

CIVIC CENTRE,
SUNDERLAND
12 November 2018

TO THE MEMBERS OF SUNDERLAND CITY COUNCIL

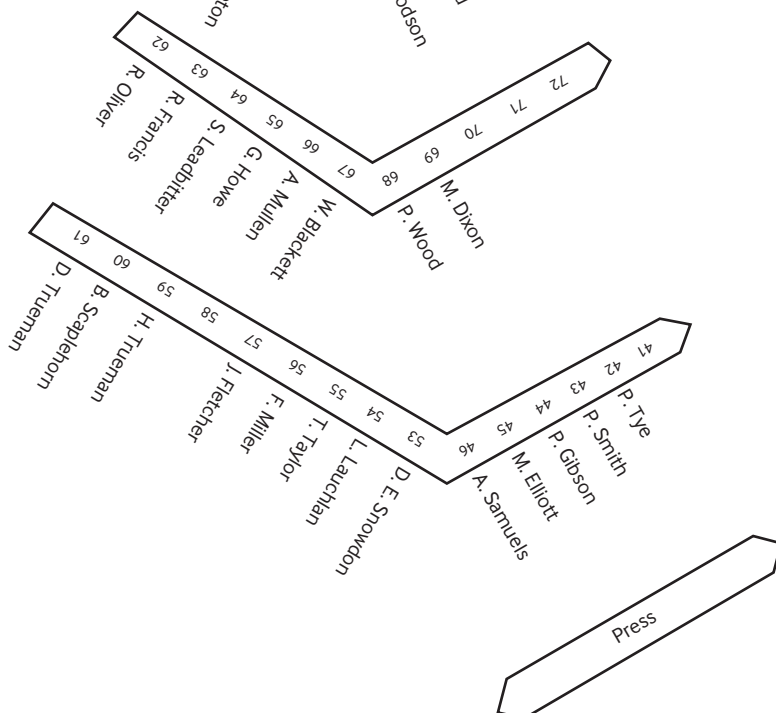
YOU ARE SUMMONED TO ATTEND A MEETING of Sunderland City Council to be held in the Council Chamber, Civic Centre, Sunderland, on **WEDNESDAY 21 NOVEMBER 2018** at **6.00 p.m.** at which it is proposed to consider and transact the following business:-

Item	Page
1. To read the Notice convening the meeting.	-
2. To approve the minutes of the Meeting of the Council held on 19 September 2018 (copy herewith).	1
3. Receipt of Declarations of Interest (if any).	-
4. Announcements (if any) under Rule 2(iv).	-
5. Reception of Petitions.	-
6. Apologies.	-
7. Written Questions by Members of the Public (if any) under Rule 9.	-

8.	Report of the Cabinet (copy herewith).	19
9.	Report of the Audit and Governance Committee (copy herewith).	309
10.	Written Questions (if any) under Rule 10.2.	-
11.	To receive a report on action on petitions (copy herewith).	331
12.	To consider the attached Motions (copy herewith).	335
13.	To consider the following reports:-	
(i)	Report on Special Urgency Decisions – report of the Leader (copy herewith).	343
(ii)	Vacancy on Children, Education and Skills Scrutiny Committee - report of the Head of Law and Governance (copy herewith).	345
<p>Note: In accordance with section 17 of the Local Government and Housing Act 1989, the Council may wish to consider the approval of alternative arrangements to the political balance in respect of the Children, Education and Skills Scrutiny Committee.</p>		
(iii)	Appointments to Committees and Outside Bodies - report of the Head of Law and Governance (copy herewith).	347



PATRICK MELIA, CHIEF EXECUTIVE.



Minutes

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on
WEDNESDAY, 19 SEPTEMBER, 2018 at 6.00 p.m.

Present: The Mayor (Councillor L. Scanlan) in the Chair
The Deputy Mayor (Councillor D. Snowdon)

Councillors	Appleby	Francis	MacKnight, N	Stewart
	Atkinson	Galbraith	Marshall	Taylor
	Beck	Gibson, E	McClennan	Trueman, D
	Blackburn	Gibson, P.	Miller, F	Trueman, H
	Blackett	Haswell	Miller, G.	Turner
	Chequer	Heron	Mordey	Turton
	Cunningham	Hodson	Mullen	Tye
	Curran	Howe	O'Brien	Walker, G.
	Davison	Hunt	Oliver	Walker, P
	Dixon, D.	Jackson	O'Neil	Waller
	Dixon, M	Johnston	Porthouse	Williams
	Elliott	Kelly	Rowntree	Wilson, A.
	English	Lauchlan	Scullion	Wilson, D.
	Farthing	Lawson	Smith, G	Wood. A
	Fletcher	Leadbitter	Smith, P	Wood, K.
	Foster	MacKnight, D	Snowdon, D.E.	Wood, P.

Also Present:-

Honorary Aldermen: - M. Greenfield and R.D. Tate.

The notice convening the meeting was read.

Minutes

The Mayor advised that Councillor Mary Turton had been recorded as being in attendance at the Annual Council meeting on 16 May 2018 in error.

- 16.** RESOLVED that the minutes of the Meeting of the Council held on 20 June, 2018 (copy circulated), be confirmed and signed as a correct record.

Declarations of Interest

The following Councillors declared interests as follows: -

Item 11 (i) – Notice of Motion – Modern Day Slavery	Councillors Blackburn, Cunningham, Davison, Farthing, D. MacKnight, , McClennan, F. Miller, G. Miller, Mordey, O'Neil, Rowntree, D. Snowdon, D.E Snowdon, Stewart, Turner and G. Walker and Alderman Tate.	Members of the Labour and Cooperative Party
	Councillor N. MacKnight	Member of Trade Union
Item 11 (ii) – Notice of Motion – Great Jobs Agenda	Councillors Beck, Blackburn, Cunningham, Davison, Elliott, English, Farthing, Fletcher, Galbraith, Haswell, Kelly, Lauchlan, D. MacKnight, N. MacKnight, McClennan, F. Miller, G. Miller, Mordey, O'Brien, Oliver, Rowntree, P. Smith, Stewart, Turner, H. Trueman, G. Walker and Alderman Tate	Member of Trade Union

Announcements

The Mayor made the following announcements:

(i) Northern Spire Bridge

At the invitation of the Mayor and following a short video presentation, the Leader gave a speech in relation to the successful completion of the Northern Spire Bridge.

(ii) Roker Pier Project

At the invitation of the Mayor, Councillor Porthouse informed Members that the Council's Regeneration Team had been overseeing the restoration of the Grade II listed complex. Funded by the Council's Capital Programme and the Heritage Lottery Fund, the volunteer guided tours of the pier tunnel and lighthouse were launched in August to much acclaim and interest.

Councillor Porthouse was pleased to announce that the project had been recognised for its quality of work, being shortlisted amongst the most prestigious building projects of the year by the Royal Institute of British Architects North East (RIBA) and Constructing Excellence North East (CENE).

The RIBA awards took place in York and the Pier Project only just lost out to Durham Cathedral, although the judges highlighted how impressive the project was during the assessment visit.

At the CENE Awards hosted in Newcastle, the Pier Project received a Highly Commended Award in the Preservation and Rejuvenation Category and a Special Award for Building of the Year (the first of its kind ever to be given out by CENE), with the judges highlighting that the project spanned more than one category and could have won any of them.

Councillor Porthouse advised that these awards were held in high regard within the construction industry, with just being shortlisted often seen as a success. To have been shortlisted, Highly Commended and to have won a Special Award speaks volumes of the quality of work being delivered by Council staff and all those involved should be congratulated on a job well done.

(iii) The Tall Ships Races Plaque

At the invitation of the Mayor, Councillor Kelly informed Members that Mr Knut Western from Sail Training International had hosted a briefing session in the Council Chamber for the captains and crew members from each of the Tall Ships in the city before they set sail for the race.

At the beginning of the briefing session, Mr Knut Western presented the Mayor with a Tall Ships Races 2018 plaque as a token by which to remember the auspicious event.

The plaque was to be held on display in the Mayor's Parlour for all to view.

(iv) Public Relations and Communications Association DARE Awards (Northern Region)

At the invitation of the Mayor, Councillor A. Wilson advised of the Public Relations and Communications Association DARE awards in which Sunderland City Council had been successful in winning the Public Sector Award for the Northern Spire – A Bridge to a Brighter Future. The Council was praised for its excellent planning, strong focus and clear objectives.

This award was also to be held on display in the Mayor's Parlour.

Reception of Petitions

- 17.** RESOLVED that the petitions listed below submitted by the Councillors named, be received and referred for consideration to the relevant Chief Officer: -

Councillor P. Gibson – Petition from residents that Sunderland City Council investigate ways to bring back the Silksworth Pulley Wheel to its home village of Silksworth.

Councillor Tye – Petition for Sunderland City Council to find ways to stop Church View Medical Centre being turned into overnight residential accommodation.

