

CABINET MEETING – 7 SEPTEMBER 2023

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Sunderland Development Plan

Author(s):

Executive Director of City Development

Purpose of Report:

This report updates Cabinet on the preparation of the Sunderland Development Plan and seeks approval to consider future options for plan preparation through the forthcoming Core Strategy and Development Plan (CSDP) Review

Description of Decision:

Cabinet is recommended to:

- Approve the integrated approach to Development Plan preparation set out within the report, and therefore revoke the draft Allocations and Designations Plan (A&D Plan) and associated evidence base; and
- Authorise the Executive Director of City Development to revise, update and publish the Local Development Scheme (LDS) as necessary, in consultation with the Leader, Deputy Leader and Portfolio Holder for Dynamic City.

Is the decision consistent with the Budget/Policy Framework? Yes

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The Council's Development Plan is currently being prepared in three parts in accordance with the Local Development Scheme which was initially published in 2015.

The first two parts of the development plan have been adopted (the CSDP and the International Advanced Manufacturing Park Area Action Plan). The A&D Plan is yet to be finalised and given the requirement to update the evidence base, and the impending review of the CSDP, it is considered to be a more effective use of available resources to consider future options for plan preparation on a more integrated basis through the forthcoming CSDP Review.

As the proposed approach would involve no longer taking forward the draft A&D Plan to adoption, it is proposed that the current draft A&D Plan is formally revoked alongside its associated evidence base. This will help to provide clarity for decision-making and ensure that the new Development Plan is based on a robust and up-to-date evidence base as it is brought forward through each stage of consultation.

Alternative options to be considered and recommended to be rejected:

Consideration was given to continuing to progress the A&D Plan through to final draft and Examination in Public. However, due to the need to update the evidence base and the requirement to review the CSDP next year, it is considered that a more efficient use of resources would be to consider future options for plan preparation on a more integrated basis through the forthcoming CSDP review. This will also ensure that the plan can be better aligned to emerging changes to the National Planning Policy Framework (NPPF).

Impacts analysed;

Equality ☒ Privacy ☐ Sustainability ☐ Crime and Disorder ☐

Is the Decision consistent with the Council's co-operative values? Yes

Is this a "Key Decision" as defined in the Constitution? Yes

Is it included in the 28 day Notice of Decisions? Yes

CABINET – 7 SEPTEMBER 2023

SUNDERLAND DEVELOPMENT PLAN

Report of the Executive Director of City Development

1.0 Purpose of the Report

- 1.1 This report updates Cabinet on the preparation of the Sunderland Development Plan and seeks approval to consider future options for plan preparation through the forthcoming Core Strategy and Development Plan (CSDP) Review.

2.0 Description of Decision (Recommendations)

- 2.1 Cabinet is recommended to:

- Approve the integrated approach to Development Plan preparation set out within the report, and therefore revoke the draft Allocations and Designations Plan (A&D Plan) and associated evidence base; and
- Authorise the Executive Director of City Development to revise, update and publish the Local Development Scheme (LDS) as necessary, in consultation with the Leader, Deputy Leader and Portfolio Holder for Dynamic City.

3.0 Background

- 3.1 The Development Plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the Development Plan unless material considerations indicate otherwise. Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. National policy requires Plans to be kept up-to-date and reviewed at least every five years.
- 3.2 The Development Plan for Sunderland is currently being prepared in three parts, which was agreed when the initial LDS was published in 2015. This was primarily to speed up preparation of the strategic policies to be contained within the CSDP. This was important given that the strategy at that time was set out within the Unitary Development Plan (UDP) which was adopted in 1998 and was largely out-of-date.
- 3.3. The current Development Plan comprises of the following three parts:

Part 1: Core Strategy and Development Plan (CSDP) - adopted by the Council in January 2020, it includes the overarching strategy for development within the city over the plan period from 2015 to 2033. The plan contains allocations for employment sites, some strategic housing sites and a suite of Development Management policies covering a range of topics.

Part 2: Allocations and Designations Plan (A&D Plan) – draft plan intended to set out the site-specific allocations and designations to deliver the overall strategy contained within the CSDP, including a number of housing allocations. The purpose of the A&D Plan is to supplement the delivery of the overarching strategy contained

within the CSDP and an early draft of the plan (Regulation 18) was published for consultation in December 2020.

Part 3: International Advanced Manufacturing Park Area Action Plan (IAMP AAP) - adopted by Sunderland and South Tyneside Councils in November 2017 and subject to a Plan Review in October 2022, the AAP allocates land for the development of a new employment park on land to the north of the existing Nissan manufacturing plant. As the site is located partly within the administrative boundaries of Sunderland and South Tyneside, a separate Development Plan has been established for this area.

