Tyneside are also constrained by Green Belt, most land outside settlements being so designated. Durham has large areas of non-Green Belt land but those parts of the County which are adjacent to Sunderland are generally restricted by Green Belt. Durham is already proposing some Green Belt release in its emerging LP. Therefore, the neighbouring authorities have advised that they would be unable to meet additional growth from Sunderland without revising their own Green Belt boundaries.
17. Sunderland has also been approached about whether it can meet any of Durham's and South Tyneside's housing needs. However, Sunderland City Council [SCC] has said that it is unable to do so because of the encroachment into Green Belt to meet its own housing needs. The Gateshead and Newcastle Core Strategy has already set out the growth proposals for these authorities, involving some Green Belt release.
18. In terms of employment, whilst the starting point has been to assess and meet quantitative needs at LPA level, it has been under the umbrella of the LEP Strategic Economic Plan. There are certain locations and sectors that warrant a cross-boundary approach to identifying suitable sites. For the automotive and advanced manufacturing sectors, related in part to the Nissan Car Plant, this has resulted in a jointly prepared and adopted International Advanced Manufacturing Park [IAMP] Area Action Plan [AAP] which has led to the implementation of the IAMP on 150 hectares [ha] of land straddling Sunderland and South Tyneside.

19. The DtC Statement also evidences the co-operation with prescribed bodies, including infrastructure providers and technical consultees. This has influenced the policies in the Plan and the preparation of key supporting documents such as the Infrastructure Delivery Plan [IDP] (SD.59). A working group was set up to assist in the preparation of the IDP. Highways England has had ongoing involvement in ensuring that key highways infrastructure affecting the trunk road network, notably the A19, is programmed and included in the IDP. Key bodies such as Natural England and the Environment Agency have had input into the need for additional evidence to support the policies and proposals as reflected in Statements of Common Ground.
20. SCC, Gateshead and South Tyneside have produced a Joint Municipal Waste Strategy and procure waste services together. The Council works collaboratively on minerals as part of the North East Aggregates Working Party which prepares annual aggregates assessments and monitoring reports. This joint working has informed the waste and minerals policies of the Plan.
21. I am satisfied that, where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Soundness

Background

22. This Plan deals with the overarching strategy, strategic policies and strategic allocations and designations for the City, including some limited alteration of Green Belt boundaries. It is referred to as a Part 1 Plan. The Part 2 Plan will be an Allocations and Designations Plan [A&DP] which is yet to be prepared but will set out local allocations, principally derived from the Strategic Housing Land Availability Assessment [SHLAA], and designations, under the umbrella of the Part 1 Plan. Together with the IAMP AAP, adopted in 2017, the three documents will comprise the City's development plan.
23. The LP has a plan period of 2015-2033. However, assuming it is adopted in early 2020, it will only have about a 13-year period post adoption, albeit that the whole timespan will be 18 years. The 2012 Framework refers to a 15-year time horizon being preferable but does not, unlike the revised Framework, refer to this period being post-adoption. Moreover, the period is not mandatory. Rebasing the evidence would be onerous. In any event there is now a statutory requirement to consider the need for updating of LPs every five years. The timeframe is appropriate.
24. The IAMP AAP has, and this Plan will (once adopted), supersede saved policies of the Sunderland Unitary Development Plan [UDP]. However, a number of UDP policies will remain saved policies until the A&DP is adopted. Deleted and saved policies of the UDP are set out in a revised Appendix 1 of the Plan.
25. Some of the representations on the Plan refer to the merits of sites which have not been included in the LP – omission or alternative sites. However, the purpose of the examination is to consider whether the submitted Plan is sound. Therefore, the focus of this report in relation to sites will principally be on (1) whether the process followed by the Council in selecting the Housing Growth Areas [HGA] and Strategic Sites is sound, particularly in considering

whether exceptional circumstances exist for the release of the HGAs from the Green Belt; and (2) whether these sites, along with other likely sources of supply, will meet the development requirements of the Plan.

Main Issues

26. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified nine main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy or policy criterion in the Plan.

Issue 1 – Whether the amount of housing and employment land required in the LP is appropriate to meet the needs of the City

Housing Objectively Assessed Need [OAN]

27. Due to the high degree of self-containment, the City LPA area is an appropriate HMA. The Plan identifies an OAN of 745 net additional dwellings per annum [dpa] leading to an overall requirement of 13,410 homes.
28. The SHMA Update 2017 (SD.23) and the 2018 Addendum (SD.24) have followed the methodological steps for calculating the OAN set out in the PPG, using the 2014-based household projections as a starting point. Over the Plan period the household projections suggest an increase of 9965 households which equates to 570 dpa.
29. In relation to local demographic trends, consideration has been given to whether adjustments should be made to take into account falling net out-migration and suppressed household formation for the 25-34 age group. The 2014 household projections already take into account recent changes in migration rates which leads to the 570 dpa. Nationally there have been recent changes to the way that younger people interact with the housing market. This includes choosing to rent rather than buy which is reflected in a decline in first time buyers. In Sunderland in particular, there is a greater propensity for young people to stay at home longer notwithstanding relatively low house prices. 12% of households include adult children. Therefore, no further adjustments are necessary in relation to local demographic trends.
30. In terms of employment trends, out-migration from Sunderland has been reducing. In addition, post EU-Referendum employment forecasting suggests an annual net increase of people in employment of over 400 per annum. These increases take into account the IAMP but is not over-optimistic because it is likely to take a significant period to develop the site. Economic growth suggests an uplift of around 30% on the 570 dpa which leads to a figure of 745 dpa. This would ensure that the working age population does not decline over the Plan period. There remain uncertainties over the impact of Brexit on economic growth and IAMP in particular. But such impacts are beyond the timeframe of this examination. A review of the LP would take into account any significant post-Brexit changes in growth.
31. House prices in Sunderland are low compared to national and regional levels. The House Price Ratio is 4.6. There was no appreciable increase in lower

quartile house prices between 2015-2018. The House Price Ratio is well below the level where a market signals uplift is recommended. The Rental Affordability Ratio, which is influenced by the student rental market, is higher than might be anticipated at 26.6%. This figure is marginally above the level where an uplift is recommended but has been falling. However, these levels taken together do not suggest that a further uplift in the OAN is necessary for market signals or affordability pressures.

32. In terms of affordable housing needs, although the SHMA suggests an annual imbalance of 542 dpa, this is not a target for delivery. There is a degree of overlap between the OAN and affordable housing need. In any event most housing sites would only deliver a maximum of 15% affordable housing. It would be unrealistic to increase the OAN to a level which would generate 542 affordable dpa. Moreover, the need can be met from a number of sources other than affordable dwellings provided through the application of Policy H2. This includes Council-led regeneration schemes, cheap market housing, recycled Council houses, people sharing homes and the private rented sector. No further adjustment is needed to the OAN for affordable housing delivery.
33. In September 2018 the Office for National Statistics published the 2016-based household projections. This latest data set suggests a reduction in household growth of some 4900 households in Sunderland over the Plan period compared to the 2014-based projections. However, given that household projections are a starting point, the same factors referred to above would need to be applied and would still support an uplift on the demographic forecasts. Moreover, the Government has said that the 2014 data should be used as a baseline for assessing local housing need, not the lower 2016-based projections, as the former better reflect historic under-delivery and declining affordability.
34. The 2019 Framework refers to the new standard method of assessing housing need set out in the PPG. For Sunderland this would represent 593 dpa. However, this LP is being examined under the 2012 Framework. Moreover, the Government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth.
35. Overall and in the context of the Council's commitment to economic growth and the Government's objective of significantly boosting the supply of homes, the OAN figure of 745 dpa, which leads to a requirement for at least 13,410 homes for the Plan period of 2015-2033, is justified and has not been countered by any alternative robust analysis.

Employment OAN

36. The ELR and ELR Post EU Referendum Forecasting Analysis (SD.38) provide the evidence base for an employment OAN of at least 95 ha of employment land. The 95 ha is at the bottom of the range of between 95 ha and 115 ha but reflects the downward pressures signalled in the Post EU Analysis. The IAMP is additional to the 95 ha as it fulfils a sub-regional need.
37. The employment and housing OAN have been calculated using the same employment forecasts (Experian September 2016). The employment and housing OAN are reasonably well aligned.
38. The employment OAN is justified.

Housing and Employment Land Requirements

39. The Framework requires that Local Plans should meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework such as Green Belt indicate that development should be restricted. Significant parts of Sunderland outside the existing urban area are designated Green Belt.
40. The Plan makes provision for the whole of the housing and employment OANs. In terms of housing, most of the requirement will be met from sites within the existing urban area or on sites adjacent to the built-up area, many of which are already committed through the grant of planning permissions. These developments will not affect Green Belt land and will not have any significant adverse impacts.
41. The employment land OAN can be met by existing sources of supply mainly within existing primary and key employment areas. Meeting the full employment OAN will not have any significant adverse impacts.
42. Limited Green Belt release will make up the remainder of the housing requirement. Given the restrictive policies of the Framework exceptional circumstances need to be demonstrated to justify this component of the requirement. I go onto consider this matter under Issue 2 where I conclude that exceptional circumstances justify the principle of some Green Belt release in locations where there would be otherwise a shortage of housing land. In terms of the specific impacts of sites, I consider, under Issue 6, that three of the HGA are unacceptable. However, with the deletion of these sites, my overall conclusions are that exceptional circumstances exist for the limited release of Green Belt land. Therefore, there is justification for meeting the whole of the housing OAN as reflected in the Plan's housing requirement.
43. Policy SP1 sets out the housing requirement of 13,410 new homes but does not express it as a net requirement. **MM3** would rectify this omission so that the Plan is effective. A similar change is required to Policy SP8 through **MM14**.

Conclusions on Issue 1

44. I conclude that, subject to the MMs proposed, the amount of housing and employment land required in the LP will be appropriate to meet the needs of the City.