Councillor Johnston – Petition opposing Sunderland CCG Proposals to cut urgent Care Services at Bunnyhill, Houghton and Washington.

Councillor Waller – Petition that Sunderland City Council review and revise the traffic arrangements and roundabout at Springwell Road (B1405) to improve safety following a recent spate of accidents in this area.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Ball, Bell, Essl, Samuels, Scaplehorn, Speding, Waters and Watson and on behalf of Aldermen Arnott and Forbes.

Written Questions under Rule 9

Pursuant to Rule 9 of the Council Rules of Procedure, the Leader and Members of the Executive were asked questions which had been submitted by members of the public.

Report of the Cabinet

The Cabinet reported and recommended as follows:-

1. Licensing Act 2003 – Publication of a Cumulative Impact Assessment

That they had considered a report of the Executive Director of Economy and Place (copy attached) upon the proposed publication of a Cumulative Impact Assessment in accordance with Section 5A of the Licensing Act 2003 to enable the Council to fulfil its statutory duty of carrying out its functions under the Act with a view to promoting the licensing objectives.

The Act permits a licensing authority to publish a document known as a “cumulative impact assessment” which states that the licensing authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty to promote the licensing objectives, namely:

- Prevention of crime and disorder,
- Public safety,
- Prevention of public nuisance, and
- Protection of children from harm,

to grant any further relevant authorisations in the area or areas identified.

The Cabinet was requested to:-

- (1) consider the outcome of the consultation exercise undertaken in relation to the proposed Cumulative Impact Assessment to be published under the Licensing Act 2003 (“the Act”);
- (2) consider any amendment required as a result of the consultation responses received; and, subject thereto;
- (3) recommend to Council that the Cumulative Impact Assessment be published in accordance with section 5A of the Act.

The report was also considered by the Economic Prosperity Scrutiny Committee and the comments of the Committee and the Cabinet's recommendations to Council were set out in a supplementary report which was circulated at the meeting and included the following recommendation:-

The Cabinet having been advised that the report had also been considered by the Economic Prosperity Scrutiny Committee on 11 September and the Committee were in agreement with the proposed publication of a Cumulative Impact Assessment, it was recommended that the Cumulative Impact Assessment be published in accordance with section 5A of the Act.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report of the Cabinet and upon being put to the vote the Report was approved with 59 Members voting in favour:-

Councillors	Atkinson	Galbraith	Miller, F	Turner
	Beck	Gibson, E	Miller, G.	Turton
	Blackburn	Gibson, P.	Mordey	Tye
	Blackett	Heron	Mullen	Walker, G.
	Chequer	Howe	Oliver	Walker, P
	Cunningham	Hunt	O'Neil	Waller
	Curran	Jackson	Porthouse	Williams
	Davison	Johnston	Rowntree	Wilson, A.
	Dixon, D.	Kelly	Scullion	Wilson, D.
	Dixon, M	Lauchlan	Smith, P	Wood, K.
	Elliott	Lawson	Snowdon, D.E.	Wood, P.
	English	Leadbitter	Snowdon, D	
	Farthing	MacKnight, D	Stewart	
	Fletcher	MacKnight, N	Taylor	
	Foster	Marshall	Trueman, D	
	Francis	McClennan	Trueman, H	

And 6 Members voting against:-

Councillors	Appleby	Hodson	Smith, G
	Haswell	O'Brien	Wood, A

18. RESOLVED that the Cumulative Impact Assessment be published in accordance with section 5A of the Licensing Act 2003.

Report of the Audit and Governance Committee

The Audit and Governance Committee reported and recommended as follows:-

1. Annual Report on the work of the Audit and Governance Committee 2017/18

That the Audit and Governance Committee had given consideration to a report by the Head of Assurance, Procurement and Performance Management (copy attached) on the work of the Audit and Governance Committee during 2017/18, demonstrating how they had fulfilled their delegated responsibilities.

Accordingly, the Committee recommended Council to note the Annual Report on the Work of the Audit and Governance Committee 2017/18.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report of the Audit and Governance Committee and accordingly it was:-

19. RESOLVED that the Annual Report on the work of the Audit and Governance Committee be received and noted.

Written Questions under Rule 10.2

Pursuant to Rule 10.2 of the Council Rules of Procedure, Members of the Council asked questions of the Leader and Members of the Executive.

Councillor O'Brien moved an extension to the time for responding to written questions which was duly seconded by Councillor Oliver. Upon being put to the vote the motion was defeated with 14 Members voting in favour:-

Councillors	Appleby	Haswell	Mullen	Wood. A
	Blackett	Hodson	O'Brien	Wood, P.
	Dixon, M.	Howe	Oliver	
	Francis	Leadbitter	Smith, G.	

And 48 Members voting against:-

Councillors	Atkinson	Galbraith	McClennan	Turner
	Beck	Gibson, E	Miller, F	Turton
	Blackburn	Gibson, P.	Miller, G.	Tye
	Chequer	Heron	Mordey	Walker, G.
	Cunningham	Hunt	O'Neil	Walker, P
	Curran	Jackson	Porthouse	Waller
	Davison	Johnston	Rowntree	Wilson, A.
	Dixon, D.	Kelly	Scullion	Wilson, D.
	Elliott	Lauchlan	Smith, P	Wood, K.
	English	Lawson	Snowdon, D.E.	
	Farthing	MacKnight, D	Stewart	
	Fletcher	MacKnight, N	Taylor	
	Foster	Marshall	Trueman, D	

Notices of Motion

(i) Action Against Modern Day Slavery

Councillor Stewart, duly seconded by Councillor G. Walker, moved the following motion:-

"This Council notes that though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

This Council believes it should take all necessary steps locally to root out and eradicate this scourge on society through raising general awareness of the abhorrent nature of modern slavery with local communities, employers and other stakeholders in Sunderland. In addition to take active steps to ensure any contracts and suppliers don't contribute to modern day slavery and exploitation.

This Council therefore resolves

- To instruct the Chief Executive to bring forward as a matter of urgency a whole council policy covering both strategic and operational actions we can take to ensure traffickers and slave masters have no easy place to hide in Sunderland.
- In addition, as a founding member of the Co-operative Council Network to formally adopt the Co-operative Party's Charter against Modern Slavery attached, as part any whole council policy, to ensure our procurement practices don't directly or indirectly support slavery.
- As a Council to report publically on the implementation of this policy and accompanying charter on an annual basis".

Councillor O'Brien, duly seconded by Councillor Hodson, moved an amendment to the motion so that the following be added after the final bullet point:-

- “• To encourage organisations which tender for Council contracts to produce a Transparency Statement

The Council further resolves to lobby the Government:

- To reform abuses associated with the *Domestic Overseas Worker Visa* which prohibits individuals from changing their employer
- To extend legal aid to victims of slavery in civil matters, which should include all citizens no matter their legal status
- To add definitions in relation to child labour to the Modern Slavery Bill"

So that the amended Motion would read:-

"This Council notes that though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

This Council believes it should take all necessary steps locally to root out and eradicate this scourge on society through raising general awareness of the abhorrent nature of modern slavery with local communities, employers and other stakeholders in Sunderland. In addition to take active steps to ensure any contracts and suppliers don't contribute to modern day slavery and exploitation.

This Council therefore resolves

- To instruct the Chief Executive to bring forward as a matter of urgency a whole council policy covering both strategic and operational actions we can take to ensure traffickers and slave masters have no easy place to hide in Sunderland.
- In addition, as a founding member of the Co-operative Council Network to formally adopt the Co-operative Party's Charter against Modern Slavery attached, as part any whole council policy, to ensure our procurement practices don't directly or indirectly support slavery.
- As a Council to report publically on the implementation of this policy and accompanying charter on an annual basis.
- To encourage organisations which tender for Council contracts to produce a Transparency Statement.

The Council further resolves to lobby the Government:

- To reform abuses associated with the *Domestic Overseas Worker Visa* which prohibits individuals from changing their employer.
- To extend legal aid to victims of slavery in civil matters, which should include all citizens no matter their legal status.
- To add definitions in relation to child labour to the Modern Slavery Bill."

It having been indicated to the meeting that the proposed amendment was accepted, it was:-

20. RESOLVED that:-

This Council notes that though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

This Council believes it should take all necessary steps locally to root out and eradicate this scourge on society through raising general awareness of the abhorrent nature of modern slavery with local communities, employers and other stakeholders in Sunderland. In addition to take active steps to ensure any contracts and suppliers don't contribute to modern day slavery and exploitation.

This Council therefore resolves

- To instruct the Chief Executive to bring forward as a matter of urgency a whole council policy covering both strategic and operational actions we can take to ensure traffickers and slave masters have no easy place to hide in Sunderland.
- In addition, as a founding member of the Co-operative Council Network to formally adopt the Co-operative Party's Charter against Modern Slavery attached, as part any whole council policy, to ensure our procurement practices don't directly or indirectly support slavery.

