

PLANNING AND HIGHWAYS COMMITTEE

24TH OCTOBER, 2006

REFERENCE FROM CABINET – 13TH SEPTEMBER, 2006

**SUNDERLAND CITY COUNCIL LOCAL DEVELOPMENT FRAMEWORK –
STATEMENT OF COMMUNITY INVOLVEMENT – ADOPTION**

LINK TO WORK PROGRAMME : CONSULTATION

Report of the City Solicitor

1. Purpose of Report

- 1.1 To seek the advice and consideration of this Committee on a report considered by Cabinet on 13th September, 2006.

2. Background

- 2.1 The Cabinet, at its meeting on 13th September, 2006, gave consideration to a report of the Director of Development and Regeneration. The report sought approval for the adoption of the Local Development Framework Statement of Community Involvement.
- 2.2 Copies of the 13th September, 2006, Cabinet agenda were circulated to all Members of the Council. Recommendations from the meeting will be reported orally to the meeting.
- 2.3 In accordance with Article 4 of the Council's Constitution the report is referred to this Committee for advice and consideration. The report has also been referred to the Environmental and Planning Review Committee for advice and consideration. Comments from the Committees will be reported to Council on 22nd November, 2006.

3. Recommendation

- 3.1 The Review Committee is invited to give advice and consideration to Council on the attached report of the Director of Development and Regeneration.

4. Background Papers

- 4.1 Cabinet Agenda, 13th September, 2006.

R.C. Rayner,
City Solicitor.

CABINET MEETING – 13 SEPTEMBER 2006

EXECUTIVE SUMMARY SHEET – PART I

<p>Title of Report: SUNDERLAND CITY COUNCIL LDF – STATEMENT OF COMMUNITY INVOLVEMENT - ADOPTION</p>	
<p>Author(s): DIRECTOR OF DEVELOPMENT AND REGENERATION</p>	
<p>Purpose of Report: This report seeks approval for the adoption of the Local Development Framework Statement of Community Involvement.</p>	
<p>Description of Decision: Cabinet is requested to agree that the Council be recommended to:</p> <ul style="list-style-type: none"> i) Approve the proposed changes to the Statement of Community Involvement as set out by the binding Inspector's report (Appendix 1 to this Report) ii) Adopt the Statement of Community Involvement as part of the Council's Local Development Framework (appendix 2) iii) Subject to Council approval in November 2006, authorise officers to undertake the statutory requirements to adopt the Statement of Community Involvement in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004. 	
<p>Is the decision consistent with the Budget/Policy Framework? Yes</p>	
<p>If not, Council approval is required to change the Budget/Policy Framework</p>	
<p>Suggested reason(s) for Decision: To meet statutory requirements by providing a formal statement of how the Council will involve the community in preparing its Local Development Framework and in the consideration of planning applications.</p>	
<p>Alternatives to be considered and recommended to be rejected: Preparation of the SCI is a statutory requirement without alternative.</p>	
<p>Is this a "Key Decision" as defined in the Constitution? Yes</p> <p>Is it included in the Forward Plan? Yes</p>	<p>Relevant Review Committee: Environmental and Planning Services.</p> <p>In addition, Planning and Highways Committee.</p>

CITY OF SUNDERLAND LDF – STATEMENT OF COMMUNITY INVOLVEMENT

REPORT OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION

1.0 Purpose of Report

- 1.1 This report seeks approval for the adoption of the Local Development Framework Statement of Community Involvement.

2.0 Description of Decision

- 2.1 Cabinet is requested to agree that the Council be recommended to:
- i) Approve the proposed changes to the Statement of Community Involvement as set out by the binding Inspector's report (Appendix 1 to this Report)
 - ii) Adopt the Statement of Community Involvement as part of the Council's Local Development Framework (Appendix 2)
 - iii) Subject to Council approval in November 2006, authorise officers to undertake the statutory requirements to adopt the Statement of Community Involvement in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004.

3.0 Background

- 3.1 In March 2005 Cabinet approved the Local Development Scheme (LDS) which sets out how the City's Local Development Framework will be prepared and its timetable. The LDS includes a programme for preparation of the Statement of Community Involvement (SCI) for adoption in November 2006. The SCI is a requirement of the Planning and Compulsory Purchase Act 2004.
- 3.2 The LDS includes 'Key Milestones' which attract Planning Delivery Grant if achieved. One such Key Milestone is adopting the SCI by the end of November 2006.
- 3.3 Prior to the requirement to produce an SCI, the Council consulted on its Unitary Development Plan, including formal alterations and supplementary planning guidance, in accordance with the then current planning regulations and guidance. It was not required to provide an agreed statement as to how it undertook such consultations with whom and when. The Council's consultation process in relation to planning applications was set out in its approved Development Control Consultation Practice Note.
- 3.4 The SCI now formalises and sets out the Council's approach:-

- to engaging the community in the preparation, alteration and continuing review of all those Local Development Documents (LDDs) that will comprise the City's Local Development Framework and
 - in the process of determining planning applications.
- 3.5 It will enable the community to know how and when they will be involved in the preparation of LDDs and how and when they will be consulted on planning applications. The SCI builds on the minimum requirements set out in the planning regulations and PPS12 "Local Development Frameworks". In preparing the SCI the issues identified in the operation of the present system have been reviewed and proposals for improving them and developing new techniques brought forward.

3.6 The main new features of community engagement proposed are:

Local Development Documents

- 'Front loading' by early community involvement in preparing LDDs.
- Integrating continuity of community involvement into the plan process.
- Using a variety of appropriate engagement techniques, reflecting the community's needs, in accordance with the Council's Consultation Strategy.
- Ensuring an accessible and transparent process

Planning Applications

- Increasing the ability to make input at various stages of the planning process, up to and including planning appeals.
- Encouraging involvement of the community at the pre-application stage of major or potentially controversial developments

4.0 Main Issues

- 4.1 The SCI Consultation Draft was prepared in light of statutory requirements and also following a period of consultation with community groups, other organisations and stakeholders and the NEA in May 2005. The SCI Consultation Draft then underwent a period of extensive public consultation ("pre-submission public participation") for 6 weeks between July and September 2005. Having taken these consultation responses into account the draft SCI was submitted in November 2005 to the Secretary of State for independent examination.
- 4.2 Over 500 groups, bodies, and organisations were consulted on the submission document using various methods including the press, internet, wide circulation of the document and presentations. A total of 19 representations were received which have been considered and statements submitted to the Secretary of State.

4.3 The Inspector considered the Council's responses to these comments in assessing the soundness of the SCI. An examination report with binding recommendations on the Council has been produced (APPENDIX 1). The Council were thanked by the Planning Inspectorate for its assistance in making an effective contribution towards achieving the Inspectorate's objective of expediting its part of the overall plan – preparation process. The Inspector's report examined whether the SCI met the 9 tests of soundness:

- local planning authority has complied with the minimum requirements for consultation as set out in Regulations;
- local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- statement identifies in general terms which local community groups and other bodies will be consulted;
- statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- resources are available to manage community involvement effectively;
- statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- authority has mechanisms for reviewing the statement of community involvement; and
- statement clearly describes the planning authority's policy for consultation on planning applications.

4.4 The Inspector's Report clearly supports the approach that the Council has taken with the SCI and accordingly has concluded that all of the above tests of soundness have been met. In addition, the Inspector also accepts the need to incorporate a series of further changes proposed by the Council that would add greater value to the SCI. These are set out in Appendix B of the Inspector's Report.

4.5 The Council has now incorporated the amendments and prepared the SCI for adoption on 22 November 2006.

5.0 Next Steps

5.1 If approved by the Council the SCI will be adopted in accordance with the Regulations. Copies of the SCI, the adoption statement and Inspector's Report will be advertised and made available for inspection

at the Civic Centre and other customer points as well as being published on the City of Sunderland website. Copies will also be sent to specified and other appropriate general consultation bodies.

5.2 On adoption the SCI will enter a 3 month period where there will be an opportunity for any person aggrieved by the Statement of Community Involvement to apply to the High Court for permission to apply for judicial review of the decision to adopt the SCI.

5.3 In the meantime the measures set out in the SCI will be used as a basis for undertaking all consultations/publicity on alterations to the UDP and LDD's and in relation to planning applications.

6.0 Reason for Decision

6.1 To meet statutory requirements by providing a formal statement of how the Council will involve the community in preparing its LDF and in the consideration of planning applications.

7.0 Alternatives

7.1 Preparation of the SCI is a statutory requirement without alternative.

8.0 RELEVANT CONSULTATIONS/ CONSIDERATIONS

a) **Financial Implications** – There are only minor direct costs resulting from the publication of the document, for statutory advertisements and document printing costs. There will be future costs associated with the various consultation and participation stages for each of the LDDs and in association with planning applications. The more extensive consultation proposed, particularly for hard to reach groups, may add 10 - 15% over current costs. Such costs will be met from within the cash limited delegated budgets.

b) **Legal Implications** – The SCI has been prepared in accordance with the appropriate Planning Regulations and City Council procedures. The City Solicitor has been consulted and his views incorporated into the body of this report.

c) **Policy Implications** - The SCI will set out the Authority's standards to be achieved in involving the community in the preparation, alteration and continuing review of all Local Development Documents (LDDs) and in the process of determining planning applications.

d) **Implications for other Services** – The SCI Draft was circulated widely across all Council Directorates at the pre-submission – consultation draft stage. The comments received have been taken into consideration in preparing the revised policies.

- e) **The Public** – the SCI was the subject of extensive public consultation between July – September 2005, and further consultation on the submission document during November to January 2006. Comments arising from these consultations have been considered in preparing the SCI for adoption.
- f) **Race Relations Act 2000 and the Council’s Race Equality Scheme**
The SCI was subject to wide-ranging public consultation at the pre-submission stage; contact translations were produced in Bengali, Farsi and Chinese to ensure that the City’s main minority ethnic groups had the opportunity to contribute. The SCI will fully reflect the requirements of the Council’s Race Equality Scheme.
- g) **Disability Discrimination Act 1995** – The SCI accords with the provisions of the Act.

10.0 List of Appendices

Appendix 1. Inspector’s Report on the Statement of Community Involvement.

Appendix 2. Statement of Community Involvement for adoption

Background Papers

City of Sunderland Local Development Scheme, March 2005.

The Town and Country Planning (Local Development) (England) Regulations 2004.

Planning Policy Statement 12: Local Development Frameworks and its Companion Guide: Creating Local Development Frameworks.

Statement of Community Involvement – Statement of Consultation and representations - January 2006

INSPECTOR'S REPORT
SUNDERLAND CITY COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: Wendy J Burden BA(Hons) Dip TP MRTPI

Date: 12th June 2006

Sunderland City Council Statement of Community Involvement (November 2005)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the Sunderland City County Council Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.2 A total of 19 representations were received all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
- 2.2 This test is met.

Test 2

- 3.1 Section 2.0 of the SCI sets out how the SCI links to other community initiatives. This includes the Sunderland Strategy, which combines three major City wide strategies, the first Community Strategy, the Sustainable Development Strategy and the Neighbourhood Renewal Strategy to provide a cohesive vision for the city. Benefits from the integration of policy and process between the LDF and community strategy are highlighted in paragraph 2.4 of the SCI. Paragraph 2.5 of the SCI states that the SCI will seek to ensure that the preparation of the LDF reflects the Sunderland Strategy and builds upon the benefits of integration.
- 3.2 This test is met.

Test 3

- 4.1 The Council has set out in Appendix 4 of the SCI those groups which will be consulted. The list includes the statutory bodies from PPS12 Annex E. Other consultees will only be consulted where appropriate. Paragraph 3.19 of the SCI explains that the Council holds a database of all consultees

and that it will ensure that an up to date record is maintained. Paragraph 3.27 also notes the Council's intention to utilise and integrate Council databases to cover all communities and stakeholders.

4.2 Paragraphs 3.19 to 3.22 of the SCI set out how the Council propose to meet the consultation requirements set down in the Planning and Compulsory Purchase Act 2004.

4.3 This test is met.

Test 4

5.1 The key stages of Development Plan Document (DPD) preparation are set out on pages 14 and 15 of the SCI. Paragraph 3.11 emphasises the need for early community involvement in the preparation of LDDs. Consultation will encourage participation, particularly of relevant groups to help the Council identify the issues and options available to address them. The Council will seek to build consensus through continuous community involvement based on the consultation methods outlined in paragraph 3.19.

5.2 This test is met.

Test 5

6.1 Section 3.0 of the SCI sets out how the Council intends to involve the community in the Local Development Framework. Proposed arrangements are set out for involving the community in each of the documents that make up the LDF at each stage of the process. Consultation methods for each type of stakeholder are set out in a Table on page 14 of the SCI. These cover a range of recognised consultation techniques that will present information via a range of different media. The Council notes that all of the methods identified will not be used at every stage, and the combination of techniques will vary.

6.2 Paragraph 1.4 recognises the importance of an inclusive approach so that all groups irrespective of age, sex, ethnicity or background are able to fully participate in the planning process, with a particular need to involve hard-to-reach groups who find it difficult to engage in the process. Page 1 of the SCI sets out contact information in a number of languages, giving the telephone number and email address of the Council, should any member of the public wish to obtain the document in another language. The table of consultation methods on page 14 of the SCI includes suitable methods of engaging hard-to-reach groups. Paragraph 3.27 states the Council's intention to make material available on request in Braille, audio, large print and to all groups irrespective of ethnicity.

- 6.3 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.4 This test is met.

Test 6

- 7.1 Section 5.0 of the SCI relates to resources management. The Planning Policy Section responsible for the preparation of the LDF, with assistance from other Council directorates, intends to utilise its structures and experience in order to undertake the necessary community involvement. The Development Control Section has existing resources and structures in place for consulting on planning applications in accordance with legislation.
- 7.2 I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.3 This test is met.

Test 7

- 8.1 Paragraphs 3.24 and 3.25 of the SCI set out how the results of community involvement will be reported and inform the content of LDDs. The Council will prepare a summary of written comments and feedback from all consultation exercises. These will be available for communities on the web and in hard copy form. The Council will write to those who made representations informing them of the next steps and any opportunity for further involvement. The findings will be considered by officers and members in the participation and review of DPDs and SPDs. This process will be evaluated and monitored.
- 8.2 This test is met.

Test 8

- 9.1 Section 6.0 of the SCI sets out the Council's intention to keep the SCI under careful scrutiny. The Council will monitor and review the involvement by different types of group, ensuring that hard-to-reach groups are engaged together with individuals and other stakeholders. Feedback will be used to monitor the performance of consultation techniques and the effectiveness of consultation, and used in refining the SCI.
- 9.2 As part of the LDF process the Council will prepare an Annual Monitoring Report (AMR), which will determine when the SCI should be formally reviewed.