Issue 2 – Whether the development strategy and related policies are positively prepared, justified, effective and consistent with national policy

Development Strategy, Spatial Distribution and Exceptional Circumstances

45. Sunderland is recognised as having five distinct sub-areas. These are:
 - The Urban Core, which includes the city centre, the University of Sunderland Campuses, major leisure and tourism facilities and transport interchanges;

- Washington, a planned new town with its own town centre, plenty of employment land and a modern highway network;
 - North Sunderland, containing generally higher density residential areas with employment along the river corridor;
 - South Sunderland, a predominantly suburban area containing around 40% of the City's population; and,
 - The Coalfield, comprising former mining towns and villages across the largest sub-area.
46. Washington and North Sunderland are constrained by Green Belt in that all greenfield land outside the existing urban areas is so designated. South Sunderland and the Coalfield are also affected to an extent by Green Belt, although some greenfield land, particularly in the Coalfield, is open countryside rather than Green Belt. As a reflection of the Green Belt constraints much of the land supply in recent times has been in the urban area, South Sunderland and the Coalfield and continues to be so. The South Sunderland Growth Area [SSGA] has been brought forward in that context to provide an urban extension of some 3000 homes.
47. The Plan does not diverge significantly away from the above distribution as explained in paragraph 40. However, there are viability issues with many sites in the built-up area, particularly those on brownfield land. As a result, the Plan indicates that some 40% of new housing will be on brownfield land going forward. This is a significant shift from the historic split in that between 1995 and 2019 around 82% of new housing was built on previously-developed land. **MM1** brings the commentary and Figure 8 within Chapter 2 up-to-date in terms of the split so that the Plan is effective. However, the brownfield land that remains is challenging in terms of viability. Some sites are to be brought forward under the accelerated construction programme supported by Homes England. However, many sites that are suitable for housing are not included in the supply figures as they are not deliverable or developable due to viability.
48. In considering whether additional brownfield land could be brought forward, the Council has assessed whether employment sites could be released for housing. The ELR has identified a number of employment sites that are no longer required for such purposes and these are included within the SHLAA. Some of these are now commitments. However, to release significant further employment land would prejudice the Council's ability to maintain an adequate supply of employment land over the Plan period against the requirement for at least 95 ha to be developed.
49. That said, there are a limited number of instances where it is suggested that there is no reasonable prospect of land which is safeguarded for employment being used for such a purpose. This applies in particular to the South Sunderland Sub-Area where the amount of land (about 37% of total supply) does not balance with the demand. I return to this matter under issue 4 below.
50. Consideration has also been given to increasing densities on non-Green Belt sites within and adjacent to the urban area to maximise development. The

SHLAA process has scrutinised the density assumptions used to forecast future development capacity and found them to be realistic.

51. In addition, there is an imbalance between the location of much of the employment land, about 40% of which is in Washington, and housing sites. For example, without the proposals in this Plan, only 7% of housing would be in the Washington Sub-Area according to the SHLAA.
52. A significant component of the housing requirement is to support economic growth in the city. An important driver for the growth is the IAMP and nearby Primary Employment Areas [PEA]. Some of the housing required in connection with the IAMP will be outside the city's boundaries. However, this Plan should seek to achieve some correlation between these main areas for employment development and the provision of housing so that commuting distances are reduced, and housing is of the right type and in the right place to be attractive to the new workforce. Providing such housing is important for achieving economic growth. Tying in with the above, the SHMA indicates that one of the main shortages in house types are larger detached family homes. Building to higher densities on urban sites would not meet these particular needs.
53. In order to bring forward sites which are in locations close to employment growth, are attractive to the market, and can provide larger family homes, the Plan identifies some HGA on Green Belt land in Washington and North Sunderland, the nearest sub-areas to the IAMP.
54. The Plan also proposes some land release in that part of the Coalfield affected by Green Belt. Notwithstanding the availability of land in the Coalfield as a whole, the settlements of Penshaw, New Herrington and Philadelphia have not had much development in recent times which has led to a spatial imbalance in housing provision and supply in the Sub-Area. The proposed Coalfield HGA would provide sites in sustainable locations and assist in wider regeneration. Significant further development on non-Green Belt land in the Coalfield and South Sunderland, additional to that already committed, would lead to the loss of the identity of settlements by further eroding settlement breaks and putting additional burdens on infrastructure, such as the highway network and schools.
55. The Plan also proposes altering Green Belt boundaries in the Washington Sub-Area to identify 'safeguarded land' to meet longer-term development needs. Taking into account the imbalance in the location of housing land and the economic drivers outlined above, which are still likely to be relevant beyond the current Plan period, the principle of the identification of such land as part of this LP is justified and consistent with national policy. However, as the identification of safeguarded land is a key part of the strategy it should be referred to within the strategy section of the Plan. This would be achieved by **MM3** and **MM6** so that the Plan is positively prepared.
56. Putting to one side the particular effects of each of the HGA and the safeguarded land on the Green Belt which I deal with under Issue 6, the need to promote sustainable patterns of development demonstrates, at a strategic level, the exceptional circumstances for the alteration of Green Belt boundaries in Washington, North Sunderland and the Coalfield. However, the

Plan does not clearly articulate this for these Sub-Areas. **MM4**, **MM7** and **MM11** would provide concise explanations so that the Plan is positively prepared, justified and consistent with national policy.

57. The Plan is not clear how this strategy is reflected in development in the Sub Areas in that there are no figures showing how employment and housing land would be broadly distributed. Therefore, to be effective Chapters 2 and 4 are amended through **MM1** and **MM3** to show how housing and employment will be distributed, the amount of development on brownfield land and to reflect housing and employment land supply figures updated to 31 March 2019.
58. Policy SP1 sets out the Plan's overarching requirements in terms of new homes, employment land and retail floorspace and the broad means by which these requirements will be met. The policy is referred to as a 'Spatial Strategy' whereas in effect it represents a 'Development Strategy'. The policy does not refer to the significant proposals at the SSGA and in the Urban Core at The Vaux. **MM3** includes these changes to the policy so that it is effective.

Green Belt Policy

59. Policy NE6 is generally clear in setting out the purposes of the Green Belt in Sunderland and cross-referencing with national policy. However, there is some ambiguity in Section 3 which would be rectified by **MM29** so that Policy NE6 is consistent with the Framework.
60. Whether specific development proposals in the Green Belt would satisfy the exceptions within national policy is not a matter for this examination. They would be considered on a case by case basis by the Council.

Settlement Breaks

61. Settlement breaks are a longstanding policy within Sunderland to protect the identity of separate built-up areas beyond the Green Belt to prevent them from merging. The breaks have also served to provide Green Infrastructure [GI] corridors close to settlements.
62. The settlement breaks have been eroded to an extent by recent development which has been allowed in the absence of an up-to-date LP. However, in my view, they are still an important tool in preventing the merging of settlements in the Coalfield and retaining a valuable open break between Grangetown and Ryhope around Tunstall Hills, South Sunderland. They also continue to serve as a green lung.
63. The Settlement Break Review (SD.48) has considered not only the principle of the designation but also the detailed boundaries. In general, the extent of the proposed settlement breaks is justified. I return to some specific locations under Issue 6.
64. Policy NE7 sets out the purposes of settlement breaks and the restrictions on development. The policy refers to essential development taking place but does not clarify what this is likely to equate to. **MM30** provides clarity in this respect so that the policy is effective. I have made further changes to the MM following consultation for the same reason, cross-referencing with Policy NE8.

Countryside and Valued Landscapes

65. Although much of the open countryside in Sunderland is protected as Green Belt or Settlement Breaks, there are areas within the South Coalfield which are just 'ordinary' countryside. Policy NE8 seeks to protect and enhance the open countryside. This is reasonably consistent with the Framework's objective of recognising the intrinsic character and beauty of the countryside in that recognition implies a level of protection. Moreover, the areas of countryside remaining within Sunderland are limited in their extent compared to many authorities and vulnerable to development pressures because of their proximity to the urban area. The extensive urban area provides the opportunities for development to meet most of the area's needs. In this context there is justification for Policy NE8 offering more protection for the countryside than national policy.
66. In setting out the forms of development that will be supported in the open countryside, Section 7 confuses extensions to buildings with changes to residential curtilages. In order to ensure that the policy is effective and clear to the decision-maker **MM31** is necessary.
67. The LP at paragraph 10.43 refers to valued landscapes but does not indicate which areas of the city comprise such areas. The Sunderland Landscape Character Assessment [LCA] (Supporting Document [SP] 47) identifies areas for 'landscape protection' including the Magnesian Limestone Plateau, a feature which extends north and south into South Tyneside and Durham respectively; the River Wear valley; and stretches of undeveloped limestone coast. These equate to areas of higher landscape value.
68. Although the LCA was carried out some four years ago, landscape character has not materially changed in Sunderland in the meantime. The LCA is an appropriate but proportionate basis for defining valued landscapes. Taking into account this evidence, the identification of these areas as valued landscapes through **MM32** and **MM39** would ensure that the Plan is positively prepared, effective and consistent with national policy. I have made further changes to MM32 following consultation for clarity.

Conclusions on Issue 2

69. I conclude that, subject to the MMs proposed, the development strategy and related policies are positively prepared, justified, effective and consistent with national policy.

Issue 3 - Whether the policies of the Plan address the needs for all types of housing, including affordable housing and those of different groups in the community such as gypsies and travellers

Generally

70. The Whole Plan Viability Assessment [WPVA] (SD.60) makes assumptions about land values, sales values, profit and development costs, including build costs. The assumptions and the findings of the WPVA, together with the Viability Note of June 2018 (SD.61), support the policies of the Plan, including those relating to affordable housing and housing standards that I deal with below. The approach of the WPVA is in line with the Framework and PPG.

Build costs are shown as being lower than some nearby authorities, for example South Tyneside, but the figures are based on robust analysis of local information. The assumptions are realistic.

Affordable Housing

71. Policy H2 proposes that on developments of more than 10 dwellings or on sites of 0.5 ha or more, 15% affordable housing should be provided. The level of affordable housing is supported by the WPVA which indicates that for most greenfield site typologies 15% is achievable. Whilst the assessment concluded that brownfield sites are not viable for affordable housing, in reality such provision has been secured in the last few years. Therefore, the 15% requirement within Policy H2 is justified taking into account the objective of delivering as much affordable housing as possible.
72. The explanation to Policy H2 accepts that in some instances it may not be possible to deliver the full amount of affordable housing or indeed any at all. However, such a caveat and the requirement to support such a stance with a viability assessment should form part of the policy. **MM16** would achieve this change so that the Plan is justified and effective. I have amended the wording of the MM following consultation for clarity.
73. In referring to developments of more than 10 dwellings contributing to affordable housing, Policy H2 aligns with earlier versions of the PPG which set a threshold of 11. However, the revised Framework now states that affordable housing should not be sought for residential developments that are not major developments. Therefore, notwithstanding the transitional arrangements set out in paragraph 2 of this report, the policy should align with the revised Framework. **MM16** secures this change so that Policy H2 is consistent with national policy going forward and is not effectively out-of-date upon adoption.
74. The current SHMA supports a tenure split of 80% affordable rent and 20% intermediate tenure and this mix is referred to in the explanation to Policy H2. However, the SHMA will be regularly updated and there may be other sources of evidence for a particular area or site. In order to ensure that it is justified and effective the policy should recognise that the tenure split should be based on the latest available evidence (**MM16**).
75. There are other issues with Policy H2. Firstly, off-site provision or a financial contribution are not expressed as an exception which would be at odds with paragraph 50 of the Framework. This could undermine the provision of affordable housing in the right place at the right time. Secondly, there is no reference to rural exception sites. Thirdly, the policy does not take into account the 10% requirement for affordable housing that has already been set for the SSGA. Finally, the requirement to have affordable housing in clusters of 3 or 4 dwellings is too prescriptive. These flaws would be rectified by **MM16**, ensuring that Policy H2 is positively prepared, effective and consistent with national policy.