- As a Council to report publically on the implementation of this policy and accompanying charter on an annual basis.
- To encourage organisations which tender for Council contracts to produce a Transparency Statement.

The Council further resolves to lobby the Government:

- To reform abuses associated with the *Domestic Overseas Worker Visa* which prohibits individuals from changing their employer.
- To extend legal aid to victims of slavery in civil matters, which should include all citizens no matter their legal status.
- To add definitions in relation to child labour to the Modern Slavery Bill.

(ii) Great Jobs Agenda

The Leader, duly seconded by Councillor Stewart, moved the following motion:-

“This Council believes that:

Every job should be a great job. For us that means workers in Sunderland should be paid fairly; work in a safe and healthy workplace; be treated decently and with respect; have regular hours; have the chance to be represented by unions and be consulted on what matters at work; and get the chance to learn and progress at work and get on in life.

This Council resolves to:

1. Support the TUC’s Great Jobs Agenda, which sets out the actions employers and the government must take for every job to be a great job.
2. Ensure as an employer we continue providing great jobs for our own employees.
3. Continue to value meaningful workforce engagement and representation through our recognised trade unions.
4. Continue our work with employers to influence their employment practices, and to ensure that business growth is sustainable and ethical.
5. Make increasing job quality a key part of the conversation when pursuing local economic development opportunities.
6. Use our commissioning and procurement processes where possible to raise employment standards amongst those suppliers and providers we work with.
7. Where appropriate, engage with government and other bodies who hold regulatory powers, to tackle issues which local authorities do not have statutory powers to address directly.
8. Write to our MPs informing them of our position and encouraging them to support the Great Jobs Agenda too”.

It having been indicated to the meeting that the Motion was supported by all political parties, accordingly it was:-

21. RESOLVED that:-

This Council believes that:

Every job should be a great job. For us that means workers in Sunderland should be paid fairly; work in a safe and healthy workplace; be treated decently and with respect; have regular hours; have the chance to be represented by unions and be consulted on what matters at work; and get the chance to learn and progress at work and get on in life.

1. Support the TUC's Great Jobs Agenda, which sets out the actions employers and the government must take for every job to be a great job.
2. Ensure as an employer we continue providing great jobs for our own employees
3. Continue to value meaningful workforce engagement and representation through our recognised trade unions
4. Continue our work with employers to influence their employment practices, and to ensure that business growth is sustainable and ethical
5. Make increasing job quality a key part of the conversation when pursuing local economic development opportunities
6. Use our commissioning and procurement processes where possible to raise employment standards amongst those suppliers and providers we work with
7. Where appropriate, engage with government and other bodies who hold regulatory powers, to tackle issues which local authorities do not have statutory powers to address directly
8. Write to our MPs informing them of our position and encouraging them to support the Great Jobs Agenda too".

(iii) Development of the Seafront

Councillor Oliver, duly seconded by Councillor Howe, moved the following motion:-

"This Council notes the views of local residents on the development of the seafront in the city and agrees with concerns expressed about the provision of housing and leisure facilities."

Councillor Stewart, duly seconded by Councillor Porthouse moved an amendment to the motion to delete from the word "city" and insert:-

"and will take appropriate account of these views expressed by the local community in any such development".

So that the amended Motion would read:-

"This Council notes the views of local residents on the development of the seafront in the city and will take appropriate account of these views expressed by the local community in any such development"

Upon being put to the vote, the amendment was carried with 55 Members voting in favour:-

Councillors	Appleby	Galbraith	Marshall	Stewart
	Atkinson	Gibson, E	McClennan	Trueman, D
	Beck	Gibson, P.	Miller, F	Turner
	Blackburn	Haswell	Miller, G.	Turton
	Chequer	Heron	Mordey	Tye
	Cunningham	Hodson	O'Brien	Walker, G.
	Curran	Hunt	O'Neil	Walker, P
	Davison	Jackson	Porthouse	Waller
	Dixon, D.	Johnston	Rowntree	Williams
	Elliott	Kelly	Scullion	Wilson, A.
	English	Lauchlan	Smith, G	Wilson, D.
	Farthing	Lawson	Smith, P	Wood, A
	Fletcher	MacKnight, D	Snowdon, D.E.	Wood, K.
	Foster	MacKnight, N	Snowdon, D	

And 8 Members voting against:-

Councillors	Blackett	Howe	Leadbitter	Oliver
	Dixon, M.	Francis	Mullen	Wood, P.

The substantive motion was then put to the vote and was carried with 63 Members voting in favour:-

Councillors	Appleby	Francis	MacKnight, N	Snowdon, D
	Atkinson	Galbraith	Marshall	Stewart
	Beck	Gibson, E	McClennan	Trueman, D
	Blackburn	Gibson, P.	Miller, F	Turner
	Blackett	Haswell	Miller, G.	Turton
	Chequer	Heron	Mordey	Tye
	Cunningham	Hodson	Mullen	Walker, G.
	Curran	Howe	O'Brien	Walker, P
	Davison	Hunt	Oliver	Waller
	Dixon, D.	Jackson	O'Neil	Williams
	Dixon, M.	Johnston	Porthouse	Wilson, A.
	Elliott	Kelly	Rowntree	Wilson, D.
	English	Lauchlan	Scullion	Wood, A
	Farthing	Lawson	Smith, G	Wood, K.
	Fletcher	Leadbitter	Smith, P	Wood, P.
	Foster	MacKnight, D	Snowdon, D.E.	

And no Members voting against.

Accordingly it was:-

22. RESOLVED that this Council notes the views of local residents on the development of the seafront in the city and will take appropriate account of these views expressed by the local community in any such development.

(iv) Commemorating 100 years of women's suffrage and Sunderland's first female councillor

Councillor Hodson, duly seconded by Councillor O'Brien, moved the following motion:-

"This Council recognizes that 2018 represents a historic milestone, as it is the 100th anniversary of votes for women in the UK. The Representation of the People Act, passed on 6 February 1918, was a major step towards universal suffrage, giving women over the age of 30 who owned property, and all men over the age of 21, the right to vote.

This Council recognizes the achievements of the trail-blazing women campaigners and politicians in this city, including Sunderland's first female MP, Marion Phillips, and Ellen Elizabeth Bell, the city's first female councillor and first female alderman. Ellen Bell was elected to the then Town Council for the Hendon Ward at a by-election in October 1919, just over a year after women gained the right to vote.

Accordingly, the Council resolves to:

- Commend the role played by people in Sunderland and the North East in the long campaign that culminated in the Representation of the People Act becoming law
- Request the Chief Executive look into the feasibility of erecting a plaque or lasting memorial to Ellen Bell, on the centenary of her election to the Council in 2019
- Look into the feasibility of an event to commemorate the role played by local women in the campaign for equal votes, and in the public life of our city
- Encourage more people to register to vote to mark the centenary, and in particular to increase the number of young registered to vote"

The motion having been unanimously agreed it was:-

23. RESOLVED that:-

This Council recognizes that 2018 represents a historic milestone, as it is the 100th anniversary of votes for women in the UK. The Representation of the People Act, passed on 6 February 1918, was a major step towards universal suffrage, giving women over the age of 30 who owned property, and all men over the age of 21, the right to vote.

This Council recognizes the achievements of the trail-blazing women campaigners and politicians in this city, including Sunderland's first female MP, Marion Phillips, and Ellen Elizabeth Bell, the city's first female councillor and first female alderman. Ellen Bell was elected to the then Town Council for the Hendon Ward at a by-election in October 1919, just over a year after women gained the right to vote.

Accordingly, the Council resolves to:

- Commend the role played by people in Sunderland and the North East in the long campaign that culminated in the Representation of the People Act becoming law
- Request the Chief Executive look into the feasibility of erecting a plaque or lasting memorial to Ellen Bell, on the centenary of her election to the Council in 2019
- Look into the feasibility of an event to commemorate the role played by local women in the campaign for equal votes, and in the public life of our city
- Encourage more people to register to vote to mark the centenary, and in particular to increase the number of young registered to vote

Report on Special Urgency Decisions

The Leader of the Council submitted a quarterly report on executive decisions which had been taken as a matter of special urgency which advised that there had been no such instances since the last report.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report.

24. RESOLVED that the report be received and noted.

Vacancy on Children, Education and Skills Scrutiny Committee

The Head of Law and Governance submitted a report which requested the Council's consideration on how to deal with the vacant seat on the Children, Education and Skills Scrutiny Committee following the resignation of Councillor O'Brien from that Committee.

The Options referred to in the report were as follows:

- (1) (i) to approve alternative arrangements to political balance;
- (ii) allocate the vacant seat previously allocated to the Liberal Democrat and Others Group on the Children, Education and Skills Scrutiny Committee to the Conservative Group, so that the elected member representation on the Committee would be

Labour 10: Conservative 2; and
- (iii) appoint a member nominated by the Conservative Group to the vacancy on the Committee; or

- (2) appoint a Liberal Democrat and Others Group member to the vacant seat; or
- (3) leave the seat vacant at this time.