9.3 This test is met.

Test 9

- 10.1 Section 4.0 of the SCI together with Appendix 5 deal specifically with the Council's policy for consultation on planning applications, meeting the minimum requirements set out in legislation. However, the SCI should contain further information on statutory consultation periods for development that affects SSSI's. I set out a recommendation below.
- 10.2 Section 4.0 clearly sets out how the Council intends to carry out consultation with the public on planning applications. It is clear from paragraphs 4.12 to 4.15 how the results of the consultation will be reported and how they will inform decisions on planning applications.
- 10.3** Paragraph 4.10, amplified in Appendix 5 of the SCI, differentiates between different types and scales of planning application and clarifies the different procedures for consultation that will apply. However, the clarity of the paragraph wording in respect of major applications could be improved. As currently written it appears that the Council has yet to provide a definition of major development in the SCI. I therefore set out a recommendation below.
- 10.4 Paragraphs 4.4 to 4.9 of the SCI provide information on pre-application discussions.

Recommendations

(R1) Add the following text to the second bullet point of Paragraph 4.10: "Notify consultees by letter giving them 21 days, or 28 days in the case of a planning applications potentially affecting a SSSI or in a SSSI consultation area¹, in which to comment." Add the following as a footnote to the second bullet point of Paragraph 4.10: "¹ in accordance with Section 28 of the Wildlife & Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000.

(R2) Delete the text "(to be defined)" from paragraph 4.10 and replace with "(defined in Appendix 5)".

- 10.5 Subject to the implementation of the above recommendations, this test is met.

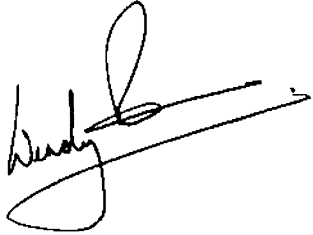
Conclusions

- 11.1 The Council has prepared a Representations Statement (January 2006) which lists all the representations, the Council's responses and the types of changes that it proposes to make in the main text of the SCI. This is given as Appendix B to this report. The suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore recommend that they be included.

Recommendation

(R3) The SCI should be amended as set out in the Representations Statement (January 2006).

11.2 Subject to the implementation of the recommendations given above the Sunderland City Council SCI (November 2005) is sound.

A handwritten signature in black ink, appearing to read 'Wendy J Burden', with a long horizontal stroke extending to the right.

Wendy J Burden BA DipTP MRTPI

INSPECTOR

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

APPENDIX B
SUNDERLAND CITY COUNCIL
PROPOSED CHANGES

Local Development Framework Statement of Community Involvement

Sunderland City Council

**Written statements in response
to objections and issues from the
Submission Draft Statement of
Community Involvement**

January 2006

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Heritage

Objection reference: 03

1. Section to which to which the objection relates

1.1 4.12

2. Summary of objection

2.1 The document does not refer to the Council's response to representations received after the 21 day deadline but before a decision is taken.

3. The Councils Response

3.1 The Council accept that there are circumstances where responses will be submitted after the statutory period. To this extent it is proposed that the text in paragraph 4.12 reflects requests for extensions to the consultation period will be at the discretion of the Council. "and reported in the officer's recommendation. **There may be an occasion when responses will be submitted outside the statutory time period, for example if further information is required. Representations received outside of the prescribed time period will be considered at the discretion of the Council bearing in mind circumstances leading to this situation.**"

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Heritage

Objection reference: 03

1. Section to which to which the objection relates

1.2 4.16

2. Summary of objection

2.1 English Heritage are concerned regarding the Council's response about informing those who make representations. At the very least the Council should send the decision electronically where the facility exists. rather than for English heritage to trawl the web site.

3. The Councils Response

3.1 The Council support the provision of e-government and its implementation in the planning system. The Council is looking into its procedure for informing consultees. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Heritage

Objection reference: 03

1. Section to which the objection relates

1.1 General 3.2.6

2. Summary of objection

2.1 The SCI sets out under 3.2.6 a summary procedure for participation and consultation for the development plan, however, there is no corresponding guidance on how the Council will consult consultees in respect of Development Control.

3. The Councils Response

3.1 It is considered that the SCI meets the test of soundness in that it clearly describes the planning authorities policy for consultation on planning applications. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Heritage

Objection reference: 03

1. Section to which to which the objection relates

1.1 General

2. Summary of objection

2.1 English Heritage expects that it will be sent copies of applications on which it is required to be notified, and the SCI should reflect Circular 08/2005. It should also be noted that the twentieth century Society is now a statutory consultee for the purpose of applying the requirements of PPG15.

3. The Councils Response

3.1 English Heritage is a statutory consultee and will be consulted in accordance with the GDPO. Regarding the consulting the Twentieth Century Society they will be consulted in accordance with the requirements of the GDPO and PPG15. There is no need to change the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Heritage

Objection reference: 03

1. Section to which to which the objection relates

1.1 General

2. Summary of objection

2.1 Many drawings that English Heritage use when consulted on applications are dimension sensitive. Without paper copies of drawings it is virtually impossible to consider proposals. In addition, reading large documents is unsatisfactory electronically. It would be less wasteful to produce a single print run for some consultees than ad hoc copies.

3. The Councils Response

3.1 Paper copies of drawings are provided for statutory consultees free of charge. The Council is committed to e-government and increasing the use of paperless communication in planning. There is a charge for reproducing documents for the public. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Government Office for the North East

Objection reference: 06

1. Section to which the objection relates

1.1 Paragraph 3.4

2. Summary of objection

2.1 Paragraph 3.4 conflicts with test (iv) of soundness in paragraph 3.10 PPS12 which states that in assessing whether the SCI is sound, the Inspector will determine whether the statement identifies how the community and other bodies can be involved in a timely and accessible manner.

The first sentence in paragraph 3.4 is contradictory. It is suggested that the second part of the sentence should be reworded as follows: "ie there will be **no** opportunity for the City Council to propose any modifications to that report".

3. The Councils Response

3.1 Accept change

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Government Office for the North East

Objection reference: 06

1. Section to which to which the objection relates

1.1 Paragraph 3.10

2. Summary of objection

2.1 The last sentence of paragraph 3.4 conflicts with the advice in paragraphs 5.3 and 5.5 of PPS12 because it implies that the policies in the adopted Alteration No 2 and the UDP will be automatically saved until their replacement as part of the LDF. The last sentence of paragraph 3.4 should be revise to reflect the advice in paragraphs 5.3 and 5.5 of PPS12.

3. The Councils Response

3.1 Accept the objection and change paragraph 3.4 to read: " in early 2007. It will then be saved **for a period of 3 years. The unaffected parts of the UDP have automatically been saved for a period of 3 years from the commencement of the Planning and Compulsory Purchase Act 2004. During this time these policies will be** the statutory land use policies for the City until their replacement as part of the LDF for the City.

Local Development Framework Statement of Community Involvement

Sunderland City Council

Written Statement in Response to Sunderland Civic Society

Objection reference: 07/08

1. Section to which to which the objection relates

1.1 Paragraph 3.19 – 3.28

2. Summary of objection

2.1 The document is too general in describing what consultation procedures will be invoked and at what time to satisfy soundness test (iv) “ identifies how the community and other bodies can be involved in a timely and accessible manner”.

2.2 The document does not satisfy test of soundness (iv) “methods to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents”. The SCI does not contain sufficient details of how various consultation methods will be employed at various stages. It merely states that it may deploy methods and does not give an indication when.

2.3 It is questioned whether the document satisfies test of soundness (vi) “resources are available to manage community involvement effectively”. The document does not give a clear indication of the level of consultation which is feasible under resource constraints.

2.4 The lack of specific commitment to the consultation measures makes reviewing the SCI in an objective manner difficult against soundness test (viii) “authority has mechanisms for reviewing the SCI”.

3. The Councils Response

3.1 The Council considers that the SCI meets soundness tests iv, vi, and viii. As the Civic society acknowledge the Planning policy team does not have the resources to manage all methods within a reasonable timescale. Therefore it is unreasonable to specify techniques for every situation. Depending on the type and nature of the LDD different techniques will be applied, but again within resources available.

3.2 No change is proposed to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland Civic Society

Objection reference: 07/08

1. Section to which to which the objection relates

1.1 Paragraph 4.11 – 4.16

2. Summary of objection

2.1 The Society acknowledge that the SCI may comply with the requirements of soundness test (ix) “statement clearly describes the planning authority’s policy for consultation on planning applications” it could be more fully committed to the principle of consultation.

2.2 The Society would like to see:

Automatic consultation on certain categories of planning applications; Major developments within and adjacent to conservation areas, green Belts and city centre developments, other major developments which would involve a departure from the development plan, and development of listed buildings or developments likely to affect their setting.

Feedback on what representations have achieved and why?

3. The Councils Response

3.1 The Council considers that the SCI meets soundness test (ix) “statement clearly describes the planning authority’s policy for consultation on planning applications”. Due to limited resources it is not possible to consult the Society directly on such a range of applications. Weekly lists, which are available on the Council’s web site provide this information. Similarly due to the resource implications it is not practicable to provide feedback on what representations have achieved and why. However, Committee reports which generally identify the issues and reasons for a decision are available on the Councils web site.

3.2 No change is proposed to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sport England

Objection reference: 12

1. Section to which to which the objection relates

1.1 Paragraph Appendix 2.

2. Summary of objection

2.1 Welcome the inclusion of a glossary and that the term allocation should be defined.

3. The Councils Response

3.1 The Council will discuss including the definition with government Office for the North East.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sport England

Objection reference: 12

1. Section to which to which the objection relates

1.1 Paragraph 4.16.

2. Summary of objection

2.1 Sport England require that they are made aware of the outcome of any planning application they have made comments on. Request that on such applications they are informed in writing of the decision and where on the website the decision notice can be obtained. Paragraph 4.16 alludes to such a procedure, but could be made clearer

3. The Councils Response

3.1 Decision notices can be viewed on the Councils web site. The Council is looking into its procedure for informing consultees regarding notification of the decision. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland arc Ltd

Objection reference: 13

1. Section to which to which the objection relates

1.1 Paragraph Appendix 4.

2. Summary of objection

2.1 Sunderland arc would prefer that the generic references to Urban regeneration Companies be substituted by a specific reference to Sunderland arc Ltd. English partnerships should also be included in the schedule as a consultee.

3. The Councils Response

3.1 Will amend Appendix to refer to Sunderland arc Ltd, and add English Partnerships to the consultation schedule.

Local Development Framework Statement of Community Involvement

Sunderland City Council

Written Statement in Response to Edward Thompson Group

Objection reference: 14

1. Section to which to which the objection relates

1.1 Paragraph None stated..

2. Summary of objection

2.1 Broadly support the SCI, but make two requests. Firstly they recognise the difficulties in identifying and engaging the wider business community outside the Chambers of Commerce. However, should be consulted on land issues that would have an affect on the interests of ETG in the development plan and control process. There they request that their details be added to the consultation database.

3. The Councils Response

3.1 The Council seek to ensure that consultation, dependant upon the type, and location reaches a range of interested organisations, through various methods including the Council's website, letter, press advert and other means such as presentations and workshops. The Council will add ETG's contact details to the consultation database.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Nature

Objection reference: 15

1. Section to which to which the objection relates

1.1 Paragraph None stated.

2. Summary of objection

2.1 In the light of ODPM circular 08/2005 on changes to the development Control System English Nature wish to see the following points included in the SCI:

English Nature sometimes does not receive all the information needed during the relevant timescale to make a response and may need to extend deadlines.

3. The Councils Response

3.1 Will amend paragraph 4.12 to address this issue. See earlier response to English Heritage.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Nature

Objection reference: 15

1. Section to which the objection relates

1.1 Paragraph None stated.

2. Summary of objection

2.1 In the light of ODPM circular 08/2005 on changes to the development Control System English Nature wish to see the following points included in the SCI:

Legislation sets different time limits which superseded the requirement for statutory consultees to respond within 21 days of receipt of the consultation.

3. The Councils Response

3.1 Will amend paragraph 4.12 to address this issue. It is proposed that the text be amended to reflect all statutory time periods. "All representations received during the relevant statutory ~~24~~ consultation period..."

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Nature

Objection reference: 15

1. Section to which the objection relates

1.1 Paragraph None stated.

2. Summary of objection

2.1 In the light of ODPM circular 08/2005 on changes to the development Control System English Nature wish to see the following points included in the SCI:

The SCI should encourage developers to carry out pre-application discussion with English Nature concerning any application likely to affect directly or indirectly SSSI's, internationally important sites, protected species, protected species or other issues identified in the policies of PPS9. This can avoid undue delay in the application process by gathering all information early.

3. The Councils Response

3.1 The SCI in paragraph 4.4 encourages early discussion with the Council and will identify whether there is a need to consult the community and other consultees at the pre-application stage. Detailed guidance is being prepared on this aspect. No change to SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to English Nature

Objection reference: 15

1. Section to which to which the objection relates

1.1 Paragraph None stated.

2. Summary of objection

2.1 Of particular relevance to the SCI are the consultation procedures set out in Circular ODPM 06/2005 in regards PPS9 and the Habitats Regulations. These procedures can be expedited by pre-consultation with English Nature.

3. The Councils Response

3.1 The SCI needs to be succinct. These comments will be taken account of in the Council's procedures for Development Control and LDF preparation. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Forestry Commission

Objection reference: 16

1. Section to which to which the objection relates

1.1 Paragraph None stated.

2. Summary of objection

2.1 Although the Forestry Commission is referred to in Appendix 4 the Council need to ensure that all future correspondence goes to the correct office. Also the Great North Forest Team is added to the list of consultees.

3. The Councils Response

3.1 The Forestry Commission contact details have been amended, and the Great North Forest added to the consultation data base.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Forestry Commission

Objection reference: 16

1. Section to which to which the objection relates

1.1 Paragraph Section 4.

2. Summary of objection

2.1 The Forestry Commission consider that section 4 does not provide a clear indication that the Council will consult with relevant statutory bodies, such as the Forestry Commission or English Nature, in considering relevant planning applications.

3. The Councils Response

3.1 Although the Council does consult all relevant statutory consultees in accordance with the GDPO a further bullet point to reflect this will be added to paragraph 4.10 of the SCI.

“Consultees – Statutory and non statutory consultees will be consulted in accordance with the General Development Procedure Order (GDPO).”

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Forestry Commission

Objection reference: 16

1. Section to which to which the objection relates

1.1 Paragraph Section 4.

2. Summary of objection

2.1 The Forestry Commission encourage the Council to consult the Forestry Commission whenever considering a planning application for a development that will have an adverse effect on ancient woodland, and all other types of woodland. The Forestry Commission also request that they be advised of any instances where they need to be involved due to their responsibilities under the Forestry EIA regulations.