- 3.4 There are also a number of 'saved' policies which relate to the UDP (1998) and Unitary Development Plan: Alteration No.2 (2007). These policies remain in place as they have not yet been superseded by adopted policies (within the CSDP or the AAP). It is the intention that the remaining 'saved' policies will be deleted once they are replaced by policies in the new Development Plan.

4.0 Current Position

- 4.1 The Council is well advanced in the preparation of the Development Plan following the approach agreed in 2015, with the first two parts of the plan having been adopted (CSDP and IAMP AAP). The final part of the development plan to be prepared under the current approach is the A&D Plan.
- 4.2 Work on the evidence base for the draft A&D Plan commenced in early 2020, culminating in an early draft of the Plan (Regulation 18) being published for consultation between December 2020 and February 2021. However, due to limited resources and competing priorities, it has not been possible to progress the preparation of the A&D Plan to the original timetable which was proposed.
- 4.3 As a result, some of the evidence on which the A&D Plan is based has already become out-of-date or will do so prior to an Examination in Public taking place into the policies of the Plan. As the NPPF requires development plans to be based on relevant and up-to-date evidence, there would therefore be a requirement to update the evidence base prior to the publication of a Regulation 19 draft of the A&D plan and subsequent submission of the Plan to the Secretary of State for Examination in Public.
- 4.4 In December 2022, the Government consulted on substantive changes to the NPPF and associated Planning Practice Guidance (PPG), with a view to these changes taking effect in Spring 2023. In July 2023 the Government also published proposed changes to the Development Plan making process for consultation, with a view to these taking effect in Autumn 2024. The outcome of these consultations at this point is unknown. This makes it challenging to prepare a Development Plan with uncertainty over the national guidance under which the Plan would be scrutinised at Examination in Public.
- 4.5 Within this context, it is deemed necessary and appropriate to consider the most appropriate way forward and approach to the preparation of the Development Plan.

Proposed approach to development plan preparation

- 4.6 At the time that the current approach to prepare the Development Plan in three parts was adopted, this was taken in large part to ensure that the city had an up-to-date

development strategy to replace that set out within the UDP, which was adopted in 1998 and had largely become out-of-date. It was considered that preparing a Core Strategy, which focussed on the overarching strategy alongside some strategic allocations, would allow the Council to prepare the Development Plan in the most time efficient way using the resources available.

- 4.7 This approach did however then require the Council to prepare a further development plan document (the A&D Plan), which would set out local policies and site-specific allocations and designations to deliver the overarching strategy.
- 4.8 The NPPF requires local planning authorities to review the policies within their adopted development plan at least every five years. The Council will therefore be required to review the policies of the adopted CSDP by the end of 2024 to ensure that the policies are reviewed in advance of the five-year anniversary of the adoption of the CSDP in January 2025.
- 4.9 Given the delays to the preparation of the A&D Plan, the requirement to update the evidence base, and the impending review of the CSDP, it is considered to be a more effective use of available resources to consider future options for plan preparation on a more integrated basis through the forthcoming CSDP Review. This approach is considered to offer multiple benefits including the following:
- Allows for the preparation of one integrated development plan, which will ensure greater efficiencies in resource management through the preparation of one standalone document and one consolidated evidence base. This is also expected to make the Development Plan more accessible and easier to understand for local communities by consolidating policies in one document;
 - Offers the opportunity for the Council to set a new long-term strategy for the development of the city which is better aligned to the City Plan and sets out strategic policies covering a longer time horizon, which is consistent with the recommendations of the NPPF for strategic policies to look ahead over a minimum 15 year period from adoption. This takes into consideration that the current CSDP period is due to end within 10 years in 2033; and
 - Ensures that the Development Plan can be prepared in accordance with emerging changes to national planning policy, including the intention for local planning authorities prepare a single Development Plan. This is particularly important taking into account that the current CSDP was adopted against a previous version of the NPPF as part of transitional arrangements which were in place at that time.
- 4.10 As the proposed integrated approach would involve no longer taking forward the draft A&D Plan to adoption, it is proposed that the current draft A&D Plan is formally revoked alongside its associated evidence base. This will help to provide clarity for decision-making and ensure that the new Development Plan is based on a robust and up-to-date evidence base as it is brought forward through each stage of consultation.
- 4.11 It is proposed that the IAMP AAP will remain a separate standalone development plan, however, as this crosses the administrative boundaries of two local planning authorities. Consideration will be given to any further updates required to the IAMP AAP collectively by both local authorities to ensure that the plan can continue to support inward investment in the automotive and advanced manufacturing sectors on an ongoing basis.