Housing Mix and Types

76. The Framework requires that LPAs provide for a mix of housing based on future and demographic trends, market trends and the needs of different groups in the community. Policy H1 refers to developments providing an

appropriate mix of housing in terms of size, type and tenure taking into account the SHMA or other evidence. This approach is consistent with the Framework's objectives. As referred to under Issue 2, there is a need to rebalance the housing stock by providing more larger detached dwellings which is provided for by Policy H1.

77. Policy H1 seeks to encourage densities that reflect the character of an area. However, densities should also have regard to the accessibility of a location. **MM15** would ensure that the policy recognises this factor so that it is consistent with national policy.
78. The needs of older people are recognised in Policy H1. However, the circumstances where provision of accommodation for older people would be justified are not clear. **MM15** would ensure a link to evidence of need and a preference for highly accessible locations.
79. The Council holds a register for those with an interest in self-build and custom-built housing. Although the demand is low, Policy H1 includes reference to the inclusion of such plots and is consistent with national policy.

Housing Standards

80. Policy H1 requires that 10% of dwellings on developments of 10 or more meet the Building Regulations M4(2) Category 2 standard for accessible and adaptable dwellings. The SHMA Addendum (2018), WPVA and Technical Paper on Optional Standards (SP.16) provide the justification for the requirement based on need and viability. The 10% figure takes into account that some of the 2143 additional adapted properties needed over the Plan period will be met from improvements to the existing housing stock. However, there is no reference to the timing of the introduction of the requirement. Moreover, the policy does not recognise that in some circumstances development may be unviable if it needs to meet the requirement. **MM15** allows developers to plan for the technical standard by including a transitional period up to 1 April 2021 and includes explanation relating to viability to make sure that the policy is effective.
81. Design Policy BH1 refers to the national space standards. The Internal Space Standards Report (SD.25) shows that a significant proportion of the 2-bed and 3-bed homes built or permitted recently in Sunderland do not meet the Nationally Described Space Standards [NDSS]. Although the NDSS requirement was introduced into the Plan after the WPVA was undertaken, the WPVA modelled the viability of schemes consistent with the use of the NDSS. Therefore, need and viability have been taken into account. However, the policy does not have regard to timing as referred to in the PPG. **MM21** introduces a transitional period up to 1 April 2021 so that Policy BH1 is consistent with national policy.
82. Although the Plan is being examined under the transitional arrangements, it is noteworthy that the revised Framework sets out an expectation that planning policies for housing should make use of the optional standards for accessible and adaptable housing. There is also now explicit reference to the NDSS in the Framework.

Gypsies, Travellers and Travelling Showpeople

83. The need for accommodation for gypsies, travellers and travelling showpeople has been considered through the GTAA 2017 (SD.26) and the GTAA Addendum 2018 (SD.27). The GTAA did not identify any need for permanent pitches for gypsies and travellers but a need for some form of stop-over provision.
84. The Council sought to identify a site for stop-over pitches but has been unable to do so. Instead the Council has been operating an Unauthorised Encampment Policy [UEP] (SP.17) whereby encampments are tolerated subject the location being suitable and those staying on the site complying with a code of conduct. A similar procedure has been in place since 2008.
85. In Durham the number of unauthorised encampments is significantly greater than Sunderland due to the county's size and the existence of cross Pennine routes, some of which gravitate towards Appleby. Durham operates a procedure similar to the UEP.
86. Experience from both Sunderland and Durham suggests that using an UEP would be more effective than providing a small stop-over site for those travellers in transit.
87. The Monitoring Framework to the LP indicates that the number of encampments will be monitored. The success of the UEP will also be kept under review. If necessary, any review of the LP could consider whether the allocation of a stop-over site would be more effective. In the circumstances the approach is justified.
88. The GTAA also showed a need for 33 plots for travelling showpeople with 15 of those required in the short-term (by 2022/23) and 18 plots longer-term. Policy H4 allocates two sites in Hetton-le-Hole and Houghton-le-Spring which would provide 15 plots between them. The former is adjacent to existing showpeople plots and the latter on the site of a Council depot which is due to close soon. Both are deliverable and would ensure 5 years' worth of supply. The policy also identifies broad locations for further plots in the same localities which would meet the longer-term needs. Both the allocations and the broad locations are justified.
89. The above allocations do not include any criteria to guide the sites' development or figures to define the extent of the allocations. In this respect they contrast with the HGA which include detailed site requirements and plans. In order to ensure that Policy H4 is positively prepared and effective **MM17** introduces criteria relating to the number of plots to be provided, vehicular access, the living environment for future occupiers and neighbouring residents, and the location of fairground equipment storage and maintenance as well as plans of the two sites.

Other Types of Housing

90. The University of Sunderland has campuses in the Urban Core. Policy H3 requires student accommodation to be in the same sub-area to ensure that it is well-related to, and accessible from, the university and does not significantly impact on areas of family housing. This approach is justified.

91. Policy H6 deals with Homes in Multiple Occupation [HMOs]. The explanation to the policy refers to the need for HMOs to provide a good standard of accommodation but the policy itself does not include a criterion which requires the same. This would be rectified by **MM18** so that Policy H6 is positively prepared.

Conclusions on Issue 3

92. I conclude that, subject to the MMs proposed, the policies of the Plan address the needs for all types of housing, including affordable housing and those of different groups in the community such as gypsies and travellers.

Issue 4 – Whether the Plan meets the development needs of business through its policies

Employment Land Supply

93. The Plan's requirement for at least 95 ha of employment land will be met principally from available sites within the PEA and Key Employment Areas [KEA]. Together these areas will provide some 75 ha of land. Other sites, including at the Port of Sunderland, have about 9 ha of available land. There has also been some 13 ha of completions since the base date of the Plan. Therefore, sufficient supply exists (97 ha). The A&DP can allocate additional sites if flexibility is required. The Plan is not explicit on these components of employment land supply. **MM19** inserts explanation into Chapter 7 of the Plan and tables setting out the overall supply position and details showing available sites in the PEA and KEA so that the Plan is effective.

Protection of Employment Land and New Employment Development

94. Policies EG1 and EG2 of the Plan allocate employment sites as PEA or KEA respectively. The former are areas which are considered essential to the long-term success of Sunderland. The latter are older employment areas, but which are still required to ensure sufficient employment land is available.
95. Policy EG1 bestows a higher level of protection than Policy EG2 to reflect the status of the sites. Protection of the sites listed under EG1 is justified. There is only one change necessary which affects PEA8 (Nissan). The Hylton Plantation Local Wildlife Site is not excluded from the PEA. The Policies Map should be amended so that it does not wash over the Wildlife Site and Policy NE2 is effective.
96. In terms of the KEA, taking into account the evidence and what I saw of them, most of the sites are appropriate for protection for employment use. Vacant plots on traditional industrial estates such as Leechmere (KEA2), Pennywell (KEA3) and Pallion (KEA4) still provide a useful source of employment land. Policy EG2 refers to the current ELR being the key document that would recommend a KEA from release from employment use. However, other evidence may also be available to support non-employment use. **MM19** would ensure that Policy EG2 is positively prepared and effective in this regard.
97. Six ha of land forming part of KEA6 at Deptford is subject to an application for a mixed-use development, including residential, which was submitted in 2011 and upon which there was a resolution to grant planning permission in 2013.

However, the application has not been progressed as a planning obligation has not been completed. Because of its planning status, the site was not considered to be available for employment in the 2016 ELR. It was also suggested in the ELR Update that other land within KEA6 should be considered for a mixed-use allocation, due to viability issues and the oversupply of employment land in South Sunderland.

98. However, KEA6 will become a more attractive proposition for development with the implementation of the next phase of the Sunderland Strategic Transport Corridor [SSTC] which had commenced at the time of the hearings and is due for completion in 2021. It will, along with other vacant sites on the south side of the river, be more likely to be developed for employment purposes and should be retained as part of the supply. The protection of KEA6, along with KEA5, through Policy EG2 is justified. If circumstances change, the designations could be reviewed in the A&DP.
99. The site of the former paper mill, Hendon, lies at the southern extremity of KEA1. The employment use ceased some time ago. Planning permission was granted in 2011 for housing but this was not taken up because of market conditions at the time. However, probably because of the permission, the 2016 ELR did not include the site in its calculation of available supply. The site is not well-located in relation to the existing and proposed strategic transport network, including the line of the SSTC. There is no realistic prospect of the site being used for employment.
100. The site could make a positive contribution to regeneration and renewal through development for other uses, including housing in accordance with Policy SP5. The imbalance within the Sub-Area between the supply of, and demand for, employment land (paragraph 49 refers) would be rectified to an extent by removal of the 10 ha site from the protection afforded by Policy EG2. As a result, South Sunderland would have 25% of the city's supply. The site is not needed to ensure that the Plan's employment land requirement is met. The site should be shown as 'white land' until such time the A&DP decides upon its future. **MM19** and related changes to the overall and Sub-Area Key Diagrams (**MM2** and **MM9**) would be necessary so that the LP is justified and effective. The Policies Map would require a corresponding modification.
101. Other employment areas not protected as PEA or KEA would be subject to Policy EG3 which balances protection with the opportunity for redevelopment where regeneration benefits would ensue. Policy EG4 offers encouragement for new employment uses, where they cannot be accommodated within designated areas. Policy EG5 steers office development to The Vaux, PEA at Doxford International, Hylton Riverside and Rainton Bridge South, and designated centres. These policies are justified.

Port of Sunderland

102. The Port of Sunderland is protected for port related activities through Policy SS5. The criteria within the policy recognise the need to provide improved transport links and take into account flood risk. Further regeneration at the port would be assisted by later phases of the SSTC.