Also the Forestry Commission would welcome the opportunity to be involved and to provide technical advice when the Council are considering any applications for wood processing or forest industry developments.

3. The Councils Response

3.1 The Council does consult all relevant statutory consultees in accordance with the GDPO, which is clarified in the proposed change to paragraph 4.10 of the SCI. The Forestry Commissions comments have been noted by Development Control. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section General.

2. Summary of objections

2.1 Raise awareness through school curriculum.

3. The Councils Response

3.1 The Council is working with Planning Aid to raise awareness of planning in schools. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section 1.3.

2. Summary of objections

2.1 A clear policy for explaining how a decision was reached, and by whom, and how there can be an application for an independent review.

3. The Councils Response

3.1 The members of the Local Planning Authority are elected to represent the interests of the whole community in planning matters. Each local authority is required to adopt a local code of conduct under the Local Government Act 2000 for Councillors in carrying out their duties. The guidance note "Probity in Planning - the role of councillors and officers " published by the Local Government Association in 2002 relates these requirements to planning. The authority also has a Protocol for Members in Relation to Development Control Matters which is set out in its Constitution. There exists a Standards Board to which allegations for breaches of local codes can be made, along with the Local Government Ombudsman for dealing with complaints.

No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section 1.7

2. Summary of objections

2.1 Utilise existing contact groups and make consultation jargon free.

3. The Councils Response

3.1 The Council recognises the benefit of consultation and seeks to widen its consultation base through networking within the council but also with community groups. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section 1.9

2. Summary of objections

2.1 The example of the Sunderland Housing Group should be looked at to ensure mistakes they were able to force through can not happen again. Who will police the system, to reduce individual gain. Suggest an open list of who will gain from any specific decision.

3. The Councils Response

3.1 This is not appropriate to the Statement of Community Involvement.
No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section 3.8

2. Summary of objections

2.1 A declaration of who has been approached and when as well as who responded for all aspects including sustainability.

3. The Councils Response

3.1 The Council has prepared a Statement of Consultation to accompany the Submission draft SCI, and a statement of representations following the submission of the document to the Secretary of State. These documents set out who has been consulted and how the Council propose to deal with the representations. No change to the SCI.

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section 3.21 & 3.22

2. Summary of objections

2.1 Workshops should avoid technical jargon so the lay person can understand. Also use should be made of existing groups using their knowledge and structure.

3. The Councils Response

3.1 The Council will seek to avoid jargon and explain the process in order to gain an understanding from people not familiar with the planning process. The Council recognises the benefit of consultation and seeks to widen its consultation base through networking within the council and community groups sharing knowledge and experience. No change to the SCI

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section 4.5 & 4.20

2. Summary of objections

2.1 An applicant for planning permission who does not own the land should pay for the costs of consultation. Also, are penalties in place if a Council Officer allows a breach of Planning Control.

3. The Councils Response

3.1 Both these issues are not relevant to the SCI's test of soundness. No change to the SCI

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Sunderland History Society

Objection reference: 17

1. Section to which to which the objection relates

1.1 Paragraph Section 4.13

2. Summary of objections

2.1 To encourage active participation it would be more useful to reply to specific comments at a later stage rather than the general acknowledgement letter. You are left feeling it is just a paper exercise and your views were not noted. A list of issues raised and reasons for decisions which were available publicly would demonstrate that all views were considered.

3. The Councils Response

3.1 Due to limited available resources it is not possible to respond on an individual basis, however, committee reports which generally identify the issues and reasons for decision are available on the Council's web site.

No change to the SCI

**Local Development Framework
Statement of Community Involvement**

Sunderland City Council

Written Statement in Response to Bellway Homes Ltd

Objection reference: 19

1. Section to which to which the objection relates

1.1 Paragraph 4.6

2. Summary of objections

2.1 Greater clarity as to when an applicant would be expected to utilise “public meetings” – These can be unduly onerous. Policy should say “only in very exceptional circumstances for major developments of a more than local significance (ie sub regional) should public meetings be sought. In all other instances a public exhibition will suffice”.

3. The Councils Response

3.1- Detailed guidance is being prepared regarding pre-application discussions and consultation, but not yet completed. Comments by Bellway will be considered in preparation of this guidance as. No change to paragraph 4.4 of the SCI which states that “detailed guidance is being prepared in this respect”.

CITY OF SUNDERLAND

STATEMENT OF COMMUNITY INVOLVEMENT

November 2006

If you require this document in a language other than English please contact The Planning Policy Section on 0191 5531955 or by emailing udp@sunderland.gov.uk

“如閣下需要這份文件的其它語言譯本，請電01915531955聯絡計劃政策部門，或電郵udp@sunderland.gov.uk”

“ اگر شما این مدرک را بزبان ديگرى غير از زبان انگليسى نياز داريد ، لطفاً با بخش طرح و برنامه ريزى بشماره تلفن 0191 5531955 يا توسط ايميل udp@sunderland.gov.uk تماس بگيريد . ”

এই দলিলটি যদি আপনার ইংরেজী ছাড়া অন্য কোনো ভাষায় দরকার হয়, তাহলে প্লানিং পলিসি সেকশেন 0191 5531955 নাম্বারে ডায়াল করুন বা udp@sunderland.gov.uk এই এড্রেসে ইমেইল করুন ।

Philip Barrett
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CONTENTS

	Page No.
1. Introduction	4
2. Links with other Community Initiatives	7
3. Community Involvement in the Local Development Framework	8
4. Community Involvement in Development Control	16
5. Resources Management	20
6. SCI – Review	20
7. Independent Advice	20
Appendix 1 Community Consultation Framework Principles	22
Appendix 2 Glossary	24
Appendix 3 Have Your Say Leaflet	30
Appendix 4 Consultees	32
Appendix 5 Development Control Practice Note	35

PREFACE

The Statement of Community Involvement (SCI) sets out the Council's proposals for engaging all sections of the Community in planning the future of the City through its new Development Plan, the Local Development Framework (LDF) and in participating in the determination of planning applications. The Council's Community Consultation Framework gives clear reasons as to why it is essential to involve the community in planning and other services in order to :

- Improve Council Services
- Improve the quality of decision making
- Improve public confidence in the decision making process, and
- Increase the involvement of local people in the democratic process.

Engaging all of Sunderland's stakeholders in the planning process will move towards achieving the City and Council's vision for creating inclusive communities by taking inequalities; building cohesive communities and promoting inclusive notions of citizenship identity and belonging; opening up opportunities for all; promoting community engagement and active citizenship and; building capacity in communities.

With the use of up-to-date consultation techniques, including information technology, the opportunity to engage the community on planning matters in improved breadth and depth is available as never before.

The City Council would welcome views on this Submission draft Statement of Community Involvement. All views received will be considered by the Council and taken into account in finalising the SCI. The revised SCI will then be submitted to the Secretary of State to be examined by an independent Inspector. When finalised the SCI will set the standard for community involvement in planning in Sunderland.

This revised SCI will be submitted to the Secretary of State to be examined by an independent Inspector and there will also be a six week period in which representations can be made. When finalised the SCI will set the standard for community involvement in planning in Sunderland.

1.0 INTRODUCTION

- 1.1 Under the new Planning and Compulsory Purchase Act 2004 Planning Authorities are required to prepare a Statement of Community Involvement (SCI). This will set out how the Council intends to consult and involve communities and Stakeholders in the preparation, alteration and review of its new development plan the Local Development Framework (LDF) (explained further in Chapter 3) and in the process for determining planning applications. The SCI will provide a clear guide to inform people as to how and when they will be able to take part in the planning system. The SCI will also provide a basis for engaging communities on other relevant plans and strategies.
- 1.2 Consulting local communities has been a long established and important part of the planning process with opportunities provided to make representations in the Development Plan system and in consideration of planning applications. Under the new planning system the requirement for public consultation remains but there is more emphasis on informal engagement and consensus - building early in the process in order to speed up delivery and minimise the need for lengthy inquiries into planning proposals.
- 1.3 The Government recognises that community involvement:
- Can reflect local people's aspirations and needs
 - Is a key element of open and participatory democracy
 - Can improve decision making by drawing on local knowledge
 - Educates all participants
 - Promotes community cohesion through communities' involvement in decision making
- 1.4 The importance of effective community involvement is stated in Planning Policy Statement PPS1- (Delivering Sustainable Development), and PPS12 (Local Development Frameworks) which recognise that community involvement is vitally important to planning and the achievement of sustainable development. Key to this is providing an accessible and transparent planning system, which provides continuing opportunities for local people to participate in the creation of inclusive, accessible, safe and sustainable communities. One of the main principles of sustainable development is involving communities in developing a vision for their area. In order to develop a vision communities need to be given the opportunity to participate in drawing up plans or policies and be consulted on planning applications.
- 1.5 To be successful, a clear understanding must be gained of the make-up of communities, their interests and needs. The City of Sunderland contains a wide range of communities and an inclusive approach should be taken so that all groups irrespective of age, sex, ethnicity or background, are able to fully participate in the planning process, with a particular need to involve hard-to-reach groups who find it difficult to engage in the process.
- 1.6 Community involvement is not simply a matter of ticking a box in response to a question or targeting those groups familiar with the planning process but requires genuine participation that will help shape the future of Sunderland.

PPS 1 advocates that effective community engagement requires communities to be:

- informed in good time about policies and proposals.
- able to shape developments and proposals rather than a reactive tick box approach to consultation
- consulted on formal proposals
- consulted in locations that are widely accessible
- provided with feedback but also involves a process that seeks feedback.

1.7 Therefore the Council will seek the most effective way to engage stakeholders and all sections of the community in the planning process. The Council firmly believes in the importance of such engagement which promotes local ownership in the planning process, and has already demonstrated a commitment to consultation.

1.8 Sunderland Council is committed to listening to, and acting upon, the views of the local community and in October 2000 approved the Community Consultation Framework. The Council wants to make sure that it carries out consultation in an inclusive and suitable manner. This means keeping the people whom it consults fully informed from the beginning to the end of consultation. The Council will build the results of consultation into its policy and planning.

1.9 The Council will also make sure that it meets a set of principles when it carries out any consultation:

<p>COMMUNITY CONSULTATION FRAMEWORK – PRINCIPLES</p> <p>The Council will seek to:</p> <ul style="list-style-type: none">• Ensure the consultation is inclusive• Use a suitable technique appropriate to the type of consultation• Communicate clearly• Promote quality in consultations• Work in partnership• Provide mechanisms for involvement

These Principles are fully explained in Appendix 1

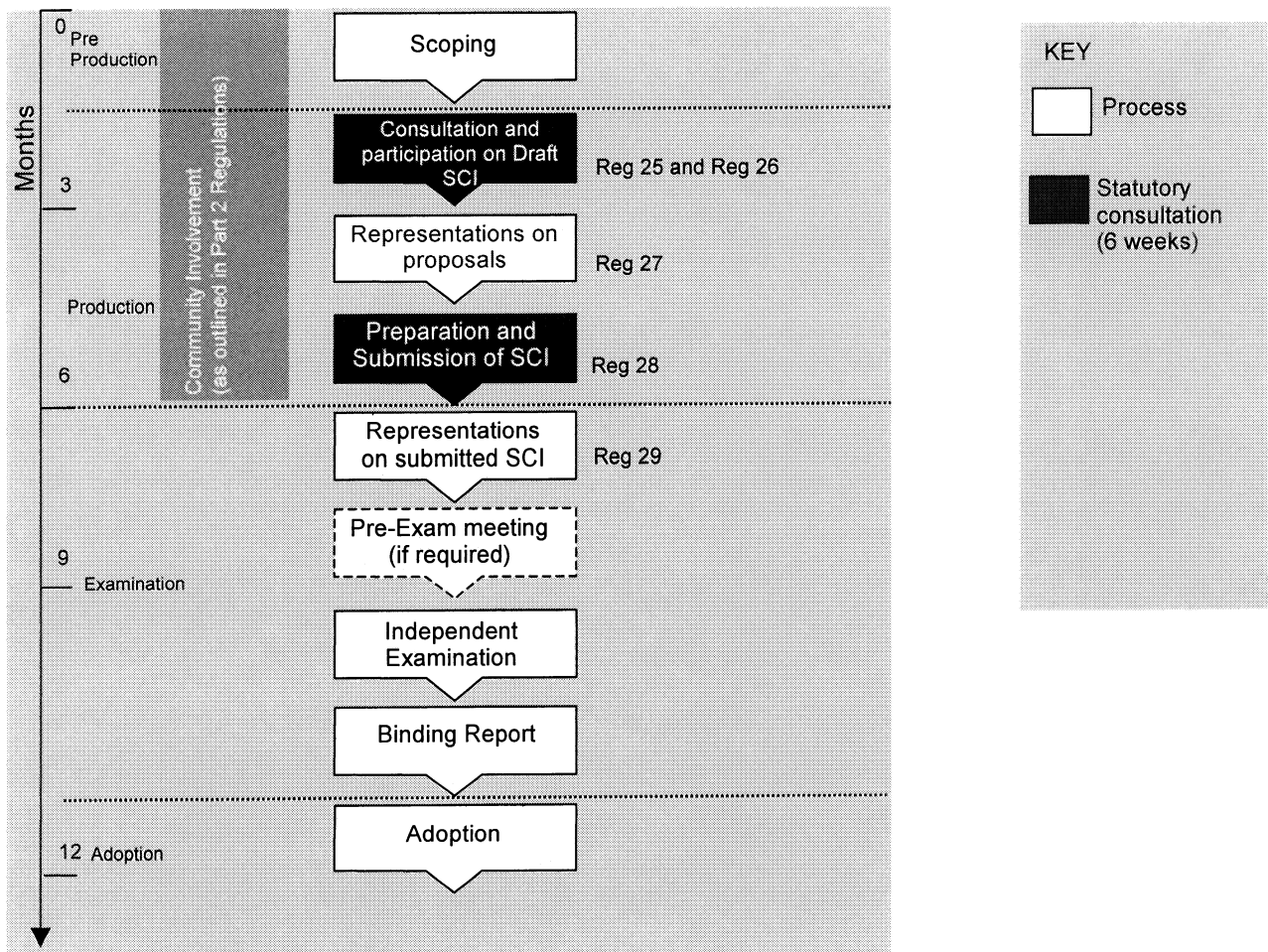
1.10 The Draft SCI has been written to conform with these principles taking into account the Town and Country Planning (Local Development) (England) Regulations 2004 and government guidance. In addition the SCI has been informed by a questionnaire consultation conducted in May 2005 and Pre-Submission Participation during July to September 2005.