The Council noted that alternative arrangements for the allocation of seats other than on the basis of strict political balance may be approved by the Council under Section 17 of the Local Government and Housing Act 1989, provided no Member votes against the proposal. Abstentions would not defeat a vote on such a proposal.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved Option 1(i) - (iii) to be implemented.

Upon being put to the vote Option 1(i) - (iii) was defeated with 57 Members voting in favour:-

Councillors	Atkinson	Galbraith	Miller, G.	Tye
	Beck	Gibson, E	Mordey	Walker, G.
	Blackburn	Gibson, P.	Mullen	Walker, P
	Blackett	Heron	Oliver	Waller
	Chequer	Hunt	O'Neil	Williams
	Cunningham	Jackson	Porthouse	Wilson, A.
	Curran	Johnston	Rowntree	Wilson, D.
	Davison	Kelly	Scullion	Wood, K.
	Dixon, D.	Lauchlan	Smith, P	Wood, P.
	Dixon, M	Lawson	Snowdon, D.E.	
	Elliott	Leadbitter	Snowdon, D	
	English	MacKnight, D	Stewart	
	Farthing	MacKnight, N	Taylor	
	Fletcher	Marshall	Trueman, D	
	Foster	McClennan	Turner	
	Francis	Miller, F	Turton	

And 6 Members voting against:-

Councillors	Appleby	Hodson	Smith, G.
	Haswell	O'Brien	Wood, K

Councillor Haswell, duly seconded by Councillor Hodson, moved for Option (3) to be implemented.

Upon being put to the vote Option (3) was defeated with 6 Members voting in favour:-

Councillors	Appleby	Hodson	Smith, G.
	Haswell	O'Brien	Wood, K

And 57 Members voting against:-

Councillors	Atkinson	Galbraith	Miller, G.	Tye
	Beck	Gibson, E	Mordey	Walker, G.
	Blackburn	Gibson, P.	Mullen	Walker, P
	Blackett	Heron	Oliver	Waller
	Chequer	Hunt	O'Neil	Williams
	Cunningham	Jackson	Porthouse	Wilson, A.
	Curran	Johnston	Rowntree	Wilson, D.
	Davison	Kelly	Scullion	Wood, K.
	Dixon, D.	Lauchlan	Smith, P	Wood, P.
	Dixon, M	Lawson	Snowdon, D.E.	
	Elliott	Leadbitter	Snowdon, D	
	English	MacKnight, D	Stewart	
	Farthing	MacKnight, N	Taylor	
	Fletcher	Marshall	Trueman, D	
	Foster	McClennan	Turner	
	Francis	Miller, F	Turton	

The Head of Law and Governance advised that the other option was option (2). As a unanimous decision was not agreed upon in respect of the proposed alternative arrangements, it was not possible to appoint a Majority Opposition member to the seat. If it was not resolved that a Liberal Democrat and Others Group member be appointed, the seat would be unfilled at the current time by default.

No further motion was moved in respect of this item.

Appointments to Committees

The Head of Law and Governance submitted a report which requested the Council to confirm the nominations of Hetton Town Council on the Standards Committee. In addition, via a supplementary report, the Council was requested to replace Councillor Stephen O'Brien, the Liberal Democrat and Others Group Member on the Standards Committee, with Councillor Hodson.

The Leader of the Council, Councillor G. Miller moved the report and the supplementary report.

As dissent was indicated in respect of the supplementary report, the Mayor advised that the item would be deferred to the next meeting.

(Signed) L. SCANLAN,
Mayor.

Report of the Cabinet

The CABINET reports and recommends as follows:-

1. Submission of the Core Strategy and Development Plan 2015-2033 to the Secretary of State for Examination in Public

That they will be giving consideration to a report of the Executive Director of Economy and Place (copy attached) on the Core Strategy and Development Plan (hereafter referred to as the Plan) which includes minor modifications from the draft plan that was previously consulted upon under the provisions of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Cabinet is requested to:-

- (a) Delegate authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to make any modifications to the Core Strategy and Development Plan and associated documentation for submission to the Secretary of State.
- (b) Delegate authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to go out to consultation on any further modifications to the Core Strategy and Development Plan that may be necessary and recommended by the Planning Inspector during the Examination in Public.
- (c) Delegate authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to sign the Statement of Common Ground as part of the Duty to Co-operate.

In addition the Cabinet is requested to recommend to Council to:-

- (i) Approve for the purpose of submission to the Secretary of State the Submission Draft of the Core Strategy and Development Plan (Appendix A) which incorporates minor modifications, as set out in Appendix B; and
- (ii) Authorise the formal submission of the Core Strategy and Development Plan and associated documents (as listed in Appendix C) to the Secretary of State pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004;

The report was also considered by the Economic Prosperity Scrutiny Committee and the Committee supported the recommendations of the report.

The Cabinet's recommendations to Council will be set out in a supplementary report.

2. Enforcement of the Equality Act 2010 in relation to hackney carriages and private hire vehicles

That they will be giving consideration to a report of the Executive Director of Economy and Place (copy attached) powers conferred upon the Authority by Part 12, Chapter 1 of the Equality Act 2010 (the “Act”) in relation to hackney carriages and private hire vehicles and their drivers.

The Cabinet will be requested to delegate to the Executive Director of Economy and Place the powers conferred upon the Authority by Part 12, Chapter 1 of the Equality Act 2010 (the “Act”) in relation to hackney carriages and private hire vehicles and their drivers including:

- (a) the maintenance of a list of accessible vehicles under section 167 of the Act;
- (b) the issuing of exemption certificates under sections 166, 169 and 171 of the Act;
- (c) the enforcement of the duties placed upon drivers and operators under sections 165 (duties in relation to passengers in wheelchairs), 168 (duties in respect of assistance dogs in hackney carriages) and 170 (duties in relation to assistance dogs in private hire vehicles) of the Act.

and to recommend to Council that the Head of Law and Governance amend the Constitution to reflect the delegation referred to above.

The Cabinet’s recommendations to Council will be set out in a supplementary report.

3. Gambling Act 2005 – Approval of Council’s Statement of Principles

That they will be giving consideration to a report of the Executive Director of Economy and Place (copy attached) on the responsibility of the Council with regard to the publishing of a statement of principles under the Gambling Act 2005 (the “Act”).

The Cabinet is requested to recommend to Council to approve the draft statement of principles (attached as Appendix 1) in accordance with the Act.

The report was also considered by the Economic Prosperity Scrutiny Committee upon the consultation response and the revised draft statement of principles. The Committee resolved to recommend that the draft statement of principles be approved by the Council under the Gambling Act 2005.

The Cabinet’s recommendations to Council will be set out in a supplementary report.

CABINET

21 NOVEMBER 2018

**SUBMISSION OF THE CORE STRATEGY AND DEVELOPMENT PLAN 2015-2033
TO THE SECRETARY OF STATE FOR EXAMINATION IN PUBLIC**

Executive Director of Economy and Place

1. Purpose of the Report

The purpose of this report is to seek Cabinet approval to recommend that full Council approves the submission of the Core Strategy and Development Plan (hereafter referred to as the Plan) which includes minor modifications from the draft plan that was previously consulted upon under the provisions of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. Description of Decision (Recommendations)

It is recommended that Cabinet recommends that Full Council :

- Approves for the purpose of submission to the Secretary of State the Submission Draft of the Core Strategy and Development Plan (Appendix A) which incorporates minor modifications, as set out in Appendix B ;
- Authorises the formal submission of the Core Strategy and Development Plan and associated documents (as listed in Appendix C) to the Secretary of State pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004;

It is further recommended that Cabinet:-

- Delegates authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to make any modifications to the Core Strategy and Development Plan and associated documentation for submission to the Secretary of State.
- Delegates authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to go out to consultation on any further modifications to the Core Strategy and Development Plan that may be necessary and recommended by the Planning Inspector during the Examination in Public.
- Delegates authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to sign the Statement of Common Ground as part of the Duty to Co-operate.

3. Introduction/Background

- 3.1 The Sunderland Local Plan aims to establish a policy framework that guides and shapes development. It will set the parameters for this to be achieved, and encourage and support development in coming forward. It will ensure that Sunderland is a city that is open for business and growth, providing jobs and prosperity for local people, delivering housing to meet the needs of all of our communities whilst tackling deprivation within the city.
- 3.2 Sunderland's Local Plan is being prepared in three parts:
- Part One - Core Strategy and Development Plan which will set out an overarching strategy for future change and growth in the city and includes detailed development management policies and strategic allocations and designations.
 - Part Two – Allocations and Designation Plan which will set out site-specific policies for the development, protection and conservation of land in the city.
 - Part 3 - International Advanced Manufacturing Park (IAMP) Area Action Plan (AAP), which sets out site specific policies for the land to the north of the Nissan Plant.
- 3.3 This Report relates to the preparation of the Core Strategy and Development Plan, hereafter referred to as the Plan.