Main Town Centre Uses

103. The retail evidence indicates that there is a need for some 45,400 square metres [sq m] of comparison floorspace after 2020. Policy SP9 sets out a broad spatial distribution to accord with the retail hierarchy set out within Policy VC1. Most comparison goods floorspace would be directed towards the City Centre and Washington Town Centre which is consistent with national policy. No specific allocations are proposed within this LP, but the A&DP will include them, probably taking forward some from the UDP.
104. The retail studies (SD.39-42) do not indicate a quantitative need for convenience goods floorspace in the City as a whole. But, taking into account expenditure leakage, a new foodstore in the Coalfield would have qualitative benefits. The A&DP is likely to bring forward such an allocation. The town centre boundary of Houghton-le-Spring is drawn wide enough to accommodate such a development.
105. Main town centre uses are steered towards the defined centres by Policy VC1 in accordance with national policy. The policy also addresses the sequential test. Policy VC2 introduces a range of thresholds for retail impact tests most of which are lower than the default threshold of 2500 sq m within the Framework. The thresholds are based on an analysis of various factors such as the scale of the town centres, their vitality and viability and their sensitivity to change and are justified.
106. Primary and Secondary Frontages are defined on the Policies Map for the City Centre and Washington and Houghton Town Centres and are subject to Policy VC3. The policy seeks to control the composition of Primary Frontages through reference to thresholds of non-A1 uses not being exceeded and by the inclusion of a marketing requirement. However, the wording lacks clarity by implying that marketing would be required even where the thresholds are not exceeded. **MM20** would modify Policy VC3 so that marketing is only necessary in cases where the thresholds are exceeded to ensure that the policy is effective and clear to the decision-maker.
107. Policy VC4 seeks, amongst other things, to prevent the development of hot food takeaways within 400m of primary and secondary schools and in wards where obesity levels among primary school aged children are high. The policy is linked to Policy SP7 which includes a range of measures aimed at improving health and well-being.
108. The justification for these restrictions is set out in the Public Health Evidence Report (SD.18) which points to lower than average life expectancy in Sunderland as a whole and the significant gap between the most and least deprived wards in the City. Deaths from cardiovascular disease for those under 75 and from cancer are significantly higher in Sunderland than in England as a whole. Obesity levels for both children and adults are also higher than the national average with some wards being well above the average.
109. Although some hot food takeaways may sell healthy meals, many contain a high calorie count and significant proportions of fat, saturated fat, sugar and salt. It is difficult to prove a direct causal link between the number of takeaways and child obesity, but analysis shows sufficient correlation. Reducing access to hot food takeaways is one component of an overall

approach that can help to combat poor health and childhood obesity in particular. But it is an important one. Section 2 of Policy VC4 and Section 5 of Policy SP7 are justified.

Conclusions on Issue 4

110. I conclude that, subject to the MMs proposed, the Plan meets the development needs of business through its policies.

Issue 5 – Whether generic policies of the Plan not dealt with elsewhere are positively prepared, justified, effective, consistent with national policy and clear to the decision-maker

Healthy and Safe Communities

111. The Health Impact Assessment Report which supported the LP (SD.19) justifies the requirement within Policy SP7 for large scale developments to submit a health impact assessment. The provision will ensure that developments, including significant housing and student accommodation schemes, consider a range of measures that could have a positive impact on peoples' health, such as availability of supporting services and access to healthy modes of travel and GI.

112. Policy HS1 addresses the quality of life and living environment of local communities. The policy would be more effective and clearer to the decision-maker if Section 2 referred to 'unacceptable adverse' rather than 'significant adverse' in relation to the cumulative impacts of sources of environmental nuisance. This change would be secured by **MM13**.

Design

113. Design quality is dealt with by Policy BH1 of the LP. Section 8 implies that all development would seek enhancement and upgrading of the public realm and existing GI whereas such measures would not always be appropriate. In requiring that all development does not detract from established views, Section 10 establishes a high bar. Finally, in relation to masterplans, although reflective of a positively prepared and effective LP, clarity is required as to the definition of large-scale developments. **MM21** would ensure a positively prepared and effective policy in these respects.

114. Policy BH2, in dealing with sustainable design and construction, sets out some desirable outcomes for major development. However, some of the requirements may not be deliverable. **MM22** ensures that references to the type of materials and scheme orientation are realistic so that the policy is effective. In response to representations on the MMs I have removed reference to the requirement to provide details of the source of materials.

Historic Environment

115. Policies BH7, BH8 and BH9 deal with the historic environment and are generally consistent with national policy. However, Section 8 of Policy BH8, in dealing with non-designated heritage assets, is more onerous than paragraph 135 of the Framework. Furthermore, Policy BH9 in relation to assets of archaeological interest, needs to recognise that some non-designated assets of

this type can have equivalent significance to scheduled monuments. **MM23** and **MM24** would secure these modifications so that the provisions of Policies BH8 and BH9 are consistent with national policy.

Natural Environment

116. The protection, enhancement and creation of GI is dealt with by Policy NE1. However, the policy should also recognise more explicitly the significance of rivers, lakes and the sea in providing recreational and other benefits. **MM25** would achieve this change to ensure a positively prepared Plan. The policy would not prevent development provided that GI corridors are not significantly reduced or severed. The A&DP will consider the GI network in more detail, including the ability of allocations to enhance corridors. In this respect **MM25** also clarifies, for effectiveness, that the GI corridors shown on Figure 40 are indicative.
117. Policy NE2 does not include sufficient distinction between the hierarchy of wildlife sites as required by paragraph 113 of the Framework. **MM26** would ensure that the protection afforded to international, national and locally designated sites is commensurate with their status so that the policy is positively prepared and consistent with national policy.
118. There is a disconnect between the requirement within Policy NE3 that development should only be permitted where it can be demonstrated that it cannot be located elsewhere, and the objectives of the policy to conserve trees woodlands and hedgerows. **MM27** would make sure that the policy is effective and clear to the decision-maker.

Water

119. Policies WWE2 and WWE3 deal with flood risk in a manner which is consistent with national policy, including the requirement to satisfy the sequential and exception tests.
120. In dealing with foul water, Policy WWE5 does not include sufficient safeguards in circumstances where trade effluent would be discharged in connection with a development. **MM33** would ensure that a Foul Water Management Plan would be required so that the policy is positively prepared and effective.

Waste and Minerals

121. It is important that existing waste facilities are for the most part retained so that the Council and partners can ensure sufficient capacity. Policy WWE8 would achieve this to an extent by safeguarding such sites. The explanation to the policy also refers to the impact that other development proposed nearby could have on the future of waste sites by introducing uses such as housing that would not be compatible. However, this aspect is not referred to in the policy itself. **MM34** would give this element policy weight so that WWE8 is positively prepared and effective.
122. Policies SP11 and M1-M4 deal with a range of minerals issues, including extraction, safeguarding, instability and restoration and are generally sound. However, the objectives of Policy SP11 in ensuring that mineral extraction does not have any significant environmental and social effects, are

undermined by Section 2 of the policy. In order to ensure that the policy is positively prepared, **MM36** deletes Section 2.

Conclusions on Issue 5

123.I conclude that, subject to the MMs proposed, generic policies of the Plan not dealt with elsewhere are positively prepared, justified, effective, consistent with national policy and clear to the decision-maker.

Issue 6 – Whether the policies and land identified for development within the Sub-Areas of the City are consistent with the Plan's strategy and national policy, including protecting Green Belt land, and whether the housing identified will be delivered

Generally

124.The SHLAA follows the methodology set out in the PPG. It identifies land that will meet the majority of Sunderland's housing requirement. The land comprises commitments and other sites that are likely to be suitable for development and are either deliverable or developable. This Plan allocates those sites beyond the Green Belt which are strategic either in terms of their scale (SSGA) or regeneration benefits (The Vaux).

125.However, additionally, I have already found under Issue 2 that, in order to deliver the overall spatial development strategy and achieve sustainable patterns of development, it is necessary to release land from the Green Belt around Washington and North Sunderland and in the Coalfield. I consider below site specific issues including the effect on Green Belt purposes in order to determine whether there are exceptional circumstances.

126.Policy NE6 (Green Belt) refines the Green Belt purposes set out within paragraph 80 of the Framework so that they reflect the characteristics of the settlements within Sunderland which lie within or adjacent to the Green Belt. In particular reference is made to the setting and special character of Springwell and Newbottle Villages and preventing the merging of the main built-up area of Sunderland with the nearby urban areas of Tyneside, Washington, Houghton-le-Spring and Seaham. I find that this local interpretation of Green Belt purposes to be justified.

127.Green Belt assessments have been undertaken to consider land against the Green Belt purposes set out in the Framework and Policy NE6 (SD.29-34). The SA has assessed the HGA, the proposals for safeguarded land and reasonable alternatives against fifteen sustainability objectives. In the light of this evidence, this Plan, as a strategic document, proposes the alteration of Green Belt boundaries through the allocation of eleven HGA and two areas of safeguarded land. The Sunderland Development Frameworks document (SD.35) carries out more detailed analysis of the HGA which has assisted in drawing up the specific criteria intended to guide development of the HGA.

128.All HGA and the safeguarded land, other than HGA10, will affect Green Belt purposes to an extent by leading to encroachment into the countryside. However, the other effects on Green Belt purposes vary depending on the particular characteristics of the HGA.

129. Policies SS2, SS4 and SS7 provide some higher-level criteria for all the HGA. There is reference to a focus on family homes, but such a description can apply to a wide range of dwelling types. The evidence base justifies a higher proportion of larger family homes. The requirements to enhance education and healthcare provision and access to local services are desirable but will not necessarily be required for each HGA depending on existing capacity and local infrastructure. **MM5**, **MM8** and **MM12** would ensure that Policies SS2, SS4 and SS7 are justified and effective in these regards.
130. The HGA are not included in the five-year housing land supply on the basis that none of them have the benefit of planning permission and pre-application studies are not likely to be undertaken until HGA are confirmed within the adopted plan. Delivery is anticipated to be within the 6-10-year or 11-15-year periods depending on the particular site constraints and capacity. Delivery assumptions from the HGA are in general terms realistic. If the sites come forward earlier then all well and good.
131. I now deal with the specific allocations by sub-area having regard to the evidence base, representations and my own assessment of the sites based on a number of visits to the area.

Urban Core

132. Policy SP2 is the strategic policy for the Urban Core, emphasising the city centre functions of the sub-area, including its role as the home of the two university campuses. Areas of Change identified in the policy will be the focus of the Council's city centre regeneration initiatives.
133. The Vaux is allocated for a mixed-use development of offices, residential and leisure through Policy SS1. The policy reflects the planning permission for the site. The first phase, comprising office development, was completed in the summer of 2019. Significant new investment for the Vaux has recently been announced.
134. The attractiveness of The Vaux and other sites around the Urban Core will be enhanced by the completion of the next phase of the SSTC. Land at the Vaux has been prepared for development with contamination dealt with. Part of the Sheepfolds site, Stadium Village, will benefit from the accelerated construction programme supported by Homes England. However, a cautious approach has been taken to the delivery of many of the brownfield sites in the sub-area. The assumptions about delivery of the housing sites in the Urban Core identified in the housing trajectory at Figure 34 of the Plan are realistic.

Washington

135. The Washington Sub-Area includes Springwell Village, the IAMP and large PEAs to the south of the latter, as well as Washington itself. Countryside around the built-up area is currently designated as Green Belt, wrapping around Springwell Village, lying to the north of Usworth up to the boundary with Gateshead and running along the north-western banks of the River Wear.