1.11 The SCI covers the following matters in order to satisfy the “Test Of Soundness” :

- How the Council meet the minimum legal requirements.
- Links with other strategies.
- The range of community groups and bodies to be consulted.
- How these groups will be consulted.
- What appropriate consultation techniques will be used for different groups and individuals during the different stages of the planning process.
- How the results of community involvement will be used in the preparation of development plan documents and supplementary planning documents.
- How the Council intends to resource and manage community involvement effectively.
- How the Council will consult on planning applications.
- How the Council intends to monitor and review the SCI.

1.12 The SCI preparation process is illustrated in Figure 1. This sets out the stages and opportunities for consultation during the process. The preparation of all Development Documents and consideration of planning applications must accord with the standards set out in the SCI.

Fig 1 Preparing a Statement of Community Involvement



2.0 LINKS WITH OTHER COMMUNITY INITIATIVES

2.1 The Government recognises the benefits of developing linkages with the LDF and other strategies and plans such as community strategies and strategy for hard to reach groups in delivering sustainable development. One of the key principles which underpins the Sunderland (Community) Strategy is a commitment to participation. Only by developing joint working and sharing knowledge between Council departments can community participation be exploited fully. Also there are synergies to be gained from developing more effective relationships between the, LDF and Sunderland Strategy, regarding policy content and processes. These benefits are outlined in paragraph 2.4.

2.2 The key objective of community strategies is to enhance the quality of life for local communities whilst contributing to the achievement of sustainable development. The Sunderland Strategy combines 3 major City wide strategies, the first Community Strategy, the Sustainable Development Strategy, and the Neighbourhood Renewal Strategy to provide a cohesive vision:

“Sunderland will be a prosperous City. A desirable, safe and healthy place to live, work, learn and visit, where all people can reach their full potential”

2.3 This vision has 8 shared strategic objectives which highlight the principles and priorities for action:

1. Creating a prosperous City
2. Extending cultural opportunities
3. Improving the quality, choice and range of housing
4. Improving health and social care
5. Reducing crime and fear of crime
6. Raising standards and increasing participation in learning
7. Developing an attractive and accessible City
8. Creating inclusive communities

2.4 The involvement of the community is essential to the delivery of both the Sunderland Strategy and the LDF. Planning through the development plan and determination of planning applications is a key tool by which the Council will establish and take forward its vision for the City. The benefits from integrating policy and process between the LDF and community strategy are :

- An integrated approach towards future development based upon sustainable development objectives
- Joined up approach to community planning
- LDF as a delivery mechanism for the Sunderland Strategy
- Corporate working and sharing resources
- Ability to engage a wide range of stakeholders
- Recognise knowledge sharing

2.5 The SCI will therefore seek to ensure that the preparation of the LDF reflects the Sunderland Strategy and builds upon the benefits of integration.

3.0 COMMUNITY INVOLVEMENT IN THE LOCAL DEVELOPMENT FRAMEWORK

3.1 Under the Planning and Compulsory Purchase Act 2004, the planning system has undergone major changes to the preparation of development plans. One of the key objectives of the new planning system is that it should be speedier, more flexible and responsive. The Unitary Development Plan (UDP) for Sunderland sets out the planning framework for the City until 2006. The UDP will eventually be replaced by the Local Development Framework (LDF)

Alteration To UDP

3.2 The City Council is currently preparing a revised planning framework for Central Sunderland. This framework is now being progressed through the statutory planning process as the City of Sunderland Unitary Development Plan: (Alteration No.2) Central Sunderland.

3.3 Following an earlier public consultation (1st deposit) in March 2004 the document will be re-deposited in accordance with the appropriate planning regulations. This will comprise a 6 week consultation period, starting in October, where the policies will be available for public comment. Thereafter the entire document will be the subject of a Public Local Inquiry (scheduled to commence in April 2006) where the "soundness" of all the policies will be assessed by an independent Government Inspector.

3.4 Under the new Development Plans Regulations the Inspector's report will be binding; ie there will be no opportunity for the City Council to propose any modifications to that report. It is anticipated that the Inspector's report will be received towards the end of 2006, with Alteration No. 2 being formally adopted in early 2007. It will then be saved for a period of 3 years. The unaffected parts of the UDP have automatically been saved for a period of 3 years from the commencement of the Planning and Compulsory Purchase Act 2004. During this time these policies will be the statutory land use policies for the City until their replacement as part of the LDF for the City.

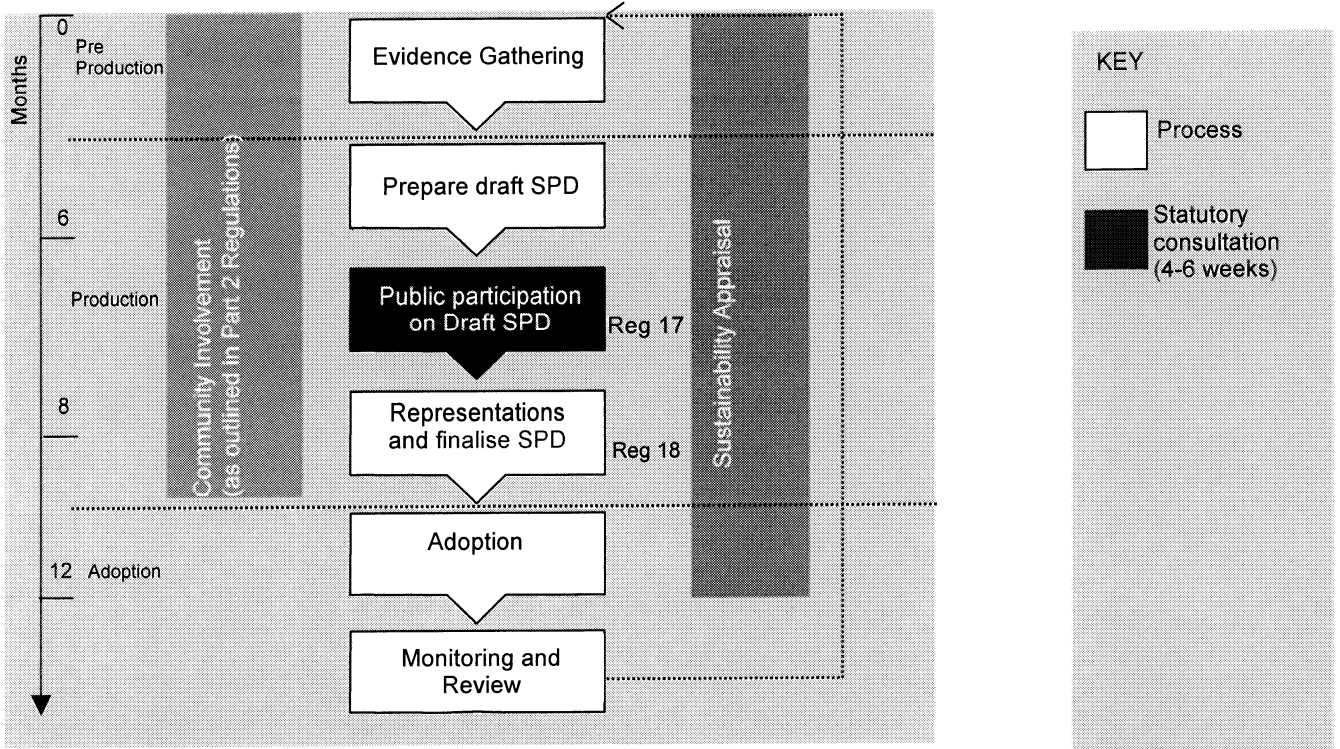
Preparation of LDD's

3.5 The LDF will consist of a suite of documents known as Local Development Documents (LDDs). Those classed as Development Plan Documents(DPD) will form the development plan and be subject to independent examination. They can include:

- Core Strategy - sets out the vision and strategic policies for the City
- Site Specific Allocations – specific sites identified for development
- Proposals Map – LDF policies illustrated on an OS map base
- Other Area Action Plans

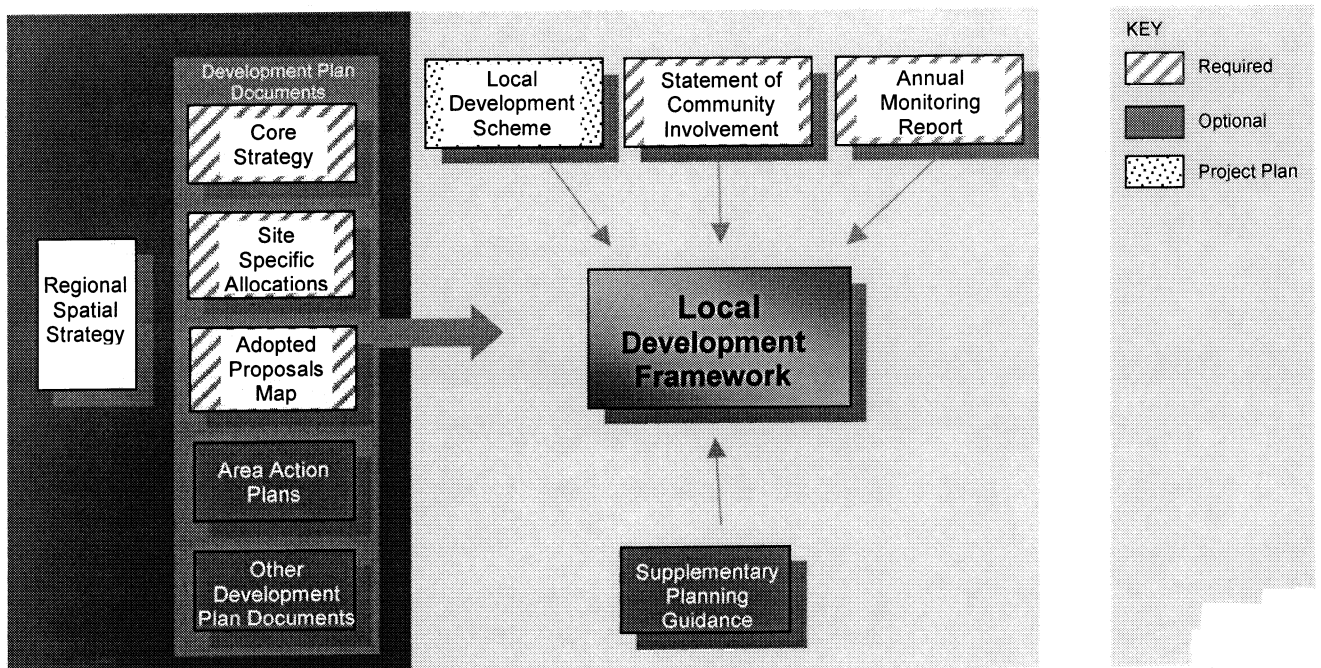
3.6 These DPD's are essentially the components that formed the UDP.

Fig 2 The Supplementary Planning Document Process



3.7 Supplementary Planning Documents (SPD) – are also LDDs. SPD's can be prepared to support policies in the DPD's, similar to existing Supplementary Planning Guidance. Although not subject to independent examination they will be subject to consultation. Figure 2 illustrates the Supplementary planning process and opportunities for community involvement. SPD's must not allocate land, but can be used to expand policy or provide further detail to policies in a DPD.

Fig 3 The Local Development Framework



3.8 The LDF must also include:

- The Local Development Scheme (LDS) – this sets out the project plan timetable for the preparation of the LDF. Sunderlands LDS was published in March 2005
 - Annual Monitoring Report – which will be prepared every year setting out implementation and progress on the LDF
 - Statement of Community Involvement in the preparation of the LDF
- The preparation of the LDF documents will accord with the timetable set out in the LDS.

Sustainability Appraisal

3.9 A Sustainability Appraisal is required for LDD's under the Planning and Compulsory Purchase Act 2004, to include SEA under the European Directive 2001/42/EC. The purpose of the sustainability appraisal is to appraise the social, environmental, and economic effects from the outset of the preparation process, and where appropriate what courses of action follow.

3.10 The Sustainability Appraisal has specific requirements for consultation. The Government has designated four statutory consultees who must be consulted during the process; The Countryside Agency, English Nature, English Heritage and the Environment Agency. Consultation will also take place with other relevant stakeholders, the Local Strategic Partnership, and other community interests.

Key stages of Development Plan Documents preparation

3.11 Initial consultation – emphasis on early community involvement in the preparation of LDDs. Consultation will encourage participation, particularly of relevant groups, to help the Council identify the issues and options available to address them. The Council will seek to build consensus through continuous community involvement (See section on Consultation Methods 3.19).

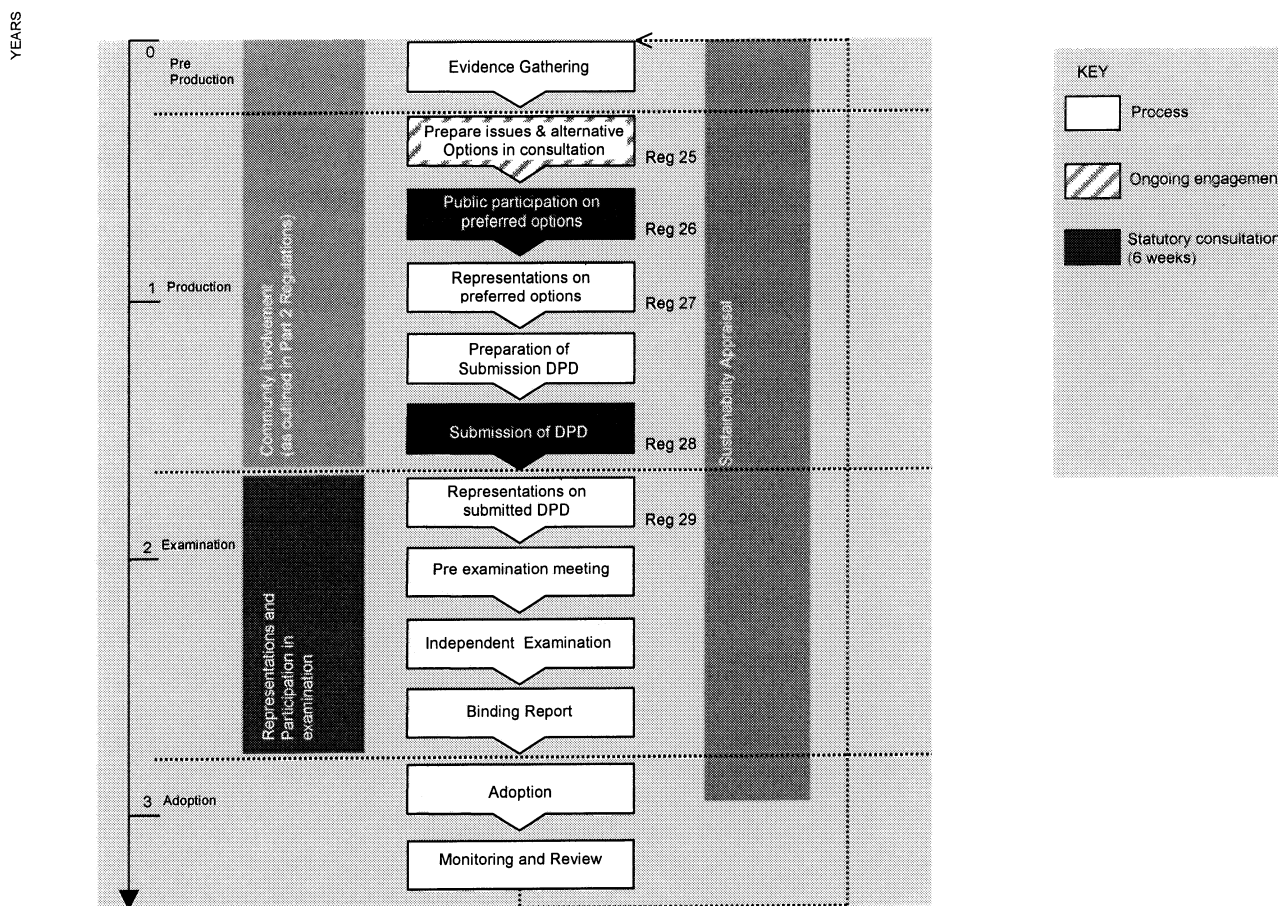
3.12 Pre-submission (Preferred Options Report) – this includes a statutory 6 week consultation period, (see the procedure summary outlined below). This gives the community and stakeholders the opportunity to ensure that the Council has considered all the options. Following the end of this period the Council will consider representations and prepare the document for submission.