Preparation of the Core Strategy and Development Plan

- 3.4 Local Plans must be prepared in accordance with the Duty to Co-operate and legal and procedural requirements as set out in the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations). The Plan must also be considered to be a sound Plan which means it has been positively prepared and seeks to meet the objectively assessed needs for present and future development and infrastructure requirements. The Plan must also be justified, effective and the most appropriate strategy consistent with national policy.
- 3.5 The Council has been preparing the Plan since 2005 and has consulted on numerous iterations. Following substantial changes to regulations and national policy, the Council made the choice to rebase the Plan to 2015. Since then, the Council has undertaken two rounds of consultation on the Plan. Firstly the Growth Options consultation in 2016, which sought residents' and stakeholders' views on three different options on the level of growth Sunderland should plan for.
- 3.6 The Council prepared the Draft Plan in 2017. The Draft Plan was consulted on for eight weeks between 7 August and 2 October 2017. The Council received over 6000 representations to the Draft Plan which were taken into consideration when preparing the Publication (Regulation 19) Draft of the Plan.

Statutory Consultation on the Publication Draft

3.7 In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and following Cabinet approval on 30th May 2018, consultation on the Publication Draft of the Plan took place between 15 June and 27th July 2018. The purpose of this consultation was to seek representations on the Publication Draft of the Plan.

3.8 A comprehensive consultation exercise was undertaken in accordance with the Council's Statement of Community Involvement. This included;

- Publishing a series of posters at public service buildings such as doctors surgeries, libraries and community/children's centres to promote the consultation;
- Publishing the Plan and all associated documents onto the Council's website;
- Making hard copies of the Plan and associated documents available to view in the Civic Centre;
- Making hard copies of the Plan and Statement of Representation Procedure available in Council Libraries;
- Publishing a Statement of the Representation Procedure and a statement of the fact that the submission documents are available for inspection.
- Utilising the Council's social media accounts, Twitter and Facebook, to make people aware of the consultation;
- Publishing a number of press releases in the local press;
- Distributing of emails and e-bulletins by Sunderland City Council Area Officers to local groups;
- Publishing a Core Strategy and Development Plan animation video on the Council's website and social media accounts;
- Hosting Members' briefing sessions;
- Hosting 11 drop-in events across the City; and
- Sending letters to all contacts on the Local Plan Database.

3.9 In total, the Council received 8272 comments from 2151 individuals. The key issues raised are set out in the summary of the Statement of Consultation. All representations will be submitted in the Report of Representations to the Secretary of State. Appendix D of this report includes the main issues raised during the consultation. Economic Prosperity Scrutiny Committee on 6th November 2018 considered a report on the outcomes of the consultation and supported the recommendations of the report.

Evidence

- 3.10 The National Planning Policy Framework (NPPF) requires development plan policies to be based on up-to-date and relevant evidence. The Local Plan evidence base is comprised of documents that have informed the Plan. In addition, the Publication Draft has been subject to a number of statutory impact assessments, including Sustainability Appraisal (incorporating Strategic Environmental Assessment), Habitats Regulations Assessment, and an Equalities Impact Assessment. The Council will submit all documents listed in Appendix C to the Secretary of State.

Duty to Cooperate

- 3.11 The Duty to Co-operate was introduced by the Localism Act 2011, which amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on Authorities and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. It is not a duty to agree. The Council continues to work closely with its neighbours to address strategic planning issues. As listed Appendix C, the Council will submit a Duty to Cooperate Statement which demonstrates how strategic issues have been addressed in the Plan. The NPPF2 requires that Local Authorities work with neighboring authorities to prepare Statement of Common Ground. As other Authorities progress their Plans the Council will make every effort to secure the necessary co-operation on strategic cross boundary matters before those authorities submit their Local Plans for examination.

Accordance with the National Planning Policy Framework (NPPF)

- 3.12 The Local Plan must be in accordance with the NPPF. The government published the NPPF in 2012 (the previous Framework). In July 2018, the government published a revised NPPF (NPPF2). Paragraph 214 of NPPF2 states "The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned". Therefore as the Plan will be submitted prior to the 24th January 2019, the Plan will be judged against the policies contained in the previous Framework.

4. Current Position

- 4.1 Officers have considered all of the representations made to the Plan and have proposed a number of minor modifications (Appendix B). Subject to approval, the Plan (Appendix A), Schedule of Minor Modifications(Appendix B) and Submission Documents (Appendix C) will be submitted to the Secretary of State for an Examination in Public (EIP) in accordance with Regulation 22 of the 2012 Regulations.

- 4.2 Legislation requires at this stage that all consultation responses received during this consultation are logged and submitted to the Secretary of State, alongside a summary of the main issues raised (Appendix D).
- 4.3 All Development Plan Documents are subject to formal examination by the Planning Inspectorate. An EIP is the final stage in the process of producing a Local Plan prior to adoption. This report seeks authority to submit the Plan to the Secretary of State and to allow for any non-substantive editorial changes to be made prior to submission.
- 4.4 The EIP will commence once a Planning Inspector is appointed by the Secretary of State to examine the Plan. The EIP will assess the Plan against four 'tests of soundness' set out in the NPPF. The Council must therefore submit a plan for examination which it considers 'sound' on the basis that it is:
- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.
- 4.5 Throughout the examination process there will be times when the Inspector will indicate that he/she is considering recommending a particular modification and will normally ask officers whether it could offer a set of suggested wording to meet the concern. As such this report seeks to delegate authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to agree modifications with the Inspector during the examination process, to enable the smooth running of the examination.
- 4.6 Following this the Inspector will issue an interim report, where he/she will request that the Council undertakes a statutory six weeks consultation on the Plan. All representations received will be submitted to the Inspector for his/her consideration prior to the Inspector issuing his/her Final Report. This report therefore seeks delegated authority for the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to consult on any modifications proposed.

The next steps

If approved by Council for submission to the Secretary of State the Plan and the supporting documents would be submitted to the Planning Inspectorate by 21st January 2019. Following submission, it is anticipated that an Inspector would be appointed in January 2019 and would commence an early appraisal of the Plan. It is estimated that the EIP will last up to a year.

5. Reasons for the Decision

5.1 The decision is required to;

- submit the Core Strategy and Development Plan to the Secretary of State in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 and Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The decision to submit for an Examination in Public is part of the statutory process to adopt the Plan as the Development Plan for the City.
- allow for any further consultation and modifications that may be required by the Planning Inspector as part of the independent examination process and thus maintain progress and momentum through the policy framework procedure towards the adoption of the final Plan.

6. Alternative Options

- 6.1 The submission of the draft Plan for public examination is a statutory stage in the process required to bring the Plan forward. The Plan, when adopted, will form part of the suite of documents that will constitute the statutory Local Plan for the City and as such must be declared sound by a Planning Inspector following the public examination. Therefore no alternative options are recommended.

7. Impact Analysis

- (a) **Equalities** – An Equality Impact Assessment was completed at draft plan stage and updated to reflect the changes to the Publication Draft. The Assessment is attached at Appendix E. A key area of possible impact on equalities relates to how the document is consulted upon. All consultations have and will be carried out in accordance with the Council's adopted Statement of Community Involvement.
- (b) **Sustainability** – By law, planning must promote sustainable development. This is the underlying objective of the Plan. To that effect the Plan policies have been tested against the Plan's own Sustainability Appraisal. This is available to view on the Council's website <https://www.sunderland.gov.uk/article/15565/Sustainability-Appraisal-Non-technical-Summary-2018> -

- (c) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** – The Plan contains policies that seek to promote crime reduction and social cohesion within new developments.

8. Other Relevant Considerations / Consultations

- (i) **Financial Implications** – The EIP is estimated to cost £100,000 which can be met from a specific reserve held to meet costs associated with completion of the Local Plan.
- (ii) **Risk Analysis** – The preparation of the Sunderland Local Plan has been subject to a risk assessment prepared by the Council's Risk & Assurance team.
- (iii) **Legal Implications** – As referenced throughout the report, the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 have been followed and will continue to be adhered to in order to progress the Local Plan to adoption.
- (iv) **Policy Implications** – Until the Local Plan is adopted, the policies within the Sunderland Unitary Development Plan and Alteration Number 2 will remain the statutory land use policies for the city.
- (v) **Implications for Other Services** – The Plan policies reflect as appropriate other Council and partners' strategies, plans and programmes.
- (vi) **The Public / External Bodies** – It is a requirement of the planning system that the public as a whole are engaged in the development plan process, with minimum statutory requirements for consultation set out in Regulations. This consultation on the draft Plan has and will continue to meet the requirements set out in the Council's Statement of Community Involvement. The Duty to Co-operate as introduced by the Localism Act 2011 places a legal duty to co-operate with neighbouring authorities and other public bodies and this is tested at examination.
- (vii) **Project Management Methodology** – The Project is being managed using the PRINCE2 methodology, which is the appropriate standard.
- (viii) **Procurement** – All procurement undertaken by the Council within the development of the Plan will be conducted according to the Council's procurement rules and applicable legislation.