HGA1 – South West Springwell

136. The site lies on a plateau to the immediate south of existing housing. The Green Belt assessments recognise that an important purpose of the Green Belts hereabouts is providing strategic separation from Gateshead. The development would not materially erode the gap between the village and Wrekenton in Gateshead as it would not encroach any nearer than existing development on the western edge of Springwell Village. The topography reduces the site's landscape impact despite it being within the area shown for 'Landscape Protection and Enhancement' in the LCA which surrounds and washes over the village.
137. Therefore, the effect on the Green Belt purposes of checking urban sprawl, preventing the merging of settlements, safeguarding the countryside from encroachment, and preserving the setting of the village would be moderate. The landscape impacts would also be moderate. These conclusions would not be affected should permission be granted for a reservoir on land to the south.
138. Exceptional circumstances are justified for the alteration of Green Belt boundaries, but the Plan does not clearly articulate it for HGA1 by reference to Green Belt purposes. **MM4** would secure this change so that the policy is positively prepared, justified and consistent with national policy.
139. The site would be sufficient distance from the Bowes Railway Scheduled Ancient Monument to the north-west so as not to harm the significance of the heritage asset by affecting its setting. The site is relatively close to the centre of the village with its primary school, shops and other facilities. It is understood that the village school is close to capacity with little space for expansion. However, pupil spaces may become available in the next few years. There are also schools in North Washington. Development would assist in sustaining village services.
140. There is scope to provide pedestrian and cycle routes to the village centre through connections to the north. Bus routes from the village centre go to Gateshead, Newcastle and Sunderland. Footways could be provided along the north side of Mount Lane to tie in with existing pavements. The vehicular access via Mount Lane and nearby junctions including that at Mount Lane/Springwell Road may require some improvement, the details of which would be determined at planning application stage. The wider highway network has the capacity to accommodate additional vehicle movements arising from the development.
141. Criterion v. relating to HGA1 is confusing as it seeks to protect long distance views to the south by referring to high architectural quality. Moreover, criterion vi. seeks a design to reflect housing to the north and east of the site but this adjacent development is not locally distinctive. **MM5** would ensure that Policy HGA1 is effective, clear to the decision-maker and consistent with national policy in these respects.

HGA2 and SS3 – East Springwell

142. The open land comprising HGA2 East Springwell and the safeguarded land to the south-west separates the south-eastern parts of the built-up area of the

village from the north-western edge of Washington comprising the suburb of Donwell. Although the A194(M) also forms a barrier between the two settlements and lies in a cutting hereabouts, as a major transport artery it does not assist in preserving the setting of Springwell Village. Nor is the motorway perceived as land which contributes significantly to Green Belt purposes. The landscaped belt to the east of the A194 and west of Donvale Road contributes to an extent to the separation but is not protected as Green Belt.

143. The larger parcel of land to the south-west is described as effectively closing the gap between Springwell Village and Washington in the Green Belt Assessment of 2017 (SP16 in SD.30). I would attribute the same characteristics to HGA2 and the safeguarded land. Indeed, the gap narrows considerably at its northern point where it meets Peareth Hall Road.
144. The Green Belt reports tend to focus on the role of the Green Belt around Springwell Village in providing strategic separation between Washington and Gateshead, underplaying the role of the Green Belt in preserving the setting and special character of Springwell Village despite this purpose being expressly set out within Policy NE6. For example, the Green Belt reports refer to retaining the distinctive identity of the village but then only ascribe a zero or minor impact to this purpose for all parcels of land around the village. Springwell Village or parts of it are not designated as a conservation area. However, the triangular core of the village was developed in connection with Springwell Colliery and the Bowes Railway in the 1800's. The eastern point of the core is close to the land to be removed from the Green Belt. Despite considerable 20th century expansion, the village has a character which is distinct from the new town to the south-east.
145. The combined site of HGA2 and the safeguarded land to the south-west, in combination with land at Peareth Hall Farm and the Gospel Hall, forms a fundamental part of the gap between Springwell Village and the A194(M) and the built-up area of Washington. I accept that the purpose of the land around Peareth Hall Farm and the Gospel Hall in preventing merging of settlements is weakened by the presence of buildings and other development. However, it is more open in character than the main built-up part of the village and therefore still contributes to Green Belt purposes.
146. The combined sites also form part of the landscape setting of the village. The LCA shows the sites as being within an area shown for 'Landscape Protection and Enhancement'. The assessment does not bestow the sites with the status of a 'valued landscape' but the sloping land is important in maintaining a separate identity to the village in the landscape and accentuating its relatively elevated position as part of the Coalfield Ridge Landscape Character Type.
147. A sensitive landscape framework could maintain key views through and across the site but would not resolve the fundamental harm that would be caused to Green Belt purposes and the landscape setting of the village.
148. The effect on the Green Belt purposes of checking urban sprawl, preventing the merging of settlements, safeguarding the countryside from encroachment, and preserving the setting of the village would be significantly adverse. The landscape impacts would also be significantly adverse.

149. For these reasons the proposals for HGA2 and the safeguarded land should be deleted and the land, together with that at Peareth Hall Farm and the Gospel Hall, retained as Green Belt. **MM5** would secure these changes so that the Plan is positively prepared, justified and consistent with national policy. A consequential amendment would be needed to Policy SS3 (Safeguarded Land) and Figure 22 to remove reference to land south-east of Springwell (**MM6**). The change to the extent of the Green Belt would require corresponding changes to the submitted Policies Map.

HGA3 - North of High Usworth

150. The site is well-contained by the A194(M) to the west, a hotel and residential development to the east, and by strong tree belts to three of the boundaries. The extent of enclosure and the site's juxtaposition with housing to the south means that the site does not contribute to maintaining a gap between the built-up area of Washington and Springwell Village. The allocation would not encroach any further north than the adjacent hotel. Therefore, the effect on the Green Belt purposes of checking urban sprawl, preventing the merging of towns and safeguarding the countryside from encroachment are moderate as are the landscape impacts.
151. Exceptional circumstances are justified for the alteration of Green Belt boundaries, but the Plan does not clearly articulate it for HGA3 by reference to Green Belt purposes. **MM4** would secure this change so that the policy is positively prepared, justified and consistent with national policy.
152. The site is within walking distance of a bus route and a primary school. Vehicular access would be available by a reconfiguration of the existing car park to the east. The site is subject to some noise from the motorway. Mitigation could be incorporated within any development to reduce noise.
153. The criteria within Policy HGA3 need to reflect the characteristics of the site, including recognising the line of a heritage trail and not being unduly prescriptive in terms of layout and design. Moreover, it may not be feasible to require the retention of all trees. **MM5** would ensure that the criteria are effective, clear to the decision-maker and consistent with national policy. I have made some further changes to the criteria for these reasons following consultation on the MMs. In particular I have distinguished between screening and noise mitigation requirements.

HGA4 - North of Usworth Hall

154. The site is comparable in terms of encroachment into the Green Belt with housing to the north of Stone Cellar Road. A reasonable expanse of Green Belt would be retained between the northern edge of the site and employment development at Follingsby within Gateshead. However, extending the site further north up to the field boundary would erode the gap to an unacceptable extent. The effect on the Green Belt purposes of checking urban sprawl, preventing the merging of towns and safeguarding the countryside from encroachment are moderate as are the landscape impacts. Exceptional circumstances are justified for the alteration of Green Belt boundaries, but the Plan does not clearly articulate it for HGA4 by reference to Green Belt purposes. **MM4** would secure this change so that the policy is positively

prepared, justified and consistent with national policy.

155. The site is within walking distance of bus routes, Sunderland College and a primary school. Vehicular access would be available direct from Stephenson Road. SCC owns the access so delivery should not be materially affected. Development would be capable of incorporating mitigation so that the impacts on flood risk and the Leamside Line would be acceptable. The site should incorporate land up to the shelter belt alongside the Leamside Line so that the criterion requiring a buffer would be effective. **MM5** would achieve this change to Figure 19. Corresponding changes would be required to the submitted Policies Map.
156. The criteria within Policy HGA4 need to avoid duplication, prevent built-development within Flood Zones 2 and 3 and ensure that any off-site highway improvements are necessary. Criterion vii. is confusing as it seeks to protect long distance views to the north by referring to high architectural quality. **MM5** would ensure that the criteria are effective and consistent with national policy.

HGA5 - Fatfield

157. Fatfield forms part of St James Steel Park, comprising a small enclave of land sandwiched between the river, the A182 and local roads. As such it is distinct from the wider area of Green Belt alongside the river corridor to the north-east. A new clearly defined and permanent Green Belt boundary will be formed by the river and the A182. The effect on the Green Belt purposes of checking urban sprawl, preventing the merging of settlements and safeguarding the countryside from encroachment are moderate as are the landscape impacts. Exceptional circumstances are justified for the alteration of Green Belt boundaries, but the Plan does not clearly articulate it for HGA5 by reference to Green Belt purposes. **MM4** would secure this change so that the policy is positively prepared, justified and consistent with national policy.
158. The site is on a bus route, adjacent to a community hall and within walking distance of a primary school. The existing vehicular access would be utilised. The number of dwellings envisaged would allow the site's recreational and GI attributes, which have been somewhat neglected, to be enhanced.
159. The criteria within Policy HGA5 need to avoid duplication and repeating the requirements of generic policies of the Plan such as BH1 (Design Quality). **MM5** would ensure that the criteria are effective and clear to the decision-maker.

HGA6 - Rickleton

160. The site is on the southern edge of Washington, adjacent to the county boundary with Durham. There is a significant area of undeveloped woodland separating the site from the built-up area of Chester-le-Street. The effect on the Green Belt purposes of checking urban sprawl, preventing the merging of settlements and safeguarding the countryside from encroachment are moderate as are the landscape impacts.

161. However, the site contains a number of well-maintained football pitches with changing rooms and is actively used by local football teams and for other recreational purposes. The Council has proposed a modification which would mean that development could only take place if the site is declared surplus to requirements following a Playing Pitch Assessment. However, based on what I have read and heard, it would be unlikely that the site would be surplus to requirements, notwithstanding the provision of the football hubs. Therefore, the site is unlikely to be developable. Moreover, development leading to the loss of the playing fields would conflict with Policy NE4 of the LP and paragraph 74 of the Framework.
162. For these reasons HGA6 should be deleted and the land retained as Green Belt. **MM5** would secure these changes so that the Plan is positively prepared, justified and consistent with national policy. The change to the extent of the Green Belt would require corresponding changes to the submitted Policies Map.