3.13 Preparation of submission of Development Plan Document – The DPD should be prepared for submission for independent examination. On its submission to the Secretary of State there must be a further 6 week consultation period. This will be accompanied by the Statement of Compliance, detailing how the Council has complied with the SCI. The Council will provide feedback after all stages that involved public consultation as outlined in paragraph 3.24

3.14 Independent Examination – An Inspector will consider the soundness of the DPD through oral and written representations.

- 3.15 Inspector's Report – Following the examination the Inspector will produce a report that is binding upon the Council with recommendations on how the DPD must be changed, or matters for further consideration.
- 3.16 Adoption – The Council will adopt the DPD as amended by the Inspector
- 3.17 Review – DPDs will be reviewed in the light of changing circumstances and Annual Monitoring Reports

Fig 4 Preparation of a Development Plan Document



LDF preparation – Community Involvement

- 3.18 In preparing the draft SCI the Council undertook a scoping exercise to identify community and interest groups and gave them the opportunity to become involved in the planning process. This was drafted after internal consultation within the Council to list all known community groups and include, as far as possible, those generally considered hard to reach. The questionnaire sought to identify interested parties and how and when they would wish to become involved in the planning process. The exercise has also assisted the Council in how best to manage and prioritise resources to assist those with an interest in the process. A questionnaire was sent to known community groups and made available on the Council's web site (See Statement of Consultation). Further consultation was also undertaken in the preparation of the Pre-Submission Participation.

The Council has identified a range of key groups. These are:

- General Public
 - Elected members
 - Statutory & non Statutory Consultees (PPS 12 Annex E)
 - Government – Local, Regional, & National
 - Consultants & Developers
 - Local Businesses
 - Neighbouring Local Planning Authorities
 - Local Community Groups/ Interest Groups
 - Hard to reach – the following have been identified as those groups and individuals most likely to find consultation processes difficult to access and can therefore be considered hard to reach for the purpose of consultation:
 - Those with literacy problems
 - Those unaware of current planning procedures
 - Those with limited access to Council facilities i.e. with no transport, no internet access and few community facilities – notably residents in known area of deprivation.
 - Those currently living in institutions e.g. hospitals, prisons
- (These are listed in Appendix 4)

Consultation methods and procedure

3.19 The following suggested consultation methods could be used by the Council during the production of LDDs. The Council's Community Consultation Framework and manual will inform the choice of technique, which will take into account benefits and resource implications.

- ***Database utilisation to identify and contact consultees*** – The Council's Development & Regeneration Directorate will maintain and update the contact records of all consultees and coordinate with other Council departments to ensure an up to date record of all consultees is maintained. Consultees will be consulted in writing about draft documents.
- ***Draft Document publication*** – The availability of all the documents produced for the LDF process will be made known to appropriate target audiences relevant to the nature of the document i.e. City wide, local in nature, or with a specific theme interest. Copies of the draft document will be made available for inspection at the Civic Centre and Libraries throughout the City, and on the Council's website www.sunderland.gov.uk
- ***Council Web site and electronic response*** – The Council's web site will provide an efficient method of community engagement. Benefits of this method include;
 - Increase awareness of planning issues within the City
 - Consultation can be carried out on line resulting in a paperless environment
 - Improve communication between the community and the Council
 - Provide a forum for debate

- 3.20 The Council will make available on its web site www.sunderland.gov.uk formal consultations and provide the opportunity for responses to be made on line. Consultation responses will also be made available on line when the Council reports on how responses have fed into the planning process.
- 3.21 The Council's new information technology initiative (CAP 7) will enable consultation down to neighbourhood level for major new allocations and the reviewing, analysis and retrieval of responses.
- **Workshops** – This method allows a means to engage the community in an interactive format. It has many benefits including:
 - Raising awareness
 - Shaping proposals
 - Generating ideas and suggestions for improvement
 - Community ownership in the planning process
 - **Participatory Appraisals** – This technique has already been used with some success by the Council. It is highly flexible for both small groups and whole communities where a cycle of data collection, reflection and learning and action planning is desired. Barriers can be identified with solutions agreed. Some of the advantages of this technique are:
 - Its personnel –led approach can overcome potential literacy issues
 - Its simplifies complex issues
 - It is Inclusive
 - It helps create networks and shared knowledge
 - It can create action plans with priorities
 - Feedback is given to the community for confirmation
 - **Fora** – The Council will use existing Area Fora within the City to widen participation by communities in the LDF process. These fora will be used to engage the community and explain key planning issues. The Council will also set up a forum with key stakeholders to regularly examine and address planning issues within the City.
 - **Open days and Exhibitions** – These techniques provide a forum to listen, as well as the opportunity to provide information. They can be used to obtain comments, provide visual and audio information and give the opportunity for data collection through questionnaires and comment boxes. They need to be used carefully otherwise feedback may be unrepresentative.
 - **Media releases and Press notices** - The Council will explore the use of various forms of media, such as newspapers and radio to inform the community of key consultations. Free Council publications, such as City News, which is distributed throughout the City, can also be used to inform the community of key consultations.
- 3.22 The Council, guided by its Consultation Framework, will use the following consultation methods as appropriate to the document, stage, and geographical areas covered. The consultation methods employed will be

reflected by the time and resources available. All of the methods identified will not be used at every stage, and the combination of techniques will vary.

Consultation Methods

Stakeholders	Development Plan Documents		Supplementary Planning Documents
	Core Strategy	Site Specific Allocations & Policies, Action Area Plans	Site specific and Topic SPDs
General Public	Council Website, Media & Press, Public Exhibitions, Fora, Workshops, Participatory Appraisal, Draft Document Publication	Council Website, Media & Press, Public Exhibitions, Fora, Workshops, Participatory Appraisal, Draft Document Publication	Council Website, Media & Press, Public Exhibitions, Participatory Appraisal, Draft Document Publication
Local community Groups/ Interest Groups	Council Website, Media & Press, Public Exhibitions, Fora, Participatory Appraisal, Workshops, Draft Document Publication	Council Website, Media & Press, Public Exhibitions, Fora, Participatory Appraisal, Workshops, Draft Document Publication	Council Website, Media & Press, Public Exhibitions, Fora, Participatory Appraisal, Workshops, Draft Document Publication
Local Businesses	Council Website, Media & Press, Exhibitions, Participatory Appraisal, Meetings, Draft Document Publication	Council Website, Media & Press, Exhibitions, Participatory Appraisal Meetings, Draft Document Publication	Council Website, Media & Press, Exhibitions, Participatory Appraisal Meetings, Draft Document Publication
Hard to reach groups	Council Website, Media & Press, (including methods for the functionally illiterate) Public Exhibitions, Fora, Participatory Appraisal, Workshops, Draft Document Publication, Language translations	Council Website, Media & Press, Public Exhibitions, Fora, Participatory Appraisal, Workshops, Draft Document Publication, Language translations	Council Website, Media & Press, Participatory Appraisal, Draft Document Publication, Language translations

Elected Members	Council Website, Media & Press, Member Briefing/Committee Draft Document Publication	Council Website, Media & Press, Member Briefing/Committee Draft Document Publication	Council Website, Media & Press, Member Briefing /Committee Draft Document Publication
Statutory & non Statutory Consultees. Government – Local, Regional & National. Consultants, Developers. Neighbouring Local Planning Authorities.	Meetings & informal discussions Draft Document Publication Letters	Meetings & informal discussions Draft Document Publication Letters	Meetings & informal discussions Draft Document Publication Letters

3.23 When making representations seeking change, comments should be as specific as possible, in particular how the DPD is unsound and what changes should be made to make it sound. Representations should be writing or sent electronically, preferably using the form supplied by the Local Planning Authority.

3.24 At the end of a consultation exercise the Council will prepare a summary of written comments and feedback from the consultation exercises. These will be made available for communities on the web and in hard copy form. The Council will write to those who made representations informing them of the next steps and any opportunity for further involvement. The findings will be considered by officers and members in the preparation and review of DPDs and SPDs.

3.25 The process will be evaluated and the changes that have occurred as a result of community involvement monitored and lessons learnt from the process. In particular relating to:

- Policy
- Procedure
- Service Delivery
- Efficiency
- Customer Service

Summary of procedure for participation and consultation for Development Plan Documents:

3.26 Minimum requirements for consultation:

- Make all relevant material available at Council Offices, and other appropriate accessible places for a 6 week period (or the minimum statutory period)
- Place all material for inspection on the Council’s website (www.sunderland.gov.uk)

- Advertise in local press for the area, with details of the consultation
- Send copies of the relevant material to Government Office for the North East, and consultees in accordance with PPS 12. (see Appendix 4)

3.27 Additional undertakings:

- Make the relevant material available in appropriate community facilities and libraries
- Make material available on request in Braille, audio, large print and to all groups irrespective of ethnicity
- Utilise and integrate Council databases to cover all communities and stakeholders
- Utilise Area Regeneration Framework delivery mechanisms where possible
- Use appropriate consultation methods

3.28 When producing a Development Plan Document (DPD) the Council must adhere to the requirements of the SCI. When the DPD is to be submitted to the Secretary of State a Statement of Compliance will be prepared detailing how the Council complied with the SCI and minimum requirements of the regulations. The Statement of Compliance will need to set out how the Council sought representations and how they were addressed in the preparation of the submitted DPD.

4.0 COMMUNITY INVOLVEMENT IN DEVELOPMENT CONTROL

4.1 This section of the SCI sets out how the Council will engage the community and stakeholders in the Development Control Process. The purpose of this is to demonstrate how the Council intends to implement statutory and discretionary requirements for consultation and publicity for planning applications.

4.2 All planning applications received by the City Council are currently publicised in accordance with statutory requirements (Town and Country Planning (General Development Procedure) Order 1995). This is contained in the Council's Development Control Good Practice on Publicity for Applications (See Appendix 5).

4.3 Involvement in planning applications engages individuals, communities and stakeholders in the process. The Council in meeting its statutory obligations to publicise and consult has to balance its discretionary measures with cost, speed of decision and fairness. The discretionary level of consultation varies as will be explained later.

Community Involvement in planning applications

Pre-application

4.4 The Council will encourage early dialogue to examine potential development proposals. This approach becomes more important the more significant or major the proposal. The Government advises that for such proposals wider community consultation may be required in addition to the statutory

requirements. Early discussion by applicants with the Council will identify whether there is a need to consult the community and other consultees at the pre-application stage. Detailed guidance is being prepared on this aspect.

4.5 The purposes of this approach are:

- Wider understanding of proposals
- Community ownership in the process and transparency of procedure
- Feedback to shape initial proposals towards a well designed proposal
- Early identification of issues
- Avoid unnecessary objections later on in the application process, which can extend the determination period and be expensive to resolve

4.6 Suggested methods of community involvement may include:

- Public Exhibitions
- Public Meetings
- Workshops

4.7 The Council will welcome early discussion with prospective applicants, particularly on major or controversial proposals to agree whether or not it would be appropriate to undertake such a consultation exercise. The results of consultation exercises will be reported and considered as part of the application process.

4.8 The Council cannot insist that such community consultation is undertaken. However, it is considered that such engagement early in the application process can be beneficial to all parties in creating a partnership approach towards development.

4.9 Small applications, such as domestic extensions and other minor proposals will not undergo this pre-application community consultation exercise.

Community Involvement when a planning application is received

4.10 Consultations will be carried out and information disseminated on planning applications in the following ways:

All applications

- **Weekly List & Register** - The Council produces a weekly list of all planning applications received.

The planning application register, which includes all applications on hand and those which have been decided is also available for public inspection at the Civic Centre during office hours. The register includes the planning application files. These and decisions are also available on the Council web site

- **Neighbour notification** – Occupiers of neighbouring properties most likely to be affected by an application will be notified by letter, and

invited to make comments on the application usually within 21 days. Notify consultees by letter giving them 21 days, or 28 days in the case of a planning application potentially affecting a SSSI or in a SSSI consultation area¹, in which to comment.

- **Advertisements** - The Council has a statutory obligation to publish details in the local Press (Sunderland Echo) of specified applications, and how to make representations
- **Site Notices** – These are displayed on or near the application site to inform the wider community and give details on how and when to make representations
- **Consultees** – Statutory and non statutory consultees will be consulted in accordance with the General Development Procedure Order (GDPO)

Major applications

The council will publicise and discuss major applications (defined in Appendix 5) through exhibitions, public meetings and workshops as appropriate

Community Involvement during the application process

- 4.11 The Council undertakes a considerable amount of negotiation on applications, particularly the complex and major applications. The Council encourages negotiation between applicants and officers which may result in amendments to proposals made to bring them into line with planning policies or in response to representations received. Where an amended proposal is submitted a further round of consultations may be undertaken. Whilst there is no statutory obligation to re-consult on amended plans the Council will re-consult on changes of a significant nature, on the basis of a case by case consideration.

Community Involvement in the decision making process

- 4.12 All representations received during the relevant statutory consultation period will be considered in determining the application and reported in the officer's recommendation. There may be an occasion when responses will be submitted outside the statutory time period, for example if further information is required. Representations received outside of the prescribed time period will be considered at the discretion of the Council bearing in mind circumstances leading to this situation. Site inspection to view matters raised in representations received may also involve case officers calling at objectors' properties to discuss the representation.
- 4.13 All representations made in writing will be acknowledged and the writer will be notified of the procedures for determining the application. Comments on applications can also be made online by email.