- 4.12 Under the provisions of the Planning and Compulsory Purchase Act (2004), the Council is required to publish a LDS setting out (amongst other matters) the development plan documents which will be prepared and which will comprise part of the Development Plan. The LDS is also required to provide a timetable for the preparation of the Development Plan.
- 4.13 Subject to Cabinet approval of the proposed integrated approach to plan preparation set out within this report, an updated LDS will be published as soon as practicable on the Council's website to set out the revised timetable for plan preparation. Delegated authority for this is sought as part of this report.

5.0 Reasons for the Decision

- 5.1 The Council's Development Plan is currently being prepared in three parts in accordance with the Local Development Scheme which was initially published in 2015.
- 5.2 The first two parts of the development plan have been adopted (the CSDP and the International Advanced Manufacturing Park Area Action Plan). The A&D Plan is yet to be finalised and given the requirement to update the evidence base, and the impending review of the CSDP, it is considered to be a more effective use of available resources to consider future options for plan preparation on a more integrated basis through the forthcoming CSDP Review.
- 5.3 As the proposed approach would involve no longer taking forward the draft A&D Plan to adoption, it is proposed that the current draft A&D Plan is formally revoked alongside its associated evidence base. This will help to provide clarity for decision-making and ensure that the new Development Plan is based on a robust and up-to-date evidence base as it is brought forward through each stage of consultation.

6.0 Alternative Options

- 6.1 Consideration was given to continuing to progress the A&D Plan through to final draft and Examination in Public. However, due to the need to update the evidence base and the requirement to review the CSDP next year, it is considered that a more efficient use of resources would be to consider future options for plan preparation on a more integrated basis through the forthcoming CSDP review. This will also ensure that the plan can be better aligned to emerging changes to the National Planning Policy Framework (NPPF).

7.0 Impact Analysis

- 7.1 **Equalities Analysis** – It is not considered that the decision will have any adverse impact upon equalities as it will not change Council policy. An Integrated Impact Assessment will be undertaken as part of the preparation of the new Development Plan.
- 7.2 **Financial Implications** – The costs of the CSDP Plan Review will be met through existing Strategic and Sustainable Plans budgetary provision.
- 7.3 **Legal Implications** – Law and Governance have been consulted on the report and their advice incorporated into the detail of the report. The decision would revoke the draft A&D Plan, however as this plan is at an early stage of preparation it holds very little weight in the decision-making process. The adopted policies of the CSDP,

IAMP AAP and 'saved' policies of the UDP and UDP Alteration No. 2 would continue to form the Development Plan for the city prior to the adoption of a new more integrated development plan.

- 7.4 **Health Outcomes and Health Inequalities** – It is not considered that the decision will have any adverse impact upon health outcomes or health inequalities as it will not change Council policy. An Integrated Impact Assessment will be undertaken as part of the preparation of the new Development Plan which will be consulted on as part of the plan making process.
- 7.5 **Sustainability** – It is not considered that the decision will have any adverse impact upon sustainability as the policies of the adopted plan would remain in place. The new plan would be subject to a Sustainability Appraisal and Strategic Environmental Assessment and would provide an opportunity to ensure that the new plan is aligned to the Sunderland Low Carbon Framework and the Council's Low Carbon Action Plan.
- 7.6 **Co-operative Values** – At Annual Council in May 2015, it was resolved that the following statement be included in the Constitution to reflect the values of the "Co-operative Council". "Sunderland City Council is a co-operative council and in being so will act ethically in all its actions while adhering to and actively promoting its co-operative values of self-help, self-responsibility, democracy, equality, equity and solidarity. These values will underpin its decision making and actions."
- 7.7 **Policy Implications** – The decision would revoke the draft A&D Plan, however as this plan is at an early stage of preparation it holds very little weight in the decision-making process. The adopted policies of the CSDP, IAMP AAP and 'saved' policies of the UDP and UDP Alteration No. 2 would continue to form the development plan for the city prior to the adoption of a new more integrated development plan.
- 7.8 **The Public/External Bodies** – It is not considered that the proposals would have an adverse impact upon any public or external bodies. The Council will continue to consult with external bodies as part of the duty-to-cooperate when preparing the new Development Plan.

8.0 Background Papers

None