Safeguarded Land East of Washington

163. The Framework requires that LPs should consider Green Belt boundaries having regard to their permanence. Boundaries should, where necessary, be defined to identify safeguarded land between the urban area and the Green Belt in order to meet longer-term needs stretching well beyond the Plan period.
164. Policy SS3 proposes that 98 ha of land is removed from the Green Belt and becomes safeguarded land. The site lies between the IAMP to the east and the Leamside Line to the west. Beyond the old railway line are the residential and employment areas of Usworth.
165. The site would not encroach any further north than existing development in Usworth and would be contained by the IAMP to the east. The low-lying land is crossed by pylons and contains a small copse and some hedgerow field boundaries but otherwise is without significant features. The Green Belt and landscape impacts would be moderate. Although parts of the site are within Flood Zones 2 and 3, the scale of the site would allow any future built development to avoid areas of higher risk adjacent to watercourses.
166. The land is well-located in relation to the IAMP and PEAs and is reasonably close to existing services. The size of the site would allow a well-planned sustainable community to be developed. Moreover, the site has the potential to provide land for housing in the longer-term in a part of the city where supply has been constrained.
167. The housing supply position does not justify the release of the site for development at present. Moreover, upfront infrastructure and lead in times are likely to be significant. However, should the supply position change, then a review of the LP would allow the site to be considered for development without the need to further alter Green Belt boundaries. The A&DP would also provide an opportunity to review the need for release. However, this possibility is not referred to in the LP. **MM6** includes reference to the A&DP so that the Plan is positively prepared and effective.

168. The extent of the safeguarded land does not reflect the new alignment of the A1290. **MM6** would ensure that Figure 22 is accurate in this respect so that the Plan is effective. As a result of the realignment, the safeguarded land would amount to some 95 ha. Land to the south of the A1290 but outside the PEA will be shown as white land. As a relatively small parcel of land, its designation would be considered in the preparation of the A&DP. The amendments would require corresponding changes to the submitted Policies Map.
169. The provision of 95 ha of safeguarded land East of Washington, when combined with other opportunities for development beyond the Plan period on land beyond the Green Belt, would be likely to meet the longer-term development needs of the city. Therefore, exceptional circumstances to justify the removal of other land from the Green Belt have not been demonstrated, notwithstanding the deletion of the relatively small area of safeguarded land east of Springwell.

Overall

170. The deletion of two HGA from the Washington Sub-Area would to an extent undermine the intentions of the Plan to seek some redress in the spatial imbalance in the distribution of housing land supply and provide more larger detached dwellings. Some 9% of housing would now be in the sub-area whereas around 47% of available employment land would be in Washington.
171. However, HGA2 is unacceptable because of, amongst other things, its effect on Green Belt purposes. HGA6 is needed for sport and recreation. In the city as a whole sufficient land has been identified to meet housing needs. HGA1 will address the limited development opportunities that have existed in Springwell Village by allowing a proportionate expansion of the village. Land east of Washington has the potential to redress the spatial imbalance in the longer-term and is much closer to the IAMP and PEAs than HGA2 or HGA6. In these two instances the policies of the Framework in relation to Green Belt indicate that development should be restricted.
172. Policy SP3, the Strategic Policy for Washington, and the Key Diagram for Washington require amendment to reflect the deletion of HGA2, HGA6 and the safeguarded land south-east of Springwell Village. The changes to the boundary of the safeguarded land will also need to be reflected in the Key Diagram. **MM4** would achieve these changes so that the Plan is effective.
173. The housing trajectory identifies sites within the Washington Sub-Area that are deliverable within the next five years or developable over the remainder of the Plan period. No substantive evidence is before me to undermine the trajectory. The assumptions about delivery of the housing sites in Washington identified in the housing trajectory are realistic.

North Sunderland

174. The North Sunderland Sub-Area spans from the A19 in the west to the coast in the east. Countryside to the north of the built-up area up to the boundary with South Tyneside is currently designated as Green Belt as is a stretch of

land running along the north-western banks of the River Wear. The areas are contiguous with Green Belt to the north and south-west respectively.

HGA7 – North Hylton

175. The open land at North Hylton plays a key role as part of the Green Belt in maintaining a strategic green infrastructure corridor along the River Wear estuary and preventing urban sprawl. Despite what is said about the containment provided by Ferryboat Lane, the land subject to HGA7 is an important component of the Green Belt sub-area. There is not a clear defensible boundary between the site and the other land to the north of the lane which is to be retained as Green Belt (HY1, HY3 and HY4 and the lower part of HY2 in SD.30). It is not particularly distinguishable from the remainder of the sub-area forming part of the overall swathe of land running along both banks of the river. This is shown by the scoring against Green Belt purposes for the different parcels of land within the 2016 Green Belt Review (SD.29).
176. Although the later Green Belt reports suggest that the area subject to HGA7 plays a lesser role compared to the other Green Belt land I disagree. Indeed, its role is enhanced by its position higher up the valley slopes which make it more prominent from longer distance views across the valley particularly from the south-west. In this respect it is perceived as providing an open gap between South Hylton and Castletown.
177. For similar reasons the site makes a significant contribution in landscape terms to the river corridor. The landscape contribution is particularly apparent in views from Penshaw Monument, Offerton and from the A19 viaduct over the River Wear. In this respect I note that it is an area shown for 'Landscape Protection' in the LCA, thus a valued landscape by virtue of MM32 and MM39. In addition, as part of the undeveloped river valley, it contributes to the inter-district GI corridor, albeit in this respect it is not as important as the lower slopes.
178. The inclusion of mitigation such as viewing corridors to enable long distance views and landscape buffers would not disguise the fact that the proposal would lead to the development of a greenfield site with a housing estate.
179. The effect on the Green Belt purposes of checking urban sprawl, preventing the merging of settlements and safeguarding the countryside from encroachment would be significantly adverse. The landscape impacts would also be significantly adverse. For these reasons HGA7 should be deleted and retained as Green Belt. **MM8** would secure these changes so that the Plan is positively prepared, justified and consistent with national policy. Policy SP4, the Strategic Policy for North Sunderland, and the Key Diagram for North Sunderland require amendment to reflect the deletion of HGA7. **MM7** would achieve these changes so that the Plan is effective. The change to the extent of the Green Belt would require corresponding changes to the submitted Policies Map.
180. There has been criticism about the Habitats Regulations Assessment [HRA] process undertaken for HGA7. However, as I am recommending that the 'project' is not carried forward, it is not necessary for me to consider the

matter further through an appropriate assessment.

181. The deletion of HGA7 from the North Sunderland Sub-Area would to an extent undermine the intentions of the Plan to seek some redress in the spatial imbalance in the distribution of housing land supply and provide more larger detached dwellings. However, HGA7 is unacceptable because of, amongst other things, its effect on Green Belt purposes.
182. In the city as a whole sufficient land has been identified to meet housing needs. A number of sites within the sub-area are being brought forward under the accelerated construction programme supported by Homes England. This will ensure that delivery takes place, assisting with the regeneration objectives set out by Policy SP4. Land east of Washington is relatively close to the sub-area and equidistant to the IAMP and PEAs to the south. It has the potential to redress the spatial imbalance between the areas to the north and south of the river in the longer-term. In this instance the policies of the Framework in relation to Green Belt indicate that development should be restricted.

HGA8 - Fulwell

183. The site is contained to an extent by the golf driving range to the north and the existing urban area around Fulwell to the east of the A1018 which encroaches much further north. A significant expanse of Green Belt would be retained between the northern edge of the site and the settlements of Cleadon and Boldon in South Tyneside. However, extending the site further north would erode the gap to an unacceptable extent and additional housing land is not needed. The site has tree belts to the west and south which would be retained but no other landscape features. The effects on the Green Belt purposes of checking urban sprawl, preventing the merging of settlements and safeguarding the countryside from encroachment are moderate as are the landscape impacts.
184. Exceptional circumstances are justified for the alteration of Green Belt boundaries, but the Plan does not clearly articulate it for HGA8 by reference to Green Belt purposes. **MM7** would secure this change so that the policy is positively prepared, justified and consistent with national policy.
185. The site is adjacent to a main arterial route into the city with frequent bus services. Seaburn Metro Station is about 300m from the site. A primary school, medical centre and local shops are also within walking distance. Vehicular access would be available direct from Newcastle Road.
186. The site is within the zone of influence of the Northumbria Coast Special Protection Area [SPA]. The SPA is important for nesting seabirds which can be disturbed by recreational use, particularly dog-walkers. Development of the site would be likely to have significant effects on the SPA on its own and in combination with other projects which are committed, by increasing the amount of recreational disturbance.
187. However, appropriate mitigation can be achieved by the provision of Strategic Access Monitoring and Management [SAMM] and Suitable Alternative Natural Greenspace [SANG]. With regard to the latter, Council owned land to the west of HGA8 at Fulwell Quarry can be enhanced to provide an attractive location

for informal recreation. **MM26** makes it clear that such mitigation will be required for HGA8 so that the Plan is positively prepared and effective.

188. The site was last used as a football pitch. The Council is to undertake a Playing Fields Assessment to ascertain which pitches are surplus to requirements following the development of new football hubs in the city. However, the pitch in this case has not been used since 2015 and is isolated from changing facilities and other pitches. Open space provision in the Southwick Ward is plentiful. It is unlikely that the site would be required for playing field use. In these respects, it is clearly distinguishable from HGA6 at Rickleton. That said Policy HGA8 should incorporate a criterion to reflect the need for the assessment before the site is released for housing. This would be secured by **MM8** so that the policy is positively prepared and effective.
189. Criterion vii. within Policy HGA8 should avoid repeating the requirements of Policy BH1 (Design Quality). **MM8** would ensure that the criterion is effective and clear to the decision-maker.
190. The site has been subject to landfill in the past. A preliminary site report recommends further investigation. However, there is nothing within the evidence to suggest that this or other constraints would prevent the site coming forward for development. In recognition of the need for further assessment, both in respect of playing fields and ground conditions, the site is shown as being delivered towards the end of the Plan period which is realistic.

Delivery

191. The housing trajectory identifies sites within the North Sunderland Sub-Area that are deliverable within the next five years or developable over the remainder of the Plan period. No substantive evidence is before me to undermine the trajectory. The assumptions about delivery of the housing sites in North Sunderland identified in the housing trajectory are realistic.

South Sunderland

192. The South Sunderland Sub-Area spans from the A19 in the west to the coast in the east. Countryside to the south of the built-up area beyond the SSGA up to the boundary with County Durham is designated as Green Belt as is a stretch of land running along the south-eastern banks of the River Wear. A further pocket of Green Belt abuts the built-up area around Middle Herrington. These areas are contiguous with Green Belt to the south, north and west respectively. No development, including HGA, is proposed in the Green Belt within the Sub-Area.
SSGA
193. The SSGA is by far the largest urban extension within the city. A significant proportion of the SSGA is already committed through the grant of planning permissions. Some phases have already commenced. Only one site is yet to secure planning permission. Despite this progress, Policy SS6 sets out a number of requirements for the SSGA as a whole to ensure a coordinated approach to infrastructure and service provision. The Council has been using the draft policy as a basis for considering proposals thus far.