¹ in accordance with Section 28 of the Wildlife & Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000.

It should be noted that objections should relate to planning issues such as, loss of privacy, design, and not non-planning issues such as ownership.

- 4.14 Over 90% of planning applications are determined by the Director of Development and Regeneration under the Council's delegation scheme. This assists the Council in meeting performance targets for speed of decision of planning applications.
- 4.15 Other applications are reported to one of the 3 Development Control Area Sub - Committees. The public are given the opportunity to address the Sub Committees, subject to rules on advance notification and procedure. (see Appendix 4 Planning Service leaflet- Have Your Say).

Community Involvement after an application has been determined

- 4.16 When a planning decision is issued the Council will inform the applicant/agent and those who made written representations of the decision. If the decision was made at committee, the minutes of the meeting are available on the Council's web site www.sunderland.gov.uk within the meeting pages of the City Council. All decision notices can be viewed on-line.

Community Involvement if an appeal is received on a planning application

- 4.17 Statute allows applicants the right to appeal within 6 months of decision if an application is refused. There is no provision for third parties to appeal against a decision on an application.
- 4.18 When an appeal is received anyone who made representations on the application within the time allowed prior to determination is notified of the appeal and supplied with written details on how to make their views known. If the Planning Inspectorate decide the appeal will be determined by written representations then the objectors/supporters would be required to restate any of their representations to the Inspectorate. If the appeal is to be decided by an informal hearing or inquiry then they would be given the right to appear. All representations made during the planning application stage are public records and are forwarded to the Planning Inspectorate.
- 4.19 The Council will also publicise by means of site notices and on its web site details of any informal hearing or public inquiry. In addition a press notice may also be published.

Community Involvement on Enforcement Issues

- 4.20 A dedicated team is responsible for the enforcement of planning control which includes investigation of possible breaches and instigating any enforcement action in respect to unauthorised development. The team is also responsible for the maintenance, reviewing and enforcement of Tree Preservation Orders. All enforcement cases will be treated in confidence by the Council unless the complainant requests otherwise.

- 4.21 More detailed information on enforcement procedures is available on the Council's Planning and Building Control web page www.sunderland.gov.uk .

5.0 RESOURCES MANAGEMENT

- 5.1 The principles of Community Involvement are already embraced by the City Council. The Planning Policy Section in the Development and Regeneration Directorate is responsible for the preparation of the LDF. The Section, with assistance from other Council directorates, will utilise their structures and experience in undertaking community involvement. All consultation will accord with the Council's Community Consultation Framework.
- 5.2 The Development Control Section has existing resources and structures in place for consulting on planning applications in accordance with legislation. In those cases where developers undertake pre-application consultation they will be expected to provide the resource.

6.0 SCI - REVIEW

- 6.1 The SCI will be kept under careful scrutiny so as to ensure that the Council meets its commitment to community involvement in the planning process. The Council will monitor and review the involvement by different types of group, ensuring that hard to reach groups are engaged together with individuals, and other stakeholders. In particular feedback will be used to monitor the performance of techniques, the effectiveness of consultation, and used in refining the SCI.

The effectiveness of the SCI will be assessed on the basis of:

- Feedback from representations on consultation exercises
- Ease of accessing planning documents
- Level of involvement in the planning process across all the community

- 6.2 As part of the LDF process the Council will prepare an Annual Monitoring Report (AMR). This will assess the production progress and policy effectiveness of the LDF. The SCI will be assessed within the AMR which will determine when it should be formally reviewed.

7.0 INDEPENDENT ADVICE

- 7.1 Planning Aid North is able to offer free, independent and professional advice on Town and Country planning issues to community groups and individuals who cannot afford to pay a planning consultant. It also works with communities to help them understand and play a role in the planning process. Planning Aid produces a leaflet which can provide more details and guidance on eligibility at the address below.
- 7.2 Planning Aid works with people and communities to help them influence changes to local areas. This help includes:
- Understanding the planning system

- Involvement in preparing development plans
- Develop their own plans for the community
- Comment on planning applications
- Apply for planning permission or appeal against refusal of permission, and
- Appear at Public Inquiries
- Planning, training and education activities

Planning Aid North covers Cumbria, Northumberland, Tyne and Wear, Durham, and Cleveland.

Contact Details are:

Joint Professional Centre for Planning & Landscape,
3rd Floor,
Claremont Tower,
University of Newcastle upon Tyne
NE1 7RU.
TEL: 0191 2225776
Fax 0191 222 5669

Email address: ntco@planningaid.rtpi.org.uk
Website: www.rtpi.org.uk

APPENDIX 1

Community Consultation Framework - Principles

The Council wants to make sure that it carries out consultation in an inclusive, suitable manner. This means keeping the people it consults fully informed from the beginning to the end of consultation. The Council will build the results of consultation into Council policy and planning. The Council will also make sure it meets the following principles when it carries out any consultation.

The Council will seek:

- To ensure the consultation is as **inclusive** as possible, through:
 - making all efforts to make sure the target groups are representative;
 - making specific efforts to include those in hard to reach groups. This means dealing with barriers to participation
- To use a suitable consultation **technique** for consultees, the nature of the service and issue the Council consults on, bearing in mind the resources available
- To **communicate** clearly with consultees throughout the consultation. This includes:
 - giving reasonable notice before consultation events, and providing reasonable time for responses, so that people can take part.
 - explaining the point of the consultation, who the consultees are, why and how the Council will use the results, and what the next steps will be.
 - ensuring the information provided for the consultation is fair, open and understandable, in the right language, written style and format;
 - providing help to participants if they need it;
 - listening to the views of consultees and respecting those views;
 - communicating the results of the consultation exercise to the consultees;
- Telling consultees what will happen because of the consultation, or provide an explanation to why consultation results have not been actioned.
- To ensure consultation results are part of service planning and policy development through:
 - making consultation a necessary part of all strategy and service planning;
 - designing consultations to fit into the City Council's strategic planning;
 - requiring demonstration of the use made of results as part of Best Value
- To promote **quality** throughout City Council consultations through:-
 - spreading best practice on consultation techniques
 - evaluating consultations undertaken

- To work in **partnership** across Departments and with external organisations, to
 - avoid
- duplication and work towards Best Value;
 - minimise 'consultation fatigue' or repeat consultation of groups or areas;
 - widen ownership of the results of the consultation, to increase the potential for joint action on issues arising out of the consultation.
- To provide mechanisms wherever possible for those who wish to become **involved** in consultation and participation regularly.

More information on the Council's commitment to consultation can be found on the web site www.sunderland.gov.uk

APPENDIX 2 Glossary

The Government Office for the North East has produced a Planning Glossary. The Glossary provides a summary explanation to over 450 planning words and phrases which you may encounter in this Statement of Community Involvement or in other planning publications including the other Local Development Document that will make up the Local Development Framework for Sunderland. This glossary extracts some definitions from the full glossary, which is available at http://www.gos.gov.uk/gone/planning/planning_glossary

Adoption	The final confirmation of a development plan or Local Development Document as having statutory status by a Local Authority (LPA).
Allocation	Land identified in a Local Development Framework
Alteration	A partial review of a development plan.
Amenity	A positive element or elements that contribute to the overall character of an area, for example open land, trees, historic buildings and how they relate to each other.
Annual Monitoring Report (AMR)	A report submitted to Government by local planning authorities or regional planning bodies assessing Local Development Framework or Regional Spatial Strategy production progress and policy effectiveness.
Area Action Plan	A type of Development Plan Document focused upon a specific location or an area subject to conservation or significant change (for example major regeneration).
Brief / Planning Brief	A planning brief can include site-specific development briefs, design briefs, development frameworks and master plans that seek to positively shape future development.
Building	The term building refers to the whole or any part of any structure or erection. It does not include plant or machinery comprised in a building.
Community Strategy	A strategy prepared by local authorities to help deliver local community aspirations, under the Local Government Act 2000.
Conservation Area	Areas of special architectural or historic interest, the character, appearance or setting of which it is desirable to preserve or enhance.

Core strategy	A Development Plan Development setting out the spatial vision and objectives of the planning framework for an area, having regard to the Community Strategy (see also DPDs).
Deposit	A term describing the statutory consultation period for plans being progressed under transitional arrangements.
Development	Development is defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land." Most forms of development require planning permission (see also "permitted development").
Development Plan	DPDs are Local Development Documents that have development plan status. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise. The
Documents (DPDs)	DPDs which local planning authorities must prepare, include the core strategy, site-specific allocations of land and, where needed, area action plans. There will also be a proposals map, which illustrates the spatial extent of policies that must be prepared and maintained to accompany all DPDs. All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report.
E-government / E-planning	Government initiatives helping local authorities provide planning services 'on-line' and accessible via the internet and email, for example, the Planning Portal website.
Evidence Base	The information and data gathered by local authorities to justify the "soundness" of the policy approach set out in Local Development Documents, including physical, economic, and social characteristics of an area.
Front-loading	Community involvement in the production of Local Development Documents to gain public input and seek consensus from the earliest opportunity.
General Conformity	A process by which Regional Planning Bodies consider whether a Development Plan Document is in "general conformity" with the Regional Spatial Strategy. Also, all other DPDs must conform to a Core Strategy DPD.
Government Offices (GOs)	Representatives of central Government in the regions, bringing together the work of ten government departments.
Household Waste	Refuse from household collection rounds, waste from street sweepings, public litter bins, bulky items collected from households and wastes which householders themselves take to household waste recovery centres and "bring sites".

Household Waste Recovery Centres / Civic Amenity Sites	A facility provided by the Waste Disposal Authority that is available to the public to deposit waste which cannot be collected by the normal household waste collection round.
Independent Examination	The process by which an Independent Planning Inspector may publicly examine a 'Development Plan Document' or a 'Statement of Community Involvement', and any representations, before issuing a binding report.
Inspector's Report	A report issued by an Independent Planning Inspector regarding the planning issues debated at the independent examination of a development plan or a planning inquiry. Reports into DPDs will be binding upon local authorities.
Local Development Documents (LDDs)	These include Development Plan Documents, which will form part of the statutory development plan, and Supplementary Planning Documents, which do not form part of the statutory development plan. LDDs collectively deliver the spatial planning strategy for the local planning authority's area, and they may be prepared jointly between local planning authorities.
Local Development Framework (LDF)	The local development framework is a non-statutory term used to describe a folder of documents, which includes all the local planning authority's local development documents (comprised of development plan documents, which will form part of the statutory development plan, and supplementary planning documents). The local development framework will also comprise the statement of community involvement, the local development scheme and the annual monitoring report.
Local Development Scheme (LDS)	The local planning authority's time-scaled programme for the preparation of Local Development Documents that must be agreed with Government and reviewed every year.
Local Planning Authority	The local authority or council that is empowered by law to exercise planning functions. Often the local borough or district council.
Material Consideration	A matter that should be taken into account in deciding on a planning application or on an appeal against a planning decision.
Office of the Deputy Prime Minister (ODPM)	ODPM's aim is to create sustainable communities. It is responsible for housing, planning, regional and local government, regeneration, social exclusion, neighbourhood renewal and the fire and rescue service. It is also lead sponsor department for the Government Offices for the Regions.

- Plan-led system** The principle that decisions upon planning applications should be made in accordance with adopted development plans (and DPDs), unless there are other material considerations that may indicate otherwise.
- Planning & Compulsory Purchase Act 2004** The Act updates elements of the 1990 Town & Country Planning Act. The Planning and Compulsory Purchase Act 2004 introduces:
- a statutory system for regional planning;
 - a new system for local planning; reforms to the development control and compulsory purchase and compensation systems; and
 - removes crown immunity from planning controls.
- Planning Aid** Planning Aid provides free and independent advice and support to community groups and individuals unable to employ a planning consultant.
- Planning permission** Formal approval sought from a Council, often granted with conditions, allowing a proposed development to proceed. Permission may be sought in principle through outline plans, or be sought in detail through full plans.
- Proposals Map** The component of a development plan, or LDF, showing the location of proposals in the plan, on an Ordnance Survey base map.
- Regional Spatial Strategy (RSS)** A strategy for how a region should look in 15 to 20 years time and possibly longer. It identifies the scale and distribution of new housing in the region, indicates areas for regeneration, expansion or sub-regional planning and specifies priorities for the environment, transport, infrastructure, economic development, agriculture, minerals and waste treatment and disposal. Most former Regional Planning Guidance is now considered RSS and forms part of the development plan. New RSS is being prepared by RPBs.
- Secretary Of Sta** The lead Minister for all policies relating to Town & Country Planning, having powers of intervention on Development Plans and Planning Casework under certain circumstances.
- Spatial Planning** Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. That will include policies which can impact on land use, for example by influencing the demands on, or needs for, development, but which are not capable of being delivered solely or mainly through the granting or refusal of planning permission and which may be implemented by other means.

Statement of Community Involvement (SCI)	The SCI sets out standards to be achieved by the local authority in involving the community in the preparation, alteration and continuing review of all local development documents and development control decisions.
Statement of Consultation / Statement of Compliance	A report or statement issued by local planning authorities explaining how they have complied with their SCI during consultation on Local Development Documents.
Statutory	Required by law (statute), usually through an Act of Parliament.
Statutory Body	A Government appointed body set up to give statutory advice and comment upon development plans and planning applications affecting matters of public interest. (For example, Countryside Agency, English Heritage, English Nature, Environment Agency, Health & Safety Executive, Regional Development Agency, and Sport England).
Supplementary Planning Document (SPD)	An SPD is a Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a 'parent' DPD.
Sustainability Appraisal (including Environmental Appraisal)	The process of weighing and assessing all the policies in a development plan, Local Development Document, or Regional Spatial Strategy, for their global, national and local implications. (See also Strategic Environmental Assessment).
Sustainable Development	A widely used definition drawn up by the World Commission on Environment and Development in 1987: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". The Government has set out four aims for sustainable development in its strategy "A Better Quality of Life, a Strategy for Sustainable Development in the UK". The four aims, to be achieved at the same time, are: social progress which recognises the needs of everyone; effective protection of the environment; the prudent use of natural resources; and maintenance of high and stable levels of economic growth and employment.

**Unitary
Development
Plan**

An old-style development plan prepared by a Metropolitan District and some Unitary Local Authorities which contains policies equivalent to those in both a Structure Plan and Local Plan. These plans will continue to operate for a time after the commencement of the new development plan system, by virtue of specific transitional provisions.