10. List of Appendices

- Appendix A Regulation 19 draft of the Core Strategy and Development Plan including Minor Modifications (2015-33)
- Appendix B Schedule of Minor Modifications
- Appendix C List of associated documents (Submission Documents)
- Appendix D Summary of Consultation
- Appendix E Equality Impact Assessment

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Foreword

Sunderland is undergoing huge change, building on our great history of enterprise and endeavor to become a modern and prosperous 21st century city.

Through the ambition, intelligence and drive of our people, we are creating an exciting vision of how the city could look in future years. This vision is focused on securing Sunderland's long-term economic future, encouraging inward investment and new employment opportunities by building on our strengths and ensuring the right infrastructure is in place.

By targeting our investment and the delivery of large scale capital projects, we strongly believe we can create the conditions needed to support the development of a city with a reputation for vibrancy and creativity that matches and complements our success as a manufacturing and business hub.

Ensuring that the city has robust, effective and up-to-date planning policies that continue to adapt and embrace changing circumstances will be key to our long term ambition. Sunderland's Plan sets out a framework for this, capturing a clear understanding of how our city's land and property assets need to be developed to meet the opportunities and challenges facing our city over the coming years to 2033.

Cllr Graeme Miller

Leader

Sunderland City Council

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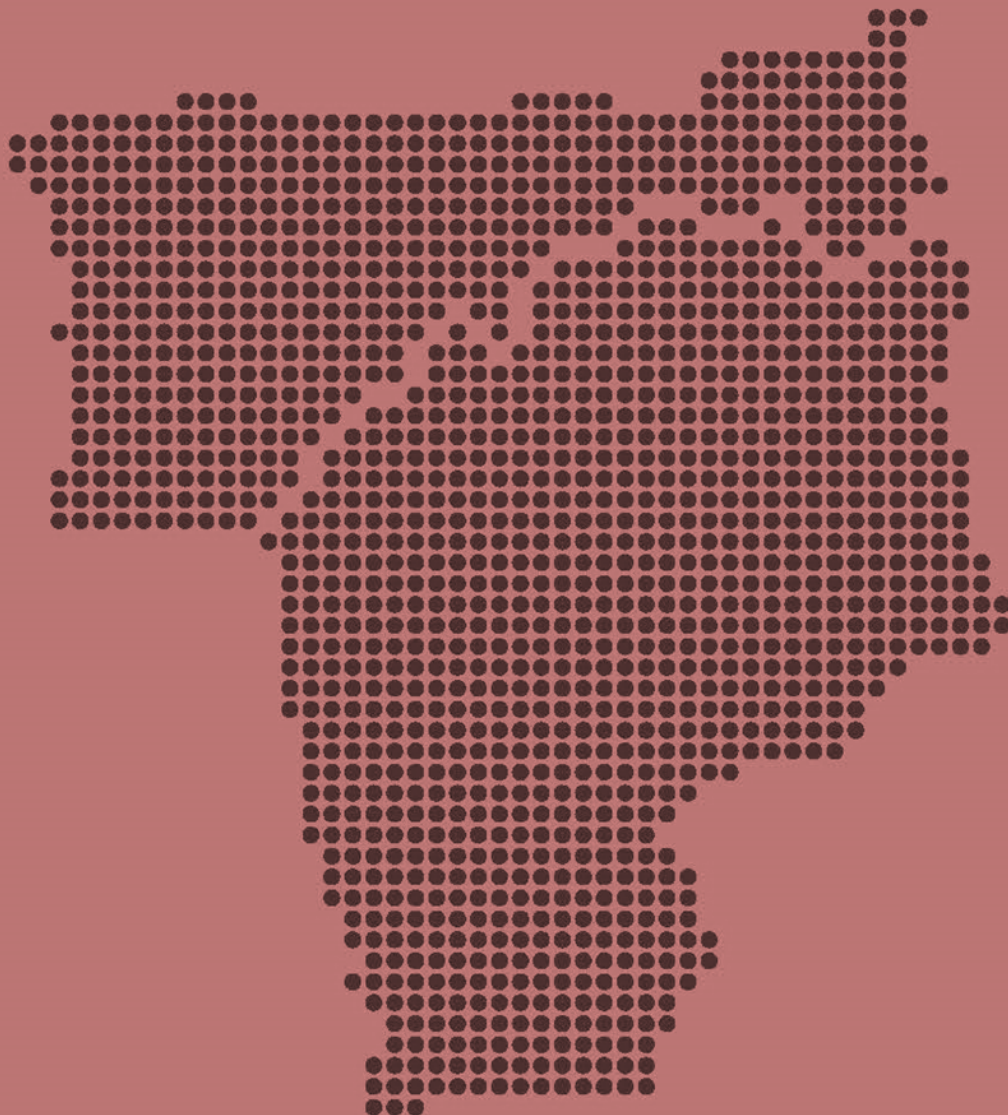
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Setting the Scene

Introduction



1.1 Planning affects us all. The homes we live in, the places we work, the greenspaces where we relax and the roads we travel on, are all a result of planning decisions that have been made. All Local Planning Authorities have a statutory duty to prepare a Local Plan. The Sunderland Local Plan will seek to continue the transformation of Sunderland, by ensuring that we have a framework to develop and protect the city's land and property assets.

1.2 This policy framework will guide and shape development in Sunderland for the next 18 years and will set the parameters for growth. It will ensure that Sunderland is a city that is open for business; providing jobs and economic growth; delivering housing to meet community needs and aspirations; assisting in the tackling of health inequalities and deprivation and will protect the city's important natural and historic environmental assets.

1.3 Once adopted, the Local Plan will be the starting point for the determination of planning applications. It will set a clear strategy for bringing land forward to address objectively assessed needs in line with the presumption in favour of sustainable development. It will include broad locations, land use designations and allocations to deliver this strategy.

1.4 The Local Plan is an important tool to give certainty and transparency to

residents and businesses as to how the city will develop by 2033. It will enable the city to attract more funding and investment. The purpose of the Local Plan is to create a sustainable, attractive, healthy and prosperous Sunderland where people choose to live and work.

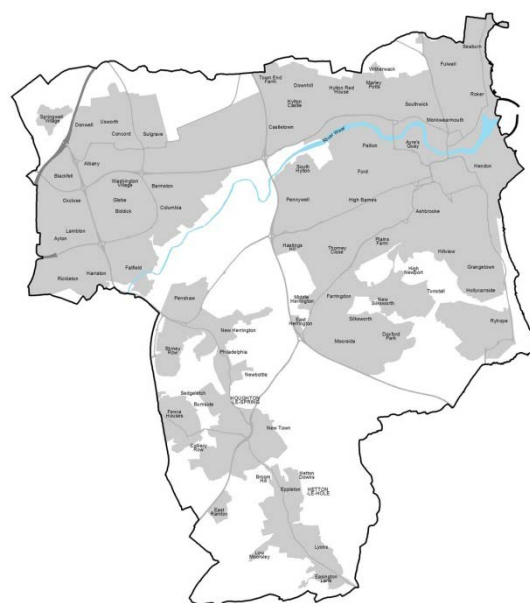


Figure 1 Administrative Boundary of Sunderland

Sunderland's Local Plan

1.5 Sunderland's Local Plan is in three parts:

Part One – Core Strategy and Development Plan (hereafter referred to as This Plan); This Plan sets an overarching strategy, strategic policies and strategic allocations and designations for the future change and growth of Sunderland. This Plan also includes local policies for development management purposes. This Plan will cover the period from 2015 to 2033 and

covers all land within Sunderland's administrative boundaries (Figure 1).

Part Two – Allocations and

Designations Plan (hereafter referred to as the A&D Plan); will set out local policies including site-specific policy designations and allocations for the development, protection and conservation of land in the city in order to deliver the overall strategy set out within this Plan. This Plan covers all land within Sunderland's administrative boundaries.

Part Three – International

Advanced Manufacturing Park

(IAMP) Area Action Plan (AAP)

2017-203 (hereafter referred to as the IAMP AAP); was adopted by Sunderland City Council and South Tyneside Council in November 2017. This part of the Local Plan sets out site specific policies for the comprehensive development of the IAMP.

- 1.6 This Plan (once adopted) and the IAMP Area Action Plan have superseded saved policies of the Sunderland Unitary Development Plan (UDP) 1998 and UDP Alteration No. 2 (2007). However, a number of policies will remain as saved policies and part of the Development Plan until such time as the A&D Plan is adopted. These saved policies will continue to be applied and be a consideration in the determination of planning applications, until they are replaced by policies in the A&D Plan. Appendix 1 sets out the saved policies which should be read alongside this Plan.