194. Some of the requirements of Policy SS6 need to be revised so that they are effective and clear to the decision-maker. **MM10** would ensure that the contributions from the various phases are clear, that the components of the neighbourhood centre are clarified, that the Ryhope-Doxford Link Road is supported by contributions that meet the tests for obligations, and that other requirements are effective. In addition, the Council has prepared a draft Supplementary Planning Document [SPD] to guide development. For effectiveness the SPD should be referred to in Policy SS6 (**MM10**). The weight to be given to the SPD will increase once it is approved following consultation. I have further modified MM10 in response to representations on its detailed wording.
195. HRA has already been undertaken for the projects making up the SSGA when the planning applications were considered. There is a requirement for SANG within the SSGA because of the proximity of the coastal SPA. However, it is possible that SANG can also function as part of the public open space provision. This would be made clear by **MM10** and **MM26** so that Policies SS6 and NE2 are effective.
196. Some 75% of the 3000 homes within the SSGA are expected to be delivered in the Plan period. **MM10** provides the updated figures in the explanation to Policy SS6 so that the policy is effective. Infrastructure provision is being coordinated through an Infrastructure Delivery Strategy for the SSGA (SP.24). The missing sections of the Ryhope-Doxford Link Road are being provided by direct delivery or funded by planning obligation contributions. The assumptions about housing delivery in the SSGA appear realistic.

Green Belt

197. The general extent of the Green Belt in South Sunderland is appropriate and serves a number of purposes. Although the rectangle of open land to the north of Middle Herrington around Hastings Hill lies between the A19 and the built-up area, it prevents urban sprawl and countryside encroachment. Moreover, the parcel forms part of the valued landscape of the limestone plateau and includes an ancient monument. Its Green Belt and landscape qualities can be appreciated from the rural oasis of Foxcover Road. Land to the south of the SSGA is important in preventing the merger of the southern extremity of Sunderland with Seaham and Seaton. Moreover, there is a plentiful supply of housing land elsewhere in South Sunderland.
198. However, the triangle of land known as 'The Park' at Middle Herrington and the area of land immediately to the north used as public open space is something of an anomaly. It is hemmed in by housing and does not serve any Green Belt purposes as indicated by the 2017 Green Belt Assessment. The Green Belt Assessment Addendum (2018) (SD.32) focuses on the site's function as greenspace rather than its Green Belt role.
199. Although 'The Park' and the adjoining land has a special character, it has more appropriate designations as a Village Green and greenspace which secure protection under Policy NE4. This can be reaffirmed through the A&DP if necessary. The above factors taken together constitute exceptional circumstances to support the removal of West Park from the Green Belt. This would be secured by **MM9** which would amend the Key Diagram for South

Sunderland to ensure that the Plan is justified and consistent with national policy. The change to the extent of the Green Belt would require corresponding changes to the submitted Policies Map.

Settlement Break

200. The entirety of the settlement break proposed in South Sunderland between Grangetown and Ryhope around Tunstall Hills is justified by the Settlement Break Review (SD.48). Development in the vicinity of Tunstall Hills itself would be particularly prominent and erode the integrity of the break. In comparison the triangle of Council-owned open land to the north-west adjacent to Silksworth Lane is low-lying and does not play a fundamental role in separating the communities of High Newton and Elstob. Therefore, its exclusion from the settlement break is justified.

Delivery

201. The housing trajectory identifies sites within the South Sunderland Sub-Area that are deliverable within the next five years or developable over the remainder of the Plan period. No substantive evidence is before me to undermine the trajectory. The assumptions about delivery of the housing sites in South Sunderland identified in the trajectory are realistic.

The Coalfield

202. The Coalfield Sub-Area spans from the A19 in the east to the County Durham boundary to the west and south. Countryside to the north and east of Houghton-le-Spring is currently designated as Green Belt. The areas are contiguous with Green Belt to the north and east within the South Sunderland and Washington Sub-Areas.

HGA9 – Penshaw

203. The site is bounded by existing housing to the north-west and south-west. Development would not bring Penshaw materially closer to the urban edge of Sunderland. The sloping site is crossed by pylons but otherwise has no significant features. Views over the site towards Herrington Country Park from the surrounding area would be maintained. The Green Belt and landscape impacts would be moderate.
204. Exceptional circumstances for the alteration of Green Belt boundaries are justified but the Plan does not clearly articulate it for HGA9 by reference to Green Belt purposes. **MM11** would secure this change so that the policy is positively prepared, justified and consistent with national policy.
205. Penshaw Monument, a Grade I listed building on Penshaw Hill to the north, towers over the site. However, the proposed housing would form a relatively small component of the wide panorama of urban areas and countryside that is visible from the monument. Housing on the site would not encroach any nearer than existing development. Therefore, the HGA would not harm the significance of the heritage asset by affecting its setting.
206. The site is adjacent to a main arterial route into the city with frequent bus services. Primary schools, a medical centre and local shops are also within

walking distance. Vehicular access would be available direct from Chislehurst Road. Herrington Country Park is on the doorstep. Links would be provided from the site.

207. The criteria within Policy HGA9 relating to a buffer to Herrington Burn, retention of trees and hedgerows, provision of open space, ecological improvements, flood risk, vehicular access and off-site highway improvements include some duplication and in some cases are too prescriptive. **MM12** would ensure that the policy is effective and clear to the decision maker.
208. Figure 30 shows a narrow strip of land between the site and Herrington Burn excluded from HGA9. It could become a no-mans land. **MM12** would include this strip within the site so that flood risk and ecological mitigation would be more effective. The change to the extent of the site would require a corresponding change to the submitted Policies Map.

HGA10 – New Herrington

209. The site is occupied by a members' club and disused park and bowling green and has housing to three sides. The New Herrington Park lies to the south. The effect on Green Belt purposes from housing development would be limited. Exceptional circumstances for the alteration of Green Belt boundaries are justified but the Plan does not clearly articulate it for HGA10 by reference to Green Belt purposes. **MM11** would secure this change so that the policy is positively prepared, justified and consistent with national policy.
210. The site is adjacent to a main arterial route into the city with frequent bus services. Primary schools, a medical centre and local shops are also within walking distance. The loss of the potential open space is not a significant factor because of the close proximity of the well-maintained park which provides a range of recreational facilities including a bowling green.
211. The club is to be replaced but development of the site would be unlikely to be viable if a new club had to be located within its confines. There is scope to build a new club within the adjacent park where it could also provide changing accommodation. Moreover, the site contains significant tree cover. If all trees had to be retained, delivering the development would be challenging. Increasing the capacity of the site from 20 to 30 homes would also assist delivery. **MM12** would modify Policy HGA10 in these respects so that the policy is effective.

HGA11 – Philadelphia

212. The site is bounded by vacant and semi-derelict industrial complexes and former colliery land to the north and west. Development would not bring Philadelphia materially closer to the urban edge of Sunderland. The gently sloping site comprises agricultural fields with no significant landscape features. The Green Belt and landscape impacts would be moderate. Allocation of the site would assist in regeneration of the adjacent brownfield land by facilitating a comprehensive development comprising both greenfield and previously-developed land.

213. Exceptional circumstances for the alteration of Green Belt boundaries are justified but the Plan does not clearly articulate it for HGA11 by reference to Green Belt purposes. **MM11** would secure this change so that the policy is positively prepared, justified and consistent with national policy.
214. The site is close to a main bus route. Primary schools, a medical centre and local shops are within walking distance. Vehicular access would be via the highways infrastructure to be provided on land to the north. The setting of listed buildings within the wider Philadelphia complex would not be harmed by development of the site.
215. Criterion iv. of Policy HGA11 is confusing as it seeks to protect long distance views from the south by referring to high architectural quality. The significant element is protecting important views of the Newbottle Conservation Area to the south. The policy is prescriptive in terms of which junctions nearby will need improvement. However, such requirements will not be determined until a transport assessment is carried out at application stage. **MM12** would ensure that Policy HGA11 is effective and consistent with national policy in these respects.

Settlement Breaks

216. The settlement breaks in the Coalfield designated within the UDP have been eroded in places by new housing. However, the remaining areas defined in this LP are for the most part important in maintaining the separate identity of the settlements. The gap between settlements is particularly narrow to the north of Hetton Bogs. In this respect, it is important that the area free from development to the west of the A182 is protected to prevent coalescence.
217. New development off Coaley Lane to the west of Newbottle has led to the majority of the Russell Foster Football Centre being surrounded on three sides by development. This land no longer serves the settlement break purpose of preventing the merging of settlements. The site should be excluded from the settlement break so that Policy NE7 is positively prepared and justified. The Key Diagram for the Coalfield requires amendment in this respect (**MM11**). The change would require a corresponding amendment to the submitted Policies Map. The site, as existing open space, would be protected by paragraph 74 of the Framework and Policy NE4 of the LP.
218. The land to the north of that shown to be removed from the settlement break designation and which forms part of the football centre is part of a relatively narrow gap between Sunnyside and Success and should remain protected to prevent the merging of settlements.

Delivery

219. The housing trajectory identifies sites within the Coalfield Sub-Area that are deliverable within the next five years or developable over the remainder of the Plan period. No substantive evidence is before me to undermine the trajectory. The assumptions about delivery of the housing sites in the Coalfield identified in the trajectory are realistic.

Conclusions on Issue 6

220. Taken together with the strategic allocations and SHLAA sites, the eight remaining HGA will deliver sufficient sites to meet the Plan's housing requirement. A significant area of safeguarded land at East of Washington will meet longer-term needs beyond the Plan period in the right location. There is insufficient justification for the identification of other safeguarded land.
221. The Council is to prioritise work on the A&DP following adoption of this LP which will allocate suitable sites from the SHLAA and will also consider whether any of the safeguarded land needs to be released earlier than anticipated. Allocating additional sites at this stage to compensate for those to be deleted and to increase flexibility in the supply would significantly delay the adoption of the Plan and would not be necessary to make the Plan sound as demonstrated by my findings in relation to the next main issue.
222. The Key Diagram and Figure 33 require amending to reflect the MMs set out under this issue. This would be achieved by **MM2** and **MM14** to ensure an effective LP.
223. I conclude that, subject to the MMs proposed, the policies and land identified for development within the Sub-Areas of the City are consistent with the Plan's strategy and national policy, including protecting Green Belt land, and the housing identified will be delivered.

Issue 7 – Whether the housing requirement will be met; whether those means of meeting the requirement have been justified and will be effective; and whether the LP will have a five-year housing land supply upon adoption and be able to maintain it through the Plan period

Generally

224. Earlier in this report I concluded that the Plan's requirement for 13,410 homes between 2015 and 2033 is justified. Under Issue 6 I considered whether the land identified within the Sub-Areas was suitable and would be delivered. I now go on to consider the totality of the likely housing supply against the Plan's requirements and the need for a five-year housing land supply.