APPENDIX 3- Existing Guidance for Public Speaking at Committees

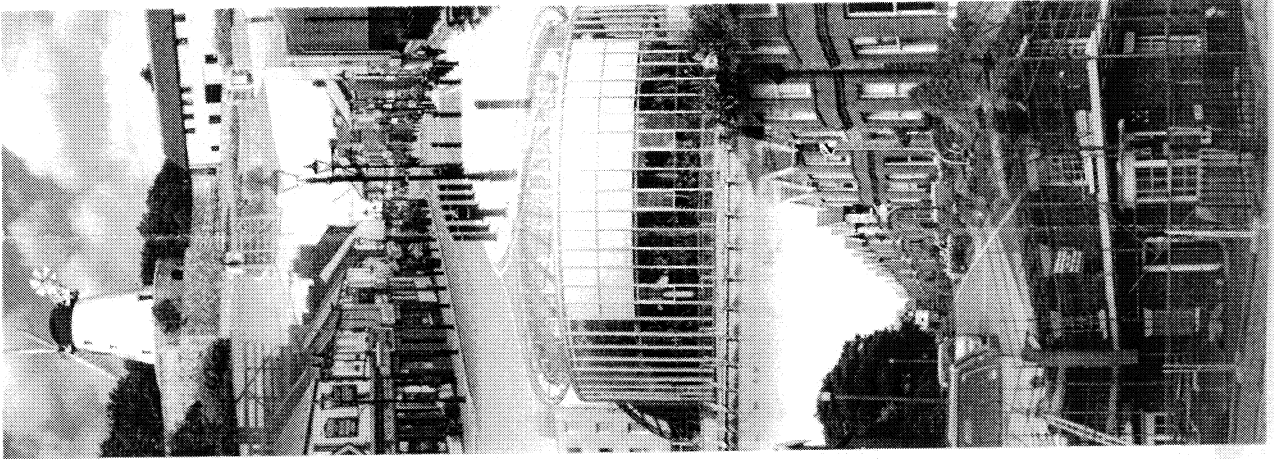
*Planning
Service*

*Have
Your
Say*

The City Council is committed to involving the public and community groups fully in the Development Control process.

The Council has resolved to allow interested parties to address Committee to present their views directly.

In the interest of fairness any procedure must have clear rules. This leaflet explains the procedure the Council has adopted.



City of
SUNDERLAND
*Director of
Development and
Regeneration
Phillip J. Barrett*

*Head of Planning &
Environment
John Whyte
PO Box 102
Civic Centre
Sunderland
SR2 7DN*

*Telephone (0191) 553 1000
Fax (0191) 553 1460
email: DC@sunderland.gov.uk*

September 2002

Post to

Please affix
stamp here

*John Whyte
Head of Planning & Environment
FAO Development Control Section
P O Box 102
Civic Centre
Sunderland
SR2 7DN*

Procedure For Public Speaking At Development Control Sub-Committees

Who can speak ?

A Development Control Sub-Committee may, to assist in the determination of any application that is on that Committee's agenda, hear representation from any person or organisation, subject to the following procedure.

Procedure

- 1 Any person or organisation interested in speaking in support of representations on an application shall:
 - ❖ Previously have expressed their views in writing, by fax or e-mail and
 - ❖ Made the request to speak in writing, by fax or e-mail, to the Head of Planning three working days before the Sub-Committee meeting.
- 2 Speaking shall only be permitted at a meeting when the application is expected to be determined.
- 3 If there are a large number of potential speakers the Chairman shall ask them to select a spokesperson. If groups of objectors have differing and distinct views more than one speaker could address the Sub-Committee.
- 4 Each speaker shall be limited to a maximum of 5 minutes, however at the sole discretion of the Sub-Committee this may be extended.
- 5 Normally those objecting to the officer's recommendation shall speak first followed by those in support.
- 6 After a presentation Committee Members shall have the opportunity of questioning speakers, at the Chairman's discretion.
- 7 Following any questions from Members the Chairman shall ask officers to address any issues raised.
- 8 The Chairman shall have the right to vary all or any of these rules if considered appropriate, particularly to ensure fairness and/or to assist in the determination of the application.
- 9 If the Chairman considers that the opportunity to address the Sub-Committee is being abused he/she may require the speaker to stop. If the speaker does not do so the Chairman may require the speaker to leave the room.

Commentary

The facility to speak at Committee will be advertised appropriately.

Mail, fax or e-mail must be sent to the addresses/numbers shown overleaf.

The speaker will be notified when a recommendation for decision is likely to be made.

The Chairman will ensure that everybody has had the opportunity to have his / her point of view expressed.

Some applications are particularly complicated and a longer time period may be necessary.

The purpose of any questions should be to clarify any areas of doubt. This stage in the proceedings is not to be used as an opportunity to repeat representations.

To avoid repetition and/or unnecessary delay, inappropriate or disruptive behaviour, irrelevancies etc.

Request to speak at Development Control Sub Committee

Application No

Proposal

Outline of Comments

I would like to present my views on the above application at the appropriate Sub Committee meeting

Name

Address

Email address

Telephone No (Home)

(Work)

Send to the Head of Planning & Environment or Email your request to DC@sunderland.gov.uk

APPENDIX 4

Consultees

(These are specific consultation bodies and must be consulted in accordance with the Act and Regulations)

- The Regional Planning Body
- Each Relevant Authority for an area adjacent to the area covered by the proposals
- The Countryside Agency
- The Environment Agency
- Highways Agency
- English Heritage
- English Nature
- The Strategic Rail Authority
- Regional Development Agency whose area is in or adjoins the area of the local planning authority
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003
- Any person who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority
- Any of the bodies from the following list who are exercising functions in any part of the area of the local planning authority:
- Strategic Health Authority
 - Person to whom a license has been granted under Section 72 of the Gas Act 1986
 - Sewage Undertaker
 - Water Undertaker

Government Departments

- The First Secretary of State (through Government Office for the North East)
- Home Office
- Department for Education and Skills (through Government Office for the North East)
- Department for Environment, Food and Rural Affairs (DEFRA)
- Department for Transport
- Department of Health
- Department of Trade and Industry
- Ministry of Defence
- Department of Work and Pensions
- Department of Constitutional Affairs
- Department for Culture, Media and Sport
- Office for Government Commerce
- The Countryside Agency

General Consultation Bodies

- Voluntary Bodies
- Those who represent the interests of different racial, ethnic or national groups in the authority's area

- Those who represent the interests of different religious groups in the authority's area
- Those who represent the interests of disabled persons in the authority's area
- Those who represent the interests of persons carrying on business in the authority's area

Other Consultees

(Sunderland Council will where appropriate consult with the following agencies and organisations in the preparation of local development documents)

- Age Concern
- Airport Operators
- British Chemical Distributors and Traders Association
- British Geological Survey
- British Waterways, canal owners and navigation authorities
- Caba
- Centre for Ecology and Hydrology
- Chambers of Commerce, Local CBI and local branches of Institute of Directors
- Church Commissioners
- Civil Aviation Authority
- Coal Authority
- Commission for Architecture and the Built Environment
- Commission for New Towns and English Partnerships
- Commissions for Racial Equality
- Crown Estate Office
- Diocesan Board of Finances
- Disability Rights Commission
- Disabled Persons Transport Advisory Committee
- Electricity, Gas and Telecommunications Undertakers, and the National Grid Company
- English Partnerships
- Environmental groups at national, regional and local level, including
- Council for Protection of Rural England
- Friends of the Earth
- Royal Society for the Protection of Birds
- Wildlife Trusts
- Equal Opportunities Commission
- Fire and Rescue Services
- Forestry Commission
- Freight Transport Association
- Gypsy Council
- Health and Safety Executive
- Help the Aged
- Heritage Agencies
- Housing Corporation
- Learning and Skills Councils
- Local Agenda 21 including:
- Civic Societies
 - Community Groups
 - Local Transport Authorities
 - Local Transport Operators
 - Local Race Equality Councils and other local equality groups

Local Strategic Partnerships

- National Playing Fields Association
- Network Rail
- Passenger Transport Authorities
- Passenger Transport Executive
- Police Architectural Liaison Offices/ Crime Prevention Design Advisors
- Port Operators
- Post Office Property Holdings
- Rail Companies and the Rail Freight Group
- Regional Development Agencies
- Regional Housing Boards
- Regional Sports Boards
- Road Haulage Association
- Sport England
- The House Builders Federation
- Traveller Law Reform Coalition
- Urban Regeneration Companies; Sunderland arc Ltd
- Water Companies
- Women's National Commission

APPENDIX 5

DEVELOPMENT CONTROL PRACTICE NOTE PUBLICITY FOR PLANNING APPLICATIONS

Introduction

This note seeks to outline the Development and Regeneration Directorate's practice on publicity for planning applications. It outlines the legislative requirements and advice set out in the General Development Procedure Order 1995 (GDPO) and Publicity for Planning Applications Circular 15/92. It also sets out the procedures and practice on the appropriate form of publicity that should be undertaken for different types of applications.

The responsibility for publicising applications falls to the Local Planning Authority (LPA) and the General Development Procedure Order 1995 (GDPO) makes provision for 3 basic types of publicity:

- Letters to occupiers of adjacent properties.
- Posting site notices visible to the general public
- Publishing a notice in a newspaper circulating in the locality.

The following seeks to give advice on the most appropriate form of notification for different types of applications, and is summarised at Annex 1.

1. Major development

Major development is defined in the General Development Procedure Order (1995) The 5 categories are

- i. The erection of 10 or more dwellings, or if this is not known where the site area is 0.5hectares or more
- ii. In other cases where the floorspace to be created is 1000sqm or more or where the site area is 1ha or more.
- iii. The winning or working of minerals or the use of land for mineral working deposits
- iv. All waste developments meaning any development designed to be used wholly or mainly for the treatment, storing or processing of refuse or waste.
- v. Development carried out on a site having an area of 1 hectare or more

For all major applications the General Development Procedure Order 1995 (GDPO) requires that publicity must take the form of site notices and newspaper advertisement. The Development Control Section will also use the standard neighbour letters where appropriate i.e. for nearby occupiers that may be affected by the development. The technical administrators should consult Case Officers on all major applications to determine the extent of the required neighbour consultations.

2. Other (minor) development

The DETR suggest that there are other categories of development which may require wider publicity. The type of publicity for such applications specified in the General Development Procedure Order 1995 (GDPO) are site notices and/or neighbour letters

The broad categories where wider publicity is required (set out in Publicity for Planning Applications circular 15/92) are:

- i. Those affecting nearby properties by causing noise, smell, dust or other nuisance.
- ii. Attracting crowds, traffic or noise into a generally quiet area.
- iii. Causing activity and noise during unsocial hours.
- iv. Introducing significant change i.e. a tall building
- v. Those affecting the setting of an ancient monument or archaeological site
- vi. Proposals affecting trees subject to a TPO

Circular 15/92 (Publicity for Planning Applications) makes it clear that it is the Local Planning Authorities responsibility to decide which applications may require wider publicity. The Development Control Section normally carries out wider publicity on applications that fall within the above list and on the following types of applications:

- Any significant change of use or new building to accommodate a commercial use in a residential area
- All proposals for change of use or new build for class A3, A4 and A5 (restaurant, pub, café or hot food takeaway.)
- Proposals for hotels, Houses in Multi Occupation, intensive use housing/care homes
- Proposals for D2 uses ie cinemas, gyms, sports/leisure uses

Wider publicity shall take the form of a site notice and letters to nearby occupiers. The extent of the consultation of nearby occupiers will be at the discretion of the case officer.

If it is considered that the individual proposal will not affect the wider area then wider publicity will not be required. Conversely if it is considered that other developments may require wider publicity then this should be given. Check with a case officer if you are unsure as to whether a site notice is required.

3. General householder/ commercial applications

The LPA is required by the General Development Procedure Order 1995 (GDPO) to consult the occupiers of adjacent land by posting a site notice or serving notice on any adjoining owner or occupier.

It is the Development Control Section's practice to send neighbour letters to the occupiers of **all** properties that adjoin the site. If the site is bounded by land where the ownership is not clear a site notice should be displayed as well. Annex 1 gives advice on which neighbours should be consulted.

4. Special applications

The General Development Procedure Order 1995 (GDPO) states that site notices and press notices are required for the types of applications listed below. It is the Development Control Section's practice to also consult nearby occupiers by way of neighbour letters. An applications falling into these categories may need to be identified by a case officer. The reasons for the adverts should be made clear in the description.

- Departure from the Unitary Development Plan (UDP) (as defined in the Departure regulations)
- Environmental assessments (EIA)
- Affects a right of way (i.e. stopping up orders)
- Affects a Site of Special Scientific Interest

5. Telecommunications Prior Notifications (TEX)

The public consultation requirements for the Local Planning Authority under the 56 day prior approval procedure are the same as the same requirements as for applications requiring planning permission.

The relevant Ward Councillors, Chairperson and Vice Chairperson of the appropriate Development Control Sub- Committee's are consulted.

In addition to the statutory consultation, the development control section undertakes additional publicity that they consider necessary to give people likely to be affected by the proposed development an opportunity to make their views known to the section. This is the advice given in Planning Policy Guidance Note 8 (Telecommunications)

5b) Telecommunications Application (FUL)

Telecommunication equipment requiring full planning permission. The requirements for publicity are the same as for applications requiring planning permission.

The relevant Ward Councillors, Chairperson and Vice Chairperson of the appropriate Development Control Sub- Committee's are consulted.

6. Other Prior Notification Procedure Applications

These will include agricultural buildings and demolitions. There is no statutory obligation to consult on these types of applications but it is the Development Control Section's practice to notify local residents via neighbour letters. Local occupiers will only be given 14 days to respond due to the fact that such applications have to be determined within 28 days.

7. Listed Building Consents / applications in Conservation Areas/ applications affecting the setting of a listed building.

All applications require a press notice, site notice. The Development Control Section's also sends letters to nearby occupiers.

8 Advert applications

Publicity for advert applications is discretionary. However, the Development Control Section's practice is to consult nearby occupiers.

9. TPO applications

There is no statutory duty to consult on such applications. However, the Development Control Section's practice is to consult nearby occupiers.

A site notice is issued to the applicant for posting before the works are carried out on the application site to notify residents of the impending works.

10 Applications to vary planning conditions /reserved matters

There is no statutory obligation to publicise such applications. However, it is Development Section's practice to notify all adjacent occupiers or other persons who made representations at the time of the original application. Wider publicity may be undertaken depending on the nature of the proposal.

11 Notifications of changes to an original application

It is at the discretion of the Local Planning Authority to decide if further publicity is required on amended details submitted during the life of the application. The following should be taken into account:

Were the objections received at the original stage substantial and sufficient to justify further publicity.

Are the proposed changes significant and will they have a greater impact on adjacent occupiers

Did earlier views cover the matters now under consideration

Are the matters now under consideration likely to affect parties not previously notified

The time given for responses on re-notification is normally 7-14 days depending on the target date for the determination of the application and the significance of the changes involved.