- 1.7 All policies in the Local Plan will be monitored regularly and reviewed (in accordance with the monitoring framework) and updated if necessary, to ensure that the Plan is up-to-date. The council's Local Development Scheme provides details of timescales for preparing and reviewing the Local Plan. The Local Plan may also be supplemented by Neighbourhood Plans, Area Action Plans, Housing Delivery Plans and Supplementary Planning Documents where appropriate.

Preparing the Plan

- 1.8 The Core Strategy and Development Plan Compliance Statement sets out how the council has positively prepared the Plan in accordance with legislation, regulations and national policy. It also includes justification how this plan has met the legal and regulatory requirements and meets the test of soundness. This document should be read alongside the Plan.

Structure of this Plan

- 1.9 This Plan comprises of four sections:

Setting the Scene

This section sets out the background to the preparation of this Plan and provides the context to the type of place that Sunderland is today, the challenges it faces and the opportunities for the future.

Vision, Strategic Priorities and Spatial Strategy

This section sets out our vision and strategic priorities for Sunderland by 2033. It outlines the spatial strategy for how and where the future growth of Sunderland will

be delivered and contains strategic allocations which are fundamental to the delivery of the Plan.

Strategic and Local Policies

This section includes chapters that will guide and manage development covering a range of themes including Strategic and Local Policies; Homes; Economic Growth; Vitality of Centres; Built and Historic Environment; Natural Environment; Water, Waste and Energy; Sustainable Transport; Minerals and Infrastructure and Delivery.

Implementation

This section sets out how the policies in this Plan will be implemented. The Core Strategy and Development Plan Monitoring Report details how the policies will be monitored. This is a standalone report.

Appendices

This plan includes different types of policies “SP” policies are strategic policies, “SS” are strategic site allocations and all other policies are considered to be local.

2. Sunderland Today

2.1 This planning framework for the future development of Sunderland is based on a comprehensive understanding of the area as it is now, the challenges that need to be addressed and the opportunities that exist. This chapter is an executive summary of the evidence (Appendix 2) that has been prepared to support this Plan. It summarises the key features and characteristics of Sunderland today and highlights some of the challenges and opportunities the city may face by 2033.

Sunderland

2.2 Sunderland is located within the North East of England and is bounded by: County Durham to the south and west; Gateshead to the north west; South Tyneside to the north; and the North Sea to the east. The administrative boundary covers 53 square miles.



Figure 2 Location of Sunderland

2.3 Sunderland displays a polycentric development pattern - one which does not focus on a single centre, but on many centres. The urban areas are surrounded by greenfield land, which make up more than 50% of the city area and creating a green and attractive city.

2.4 Underdeveloped greenfield land which runs along the northern edge of the administrative boundary of Sunderland is part of the Tyne and Wear Green Belt. This also surrounds Washington, separating it from Sunderland to the east, Gateshead to the north west and Durham to the south west. The Green Belt also extends to the south and west of the city, separating Sunderland with Houghton-le-Spring and Seaham.

2.5 To the south of Warden Law and the B1404 and within the smaller settlements within the Coalfield area there is Open Countryside. Settlement Break designations exist between the built up areas of the Coalfield and South Sunderland.

Spatial Areas

2.6 Sunderland is spatially recognised by five unique sub areas. Each of these sub-areas are distinct, consequently, the nature of Sunderland's development requires spatial planning that reflects its diversity of place.

The Urban Core



- 2.7 The Urban Core is the main administrative centre of city and includes wide diversity such as the City Centre, both campuses of the University of Sunderland and a number of key leisure and tourism facilities, including the Stadium of Light, the Empire Theatre, the Aquatics Centre and the Beacon of Light. The Urban Core is a heavily urbanised area close to the mouth of the River Wear covering an area of approximately 180 hectares.
- 2.8 The Urban Core is a highly accessible location with a transport interchange located at Park Lane providing access to a range of bus routes and metro services to Gateshead, Newcastle and Newcastle Airport. The Urban Core also contains Sunderland Station which provides rail connections to Newcastle, Carlisle and Teesside, in addition to Grand Central Services which provide connectivity to York and London.

- 2.9 Due to its wide diversity of uses, the Urban Core contains a relatively modest population base of approximately 3,200 residents.

Washington



- 2.10 Washington is a highly sustainable location, with excellent transport links to the City Centre, Durham, Gateshead, Newcastle and significant job opportunities at the IAMP, Follingsby Park and within Washington.
- 2.11 Washington is a planned New Town with a population of circa 65,000 people. It accommodates a main town centre at The Galleries, a district centre at Concord and a series of smaller village centres. It is a principal location for jobs and continues to have the strongest employment market within the city. Washington is also typified by having large amounts of greenspace, parkland and tree cover.
- 2.12 Washington has an estimated 25,000 dwellings which equates to nearly

20% of the housing stock in Sunderland. The development of additional homes in this area has been constrained by Green Belt on all sides as well as the lack of available urban sites for development. During the period 2007 to 2015, only 652 homes or 93 homes per annum were built in the Washington areas. The latest Strategic Housing Land Availability Assessment (SHLAA) identifies land available to accommodate only 778 homes on 13 sites during the Plan period. This equates to 7% of the total land supply in Sunderland.

South Sunderland



2.13 The South Sunderland sub-area covers an area of 4,284 hectares and is the most populated sub-area of the city, with a population of 116,000. It is bounded by Green Belt to the south and west, coastline to the east and the River Wear to the north.

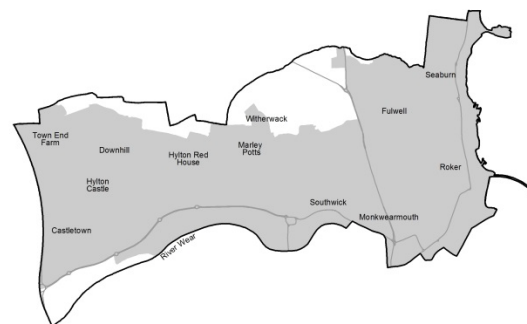
2.14 Although South Sunderland is oriented towards the city centre, the sub-area is also served by a number of district

and local centres. It incorporates the Port of Sunderland and Doxford International as well as other key employment centres along the riverside, A19 and towards the coast.

2.15 South Sunderland is a popular residential area. The area contains the largest proportion of the city's housing stock and contains 47% of all deliverable and developable housing sites within the SHLAA, including the South Sunderland Growth Area (SSGA), which will constitute the largest urban extension in the city over the plan period.

2.16 Despite being the most densely developed sub-area, the area contains a range of built and natural features which add to its character. The area has a distinct urban history and rich architectural heritage.

North Sunderland



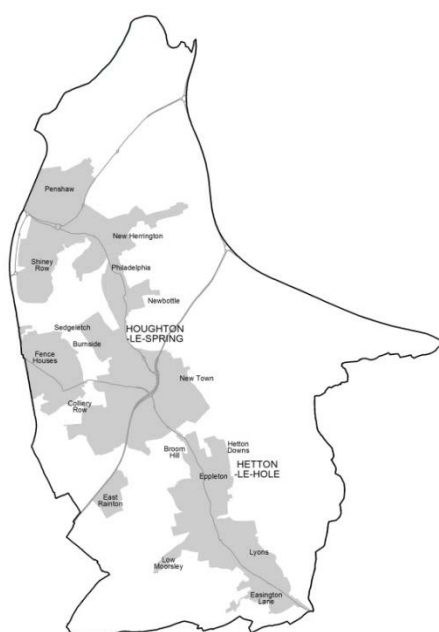
2.17 The Sunderland North sub-area is highly urbanised with just over 55,100 residents and limited opportunities for development. It is bounded by Green Belt to the north, coastline to the east, the A19 to the west and River Wear to the south.

2.18 Like South Sunderland, the sub-area is also oriented towards the city centre but it is also served by strong district centres at Southwick, Sea Road and Monkwearmouth, together with local centres further west. It incorporates a number of primary and key employment centres along the riverside/A1231 corridor and A19.

2.19 In recent years, housing regeneration has taken place that has delivered an increased choice of tenure and an improved quality and mix of homes. The highly developed nature of the sub-area means that new residential development opportunities will remain limited, but further urban regeneration will take place.

2.20 Greenspace in North Sunderland is limited in places, but further improvements will take place to further enhance the quality and accessibility of parkland, riverside and coast.

The Coalfield



2.21 The Coalfield is the largest of the sub-areas in the city by area, covering over 5,500 hectares, approximately 42% of the city. It is made up of a number of former mining towns and villages that include Houghton-le-Spring and Hetton-le-Hole. It is the least densely populated of the sub-areas with some 46,000 residents (17% of the city's population). It is bounded by Green Belt to the north, west and east, with open countryside surrounding the south, which extends into County Durham.

2.22 Houghton-le-Spring Town Centre serves as the principal centre in the Coalfield, with separate centres in Hetton-le-Hole to the south and Shiny Row to the north.