Components of Supply

225. Chapter 6 of the LP addresses, amongst other things, housing land supply. However, it is not explicit in setting out the components of housing supply. This would be rectified by **MM14** which includes a table setting out the position at 31 March 2019 in terms of contributions from completions, units under construction, commitments, a small-sites allowance, sites to be brought forward in this Plan (HGA, the SSGA and the Vaux) and projected allocations on SHLAA sites as part of the A&DP. Demolitions are incorporated as a minus figure. This modification ensures that the LP is effective in setting out how housing will be delivered and how the housing requirement will be met.
226. The small sites allowance comprises sites of between 1 and 4 dwellings. The figure of 50 is based on historic data which shows delivery of an average of 57 dpa from this source over the last 10 years (EX17.005). Units created through permitted development rights have not materially inflated these figures. The

SHLAA does not include such small sites. The SHLAA sites within the five-year supply calculation also exclude units on developments of 4 or less. Therefore, there is no double counting. The small sites windfall allowance is justified by compelling evidence. The Plan does not explain the justification for the allowance, but this would be rectified by **MM14**. An allowance for larger windfall sites would not be warranted as such sites are captured by the comprehensive SHLAA which is updated annually.

227. An allowance of 20 units per year for demolitions is included in the housing supply table for the period 2024-2033. Demolitions for the next five years are largely known and therefore have been accounted for in the net figures for commitments in the table. Historically demolition numbers have been higher because Gentoo, the association that manages the majority of the city's social housing, undertook significant stock clearance between 2004 and 2015. However, there are no plans to carry out further major clearance. The demolition allowance is justified.

228. The table of components of the supply shows that some 14,229 dwellings are capable of being delivered in the Plan period. This exceeds the requirement by around 6%. Therefore, there is some flexibility built into the supply. In addition, the A&DP will (1) provide the opportunity to increase the range of sites if some are stalling at that time and (2) increase flexibility in the supply. Moreover, a LP review, including the assessment of safeguarded land, will be a further opportunity to update and increase supply, should it prove necessary. I am satisfied that there will be sufficient flexibility built into the supply to ensure that the housing requirement will be met over the Plan period.

Housing Trajectory, Housing Implementation Strategy [HIS] and Five-year Housing Land Supply

229. Paragraph 47 of the Framework indicates that LPAs should illustrate the expected rate of housing delivery through a housing trajectory for the Plan period and set out a HIS describing how a five-year supply of delivery will be maintained to meet the housing target. In order to rectify omissions in the supporting evidence to the submitted Plan a HIS has now been provided. The HIS includes an updated housing trajectory to reflect the housing land supply position at 31 March 2019 and sets out how housing supply will be managed. Figure 34 within the Plan (housing trajectory) is also updated. The production of the HIS and the updated trajectory are explained by **MM14** which is required to ensure that the LP is effective.

230. The data that supports the housing trajectory and which derives from the SHLAA is based on realistic assumptions about when sites will come forward, lead-in times and build-out rates. The SHLAA itself is supported by a panel that includes representatives of the development industry. The assumptions have not been subject to significant challenge during the examination.

231. In identifying a five-year supply of deliverable housing sites, the Framework requires an additional buffer of 5% or 20% to be added, the latter to be applied where there has been a record of persistent under delivery against the housing requirement. The five-year supply position set out in the Compliance Statement and HIS is based on a 5% buffer. Figures since the base date of the Plan show that delivery was above the requirement of 745 dpa in two of

the four years. Some 200 dwellings above the requirement have been delivered between 1 April 2015 and 31 March 2019. Going back to the period 2009/10 to 2014/15 delivery was considerably less and below the then Regional Spatial Strategy [RSS] target but that was during a period when the country was coming out of recession. Moreover, the RSS target was not based on OAN but was an aspirational figure. There has not been a record of persistent under delivery. A 5% buffer is justified.

232. The LP should clearly express the key assumptions and parameters which will be relied upon to calculate the five-year housing land supply. **MM14** would ensure that reference is made to the 5% buffer and the circumstances where a 20% buffer might be applied in the future so that the LP is effective and consistent with national policy.

233. The HIS indicates that supply would be above five years on adoption of the LP using the base date of 31 March 2019. Indeed, the five-year supply is shown as 6.1 years. The Council's track record in robustly monitoring supply, the actions contained within the HIS to manage housing delivery and the flexibility in the supply give me comfort that a five-year supply can be maintained over the Plan period. This is reflected in the housing trajectory.

Conclusions on Issue 7

234. I conclude that, subject to the MMs proposed, the housing requirement will be met; the means of meeting the requirement have been justified and will be effective; and the LP will have a five-year housing land supply upon adoption and be able to maintain it through the Plan period.

Issue 8 – Whether necessary infrastructure is likely to be delivered alongside development

The IDP and Planning Obligations

235. The Plan is supported by the IDP. Policy ID1 provides a link to the IDP in requiring that development should contribute to the delivery of essential infrastructure identified in the IDP. The extent of contributions will be determined on a case-by-case basis having regard to the legal and policy tests that govern planning obligations. The policies that relate to the HGA include infrastructure requirements that are reflected in the IDP. The IDP is to be reviewed regularly so that what is defined as essential infrastructure and sources of funding will be kept up-to-date. In these respects, Policy ID1 is not too prescriptive and provides the necessary support for the delivery of essential infrastructure.

236. Policy ID2 indicates that planning obligations will be sought to deliver affordable housing and infrastructure and facilities. This would include additional school places and improvements to health-care provision. The terms of the policy are generally consistent with the legal and policy tests. However, it is important that the need for infrastructure improvements is clearly evidenced. Moreover, the seeking of fees to cover monitoring and the like is an administrative matter, not something that should be contained within a development plan policy. The place for this sort of detail would be the Planning Obligations SPD. Finally, the policy should make it clear that a viability assessment will be needed where it is proposed not to deliver policy

requirements, such as affordable housing, in full. **MM37** would ensure that Policy ID2 is positively prepared and effective in these respects.

Transport

237. The Plan sets out a number of policies which have the objective of delivering highway schemes and sustainable transport initiatives. Policy SP10 identifies specific schemes but needs to reflect the up-to-date position in relation to the key improvements that are necessary at the Wessington Way link to, and junction with, the A19. The explanation to the policy also needs to emphasise that the efficient operation of the Strategic Road Network is not only dependent on improvements to the A19 and the implementation of the SSTC. It can also be assisted by the implementation of travel planning measures and improved public transport provision. **MM35** would enable these changes so that the policy is positively prepared and effective.

Greenspace

238. Policy NE4 requires the protection of greenspace and that development contributes to the provision of new greenspace. The amount to be provided alongside new residential development as set out in Sections 3 and 4 of the policy is reflective of the existing approach within the UDP and the good supply of existing greenspace and is justified. However, the type of provision as set out in Section 3 would not necessarily result in appropriate space. Moreover, open space provision in housing developments would include space for children's and young people's outdoor play and activities as well as amenity space. **MM28** is required so that development can make provision that is reflective of local circumstances, including shortfalls in particular typologies. Through this modification the policy would be positively prepared.

Conclusions on Issue 8

239. I conclude that, subject to the MMs proposed, the necessary infrastructure is likely to be delivered alongside development.

Issue 9 – Whether the monitoring and implementation provisions of the Plan will be effective

240. The Plan includes an Implementation Table at Appendix 6 and refers to a standalone Monitoring Framework (SD.13). Paragraph 6.9 of the Plan and the HIS referred to within **MM14** are specific to housing delivery. However, there is nothing within the delivery section of the Plan which emphasises the importance of both monitoring and key review triggers or the role of the Authority Monitoring Report. **MM38** would insert a short section within Chapter 14 of the Plan to deal exclusively with monitoring and address the deficiencies referred to above. **MM40** inserts the Monitoring Framework into the Plan itself. Both modifications are required so that the Plan is effective.

241. The need to partially or fully review the Plan because key triggers are engaged does not only apply to this Plan but to the development plan as a whole, including the IAMP AAP and the A&DP. This is made clear by **MM38** so that the Plan is effective.

Conclusions on Issue 9

242.I conclude that, subject to the MMs proposed, the monitoring and implementation provisions of the Plan will be effective.

Assessment of Legal Compliance

243.My examination of the legal compliance of the Plan is summarised below.

244.The Plan has been prepared broadly in accordance with the Council's Local Development Scheme 2018-2020 (SD.15). Adoption of the Plan is likely to be early in 2020 rather than in 2019 but the difference is not significant and is due to the length of the examination.

245.The Council produced a Statement of Community Involvement [SCI] in 2015 (SD.16) and a Consultation Statement (SD.7) under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (LP Regulations). The Consultation Statement indicates that the Council has given local communities and key stakeholders the opportunity to be involved, and to make representations, at various stages of the LP preparation process in accordance with the SCI.

246.There has been some criticism of the Council's approach to consultation, including a failure to undertake effective engagement. The preparation of the Plan has been a long process starting with identification of issues and options back in 2005. The base date of the Plan was then moved forward to 2015 due to updated evidence and changes to Government policy. However, although a long and complex process, consultation has occurred at every stage.

247.In more recent times events have been held at various locations in the City. A separate event with Council Officers hosted by the Springwell Village Residents' Association was held in July 2018. These events have allowed the public and their representatives to engage with Council Officers. The events have allowed informal discussions. Moreover, these meetings have been in addition to, but not a substitute for, the formal public consultation that has taken place.

248.Although the use of digital means of communication and consultation have been the default, hard copies of the Plan and evidence documents were made available at key public buildings around the City. The local press, promotional material and leaflets sent to all residents and businesses have supplemented the use of the Council's website and social media. Paper consultation forms were provided on request and representations in writing have been accepted.

249.Some suggest that people have not been listened to. However, it appears that the Council has considered views expressed. Moreover, positive preparation of a plan does not mean that all will be satisfied with the outcome. There is a balance to be struck between the requirements of national policy, the development needs of the area and environmental constraints.

250.Consultation on the Plan and the MMs was carried out in compliance with the SCI. The Council has exceeded the consultation requirements in the LP regulations.

251. SA has been carried out and is adequate. Reasonable alternatives, including different allocations, designations and policy criteria, have been subject to SA in the same way as the proposals in the Plan. The SA has led to the inclusion of mitigation and a number of changes to policies to avoid significant adverse effects.
252. The HRA Report of December 2018 (SD.10) sets out that the plan may have some negative impact which requires mitigation. This mitigation has been secured through the plan as modified, noting the MMs that affect HGA8 and Policy NE2 in particular. HGA7 which is now proposed to be deleted was excluded from consideration within SD.10 as, at that time, potential mitigation had not been identified and agreed. Therefore, the fact that HGA7 will no longer contribute to mitigation will not undermine the findings of the HRA report. The only implication is that other projects within the SPA Zone of Influence will probably need to make a slightly greater contribution to SAMM measures.
253. The Plan's spatial vision, spatial priorities and strategic, built-environment, GI, energy and transport policies are designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. Development proposed through the Plan is or will be close to services and will be served by a choice of travel modes.
254. The Local Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the LP Regulations.
255. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the provision of policies for traveller sites and accessible and adaptable housing.

Overall Conclusion and Recommendation

256. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
257. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendix, the Sunderland Core Strategy and Development Plan 2015-2033 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

Mark Dakeyne

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.