ANNEX 1 SUMMARY OF REQUIRED PUBLICITY ON PLANNING APPLICATIONS

TYPE OF APPLICATION	CONSULTATION TYPE
Major applications	Site Notice Press Notice Neighbour letters
Minor Development	Site Notice Neighbour letters
General Householder/commercial	Neighbour letters (site notice where adjacent occupiers can't be identified)
Departure Environmental assessment Stopping up Affects SSSI	Site notice Press Notice Neighbour letters
Telecommunications (TEX) 56 day procedure and Telecommunications (FUL)	Neighbour letters Ward Councillors Chair and Vice Chair of DC committee
Listed Building Consent Conservation area Consent Affects setting of Listed Building	Site notice Press Notice Neighbour letters
Advert applications	Neighbour letters
TPO applications	Neighbour letters
Reserved matters Vary conditions	Neighbour consultations (Site notice if application is for significant development)

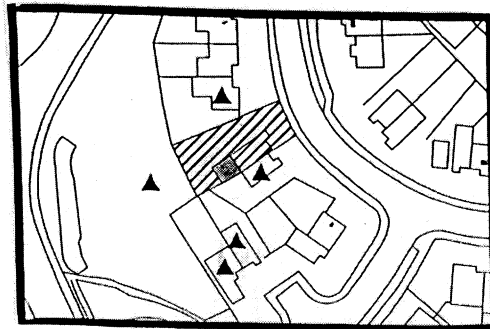
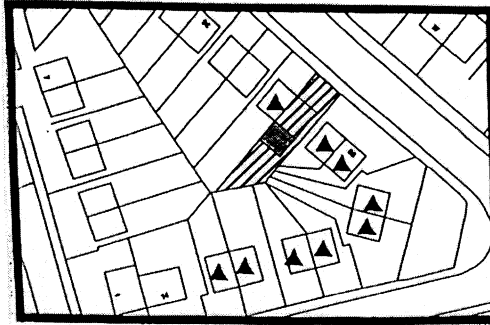
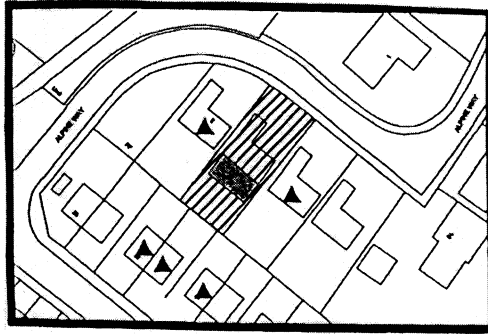
DEVELOPMENT CONTROL PRACTICE NOTE

ANNEX 2 NEIGHBOUR NOTIFICATION PROCEDURE

Householder applications

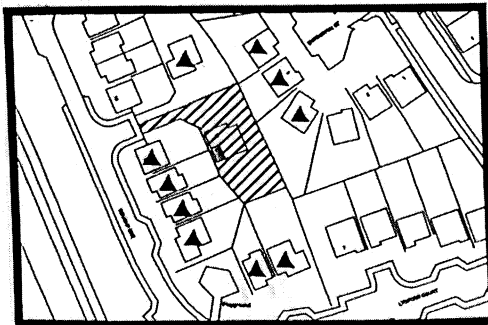
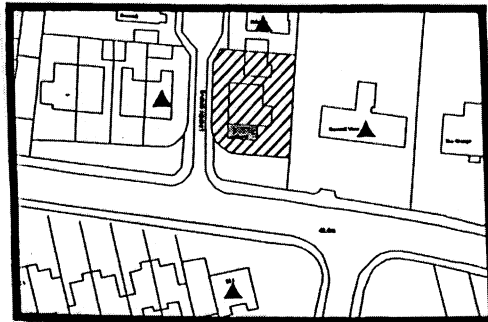
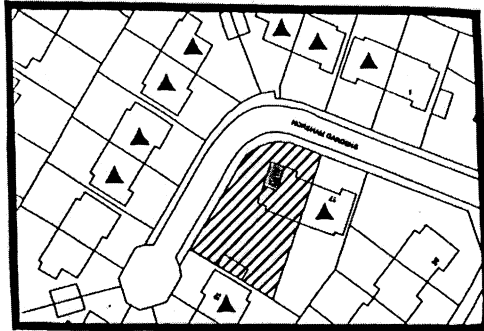
All occupiers abutting the site must be notified. For front and side extensions it will also be necessary to notify properties on the opposite side of the road. If the site abuts land where the occupation is unclear a site notice may be required

A. SINGLE STOREY/TWO STOREY REAR EXTENSIONS



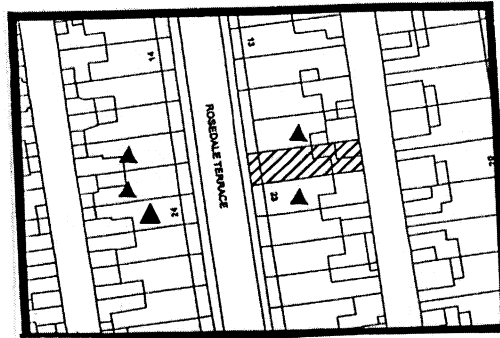
DEVELOPMENT CONTROL PRACTICE NOTE

B. SINGLE STOREY/ TWO STOREY SIDE OR FRONT EXTENSIONS

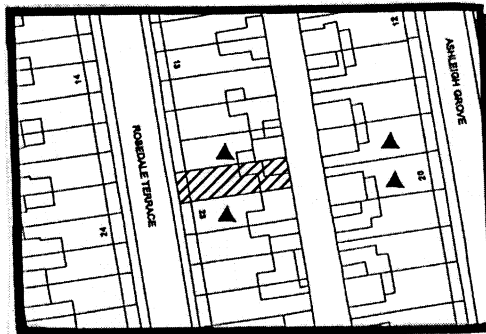


DEVELOPMENT CONTROL PRACTICE NOTE

(A) DORMER TO FRONT



(B) DORMER TO REAR



Changes of use

Publicity should be wider if the impact of the development is likely to be greater on the neighbouring properties. As a general rule 5 properties either side of the application site and opposite should receive neighbour letters

PLANNING AND HIGHWAYS COMMITTEE

24 October 2006

REPORT BY THE DIRECTOR OF DEVELOPMENT AND REGENERATION

STATUTORY CONSULTATION FOR THE PROPOSED INTRODUCTION OF THE CITY OF SUNDERLAND (CONCORD SHOPPING AREA) TRAFFIC ORDER

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to inform the Members of the Planning and Highways Committee of any objections received to the proposed Traffic Regulation Orders pertaining to the Concord Shopping Area

1.2 Inform the Members of the interim response to the Statutory Consultations.

2.0 AREA IN QUESTION

2.1 Concord Shopping Area lies in an East-West direction to the east of the junction between Blue House Lane and Vermont. The layout is shown on drawing no. 3692/10. This road is approximately 520m long, which features two relatively straight sections with commercial premises on both sides of the highway. There are also a number of residential properties on Front Street.

3.0 BACKGROUND

3.1 At its meeting in September 2002, Cabinet approved the allocation of £420,000 from the Strategic Investment Programme for environmental improvements to Concord Shopping Centre, Washington.

3.2 At its meeting in July 2003 Washington Area Committee approved a contribution of £80,000 from its Strategic Initiatives Budget towards the project.

3.3 At its meeting in October 2004 Washington Area Committee approved the Draft Masterplan of environmental improvements to Concord Shopping Centre which formed the basis of a formal public consultation exercise.

3.4 The Draft Masterplan was displayed as part of a public exhibition held in the Concord Millennium Centre between 5th and 12th November 2004, preceded on the 4th November by an informal meeting, to which all the local traders were invited to pre-view the exhibition.

3.5 Following the public exhibition a further meeting was arranged for the local traders with Local Ward members and relevant Council officers in attendance.

3.6 Whilst it was proposed that the first phase of the proposals would be centred on the Victoria Road, Victoria Road Service Road and Arndale House area of Concord, significant representation was made at the meeting by Front Street traders.

3.7 In response to the representation it was agreed that new street lighting be introduced into Front Street at the earliest opportunity. Also, it was agreed that the necessary legal orders be undertaken to make Front Street a one-way

street, in order to incorporate improved pedestrian facilities and on-street parking.

- 3.8 Consultation on the draft scheme was then undertaken with Nexus, the emergency services and other relevant organisations. The outcome of this initial consultation brought about the development of a final draft of traffic related proposals, which were the subject of a public consultation exercise, including local traders and residents.
- 3.9 A significant majority of the submitted written responses to the above consultation were in favour of the proposals. The issues raised in the consultation were taken into account and incorporated, where practicable, into the final detailed design of the traffic management proposals, which formed the basis of the proposed traffic regulation orders.
- 3.10 The relevant legal orders for the proposed traffic scheme were advertised during June and July 2005 and no objections were received.
- 3.11 Following the successful completion of the public consultation procedures a final detailed design and costing exercise was prepared for the scheme. The detailed estimate showed a significant increase in the costs of the proposed works, as a result of this increase the extent and design content of the scheme were significantly reduced.
- 3.12 At its meeting of 12 October 2005, Cabinet approved an increased expenditure of £900,000 for improvements to Concord Shopping Area. The substantial part of the funding was from the Strategic Investment Reserve. The views of the City Solicitor and City Treasurer were incorporated into the body of the above Cabinet Report.
- 3.13 The above works were originally programmed to be substantially completed by December 2005 however, the detailed design identified some alteration to the initial proposals which subsequently resulted in a number of changes in the traffic regulation order.
- 3.14 These changes were considered to be significant by the City Solicitor. Therefore further consultation and advertising of the traffic regulation order became necessary.

4.0 ACCIDENTS

- 4.1 Records show that there have been 8 slight and one serious personal injury accidents reported to Northumbria Police on Victoria Road and Front Street between July 2001 and July 2006. From the records 5 accidents involved pedestrians and vulnerable road users, one of which was serious.

5.0 CONSULTATIONS

5.1 DETAILS OF NON STATUTORY CONSULTATION

- 5.1.1 The consultation exercise sought the views of a wide range of affected parties such as Northumbria Police, local traders and residents and has helped to highlight a number of issues that were not apparent during the preliminary design stage.
- 5.1.2 The consultation for the Traffic Management and Environmental Improvement Scheme was carried out in two phases. The first phase

involved 17 organisations including the emergency services. From these individuals and organisations 3 responses were received. However, Nexus expressed reservations about the proposed raised Zebra Crossing. Apart from this they were broadly in favour of the scheme. Tyne and Wear Metropolitan Fire Brigade raised no objections to the scheme. In addition to the above consultation, a meeting was held with a representative of Northumbria Police, Local Ward Members and members of the public during which issues relating to car park security and youth disturbances were highlighted and discussed.

- 5.1.3 The second phase of the informal consultations involved a press release in the local newspapers informing the community of the proposed Traffic Management and Environmental Improvement Scheme. Concurrently the Council arranged for the delivery of around 200 letters to private dwellings and businesses considered to be directly affected by the proposals. Details of the proposals and a questionnaire with a pre-paid envelope were provided so that residents could return their comments. In addition, the letters invited consultees to view the detailed proposals for the scheme at the local Housing Office and local CO-OP store and Post Office. Additional consultation packs were provided at these locations should other affected parties choose to put forward their views. The above letter drop and exhibition, resulted in 42 written responses. Of these responses 89% were in favour of the proposals with 11% against.
- 5.1.4 The approved decision and report dated 1 July 2005 provided a comprehensive record of the issues raised at the informal public consultation stage. These issues were taken into account and appropriate amendments were made to accommodate the wishes of the community in preparation for the statutory consultation stage.

5.2 STATUTORY CONSULTATIONS.

- 5.2.1 As discussed in Paragraph 3.13 and 3.14, based on City Solicitor advice the alterations made to the scheme in November 2005 were considered "significant" and required further consultation and advertising.
- 5.2.2 The Orders (revision 2) were advertised on the 29 September 2006 in accordance with the statutory procedures
- 5.2.3 The closing date for the above Statutory Consultation is Friday 20 October 2006. To date no objections have been received. However, in order to bring forward the implementation of the traffic regulation orders which are intended to augment the success of the regeneration scheme, it is proposed any new objections would be reported to the committee by my officers. A further report in the form of an addendum to this report would be provided to the Members for their consideration.

6.0 CONSIDERATION OF THE OBJECTIONS

- 6.1 None have been received for consideration in order to be considered at this stage however the relevant officer would inform the Chair and the Members during the meeting of any received subsequently.

7.0 ALTERNATIVE OPTIONS

7.1 Three alternative proposals were considered for dealing with Traffic management improvements and the issues raised within the community.

7.1.1 The 'Do Nothing Approach.'

- i) *Clearly the 'Do Nothing Approach.' would not address the road safety issues this will result in the continuing decline of Concord shopping area to the detriment of the local community and traders.*

7.1.2 Traffic management proposals and improvement to be concentrated on Victoria Road and Victoria Road Service Road. Front Street proposals to be excluded.

- i) *To exclude Front Street from the improvement works would adversely affect the steady operation of Concord Shopping Area, which could lead to safety problems both for the shoppers, residents and particularly the vulnerable road users.*

7.1.3 Traffic management proposals and improvement to be concentrated on Victoria Road and Victoria Road Service Road as well as Front Street as was highlighted during meetings with the community.

- i) *Implementing in full the advertised Traffic Regulation Orders as indicated in the Order. This option is considered to be highly effective with respect to the traffic management objectives of the scheme. However, this approach is subject to the completion of the statutory consultation period and consideration of any objections.*

8.0 BACKGROUND PAPERS

8.1 The background papers associated with this report comprise the following: -

- a) Accident figures for the area from TADU Gateshead Metropolitan Borough Council.
- b) Informal consultations with Emergency Services and other interested organisations.
- c) Informal consultations with Residents and Businesses at Concord.
- d) Delegated Decision of 1 July 2005 as shown on drawing no 835/2387/01 revision H shown in Appendix A.
- e) Cabinet Report of 12 October 2005, approved an increased expenditure of £900,000 for improvements to Concord Shopping Area.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 The effect that the proposals will have on individual Human Rights has been considered during the consultation exercise. However, in general, it is considered that any inconvenience that may result from the introduction of the proposals would be outweighed by the road safety benefits of the proposals and the intention to arrest the current physical and commercial decline of the Concord Shopping Area. Objections will be considered in accordance with the Council's Constitution.

10.0 RECOMMENDATION

- 10.1 The Planning and Highways Committee is RECOMMENDED to note the contents of this report and consider the addendum handed out during the meeting. The addendum reports on the contents and the nature of any objections received during the recent statutory consultation.
- 10.2 The Members to note that the closing date for the above Statutory Consultation is Friday 20 October 2006. In the event that no further objection is received by this date, this item will be withdrawn