2.23 The principal employment area in the Coalfield is Rainton Bridge Industrial Estate and the area is also served by 4 smaller key employment areas. A key issue for Coalfield residents is the need for improved public transport connections to employment opportunities elsewhere in the city.

2.24 The Coalfield has been the focus for new housing and housing regeneration over the past 20 years and will remain so within the plan period. However, supporting infrastructure is being increasingly impacted upon and will need significant investment.

2.25 Although some greenfield land has been lost to development in recent years, the sub-area retains some of the highest levels of greenspace in the

city. This has been increased in recent decades by reclamation of former industrial land and the creation of high quality country parks.

Population of Sunderland

2.26 It is estimated that Sunderland has a population of 277,962¹ (as shown in Figure 3). Following decades of population decline, population is growing and it is expected to continue to grow over the Plan period (as shown in Figure 3).

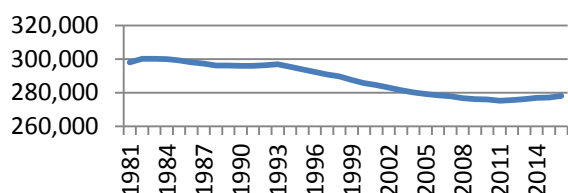


Figure 3 Population Change Within Sunderland

2.27 Our population is also changing. Over recent decades Sunderland has experienced a trend of net out-migration to surrounding neighbouring authorities and other parts of the UK. Between 2002 and 2012 the net out-migration from the city averaged - 1,119 people per annum. This has been particularly pronounced within the younger age cohorts of the working age population.

2.28 However, more recent evidence demonstrates that this trend is changing and the net out-migration has been reducing significantly averaging -625 over the last 5 years (2012-2016).

2.29 Projections also estimate that the population of Sunderland is ageing. The latest population projections estimate that the number of people aged 65 or over will increase by 36.8% by 2033. The ageing population of the city, combined with a net out-migration of residents, has led to a reduction in the number of working age residents living within the city. ONS Mid-Year Population Estimates show that, between 2000 and 2012, the size of the working age population in the city declined by 2.7%. Without intervention the working age population would likely shrink further. This means that commuting rates to the city would likely need to increase to support jobs growth in Sunderland.

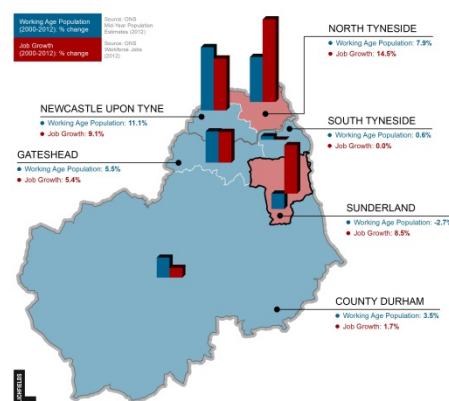


Figure 4 Job Growth and Working Age Population Change (2000-2012)²

2.30 Ethnic diversity in the city is relatively low, with 95.8% of the city's population describing themselves as 'White British'³. The largest minority groups within the city are 'Asian/Asian British' and 'White Other' with 1.8% and 1.1% of the population

¹ ONS 2016 Mid-Year Population Estimate

² Sunderland Employment Land Review (2016)

³ Census 2011

respectively describing themselves as falling within these ethnic groups.

- 2.31 The proportion of the Sunderland population with higher level qualifications (NVQ4 or above) is just 27.3%, which is lower than both the regional and national figures⁴. Despite this, the proportion of the population with higher level qualifications has increased significantly in Sunderland in recent years. The proportion of the population with no qualifications has also reduced noticeably and now stands at just 8.6%, which is lower than the regional average.

Healthy Safe Communities

- 2.32 Residents of Sunderland generally experience a higher level of social and economic disadvantage than the England average and there is a strong link between high levels of socio-economic disadvantage and poor health. The 2015 Indices of Deprivation ranked Sunderland as the 37th most deprived local authority out of the 326 local authority areas in England. Whilst the average life expectancy at birth has improved, Sunderland continues to lag behind and residents live, on average, shorter lives than the England average⁵. They also live, on average, a greater part of their lives with illness or disability which limits their daily activities.

- 2.33 Unhealthy lifestyles remain a key cause for our increased rates of premature death. Many people in

Sunderland continue to follow unhealthy lifestyle behaviours when compared with England as a whole⁶⁷. This is directly linked to a range of social, economic and environmental factors. Childhood obesity rates within the city are higher than the national average with 24% of Year 6 children being classified as obese when compared to the national average of 19.8%⁸.

- 2.34 We have a relatively high number of hot food takeaways, with 17 of the 25 wards within the city having a higher concentration of hot food takeaways per head of population than the national average⁹.

Homes

- 2.35 Housing plays a fundamental role in supporting the health and wellbeing of its residents and it is vital to ensure more housing choice is available to support the needs of our residents.
- 2.36 We currently have approximately 126,000 dwellings, with the vast majority of these being houses (76.7%)¹⁰. The remaining housing stock comprises of 12.1% flats and maisonettes, 10.5% bungalows, with the remaining 0.7% being other types of property including park homes and caravans.

- 2.37 The Strategic Housing Market Assessment Update (SHMA) indicates

⁶ [Local Alcohol Profiles for England. Local Authority Indicators for Crime and Consumption \(Updated September 2014\)](#). Public Health England: September 2014.

⁷ 2012 Lifestyle Survey for Gateshead, South Tyneside and Sunderland. NHS South of Tyne and Wear.

⁸ [Public Health England: Sunderland Health Profile 2017](#).

⁹ Public Health England: Density of Fast Food Outlets (2016)

¹⁰ Sunderland SHMA Update (2017)

⁴ ONS Annual Population Survey 2016.

⁵ [Life expectancy at birth and at age 65 by local areas in England and Wales, 1991-93 to 2012-14](#).

that the median house price within the city was just £107,000 based on Land Registry data from 2014, making the city the second lowest authority in terms of house prices within the North East of England (Figure 5). Sunderland has a disproportionate supply of lower Council Tax banded properties, with over 61% of dwellings falling within Council Tax band A (Figure 6).

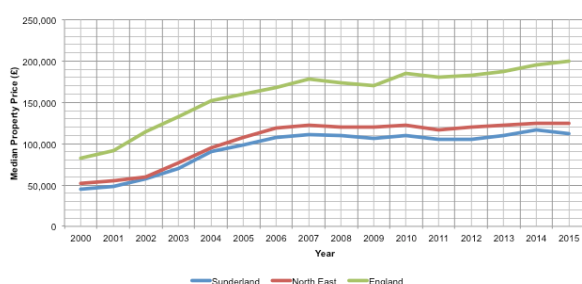


Figure 5 Median House Prices

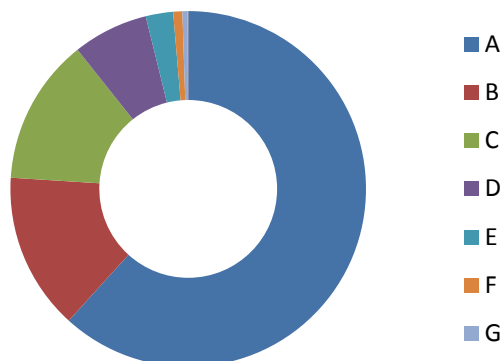


Figure 6 Sunderland Council Tax

2.38 The vast majority of dwellings are 2 and 3 bedroom properties (76%), which is a notably higher proportion when compared to other areas. As identified in the SHMA, there is a shortage of 3 and 4 bedroom houses to meet families, bungalows and accommodation to meet older person's needs.

2.39 Within the city there are a number of empty properties, whilst most of these are short term in nature, there is a relatively small number of long-term empty properties (over 6 months), approximately 2% of the city's housing stock. The council continues to assist in bringing empty properties back into use.

2.40 There continues to be a demand for affordable housing units across the city. Particularly with the impact of welfare reform where there is an increased demand from young people, families, vulnerable people and older people. The SHMA identifies an imbalance of 542 affordable units (both for affordable rent and affordable home ownership) per annum over the next 5 years.

2.41 There are some neighbourhoods that are not as prosperous as others, have a lack of good quality housing, poor physical environments and have higher levels of crime and anti-social behaviour. There are some places in the city already showing symptoms of housing decline and anti-social behaviour: these are most prevalent in parts of Hendon, Sulgrave, Millfield, Pallion, Eden Vale, Silksworth, Hetton Downs and other pockets of the Coalfield area¹¹.

2.42 The city has a resident student population, due to the presence of the University of Sunderland, which is spread across two campuses. The

¹¹ Sunderland Private Housing Condition Survey (2014)

University of Sunderland has over 9,000 full-time students enrolled¹².

~~2.43 Whilst it is not anticipated that student numbers are expected to grow significantly over the Plan period, some students are increasingly demanding better quality self-contained accommodation, which has seen an increase in new purpose-built student accommodation within the city over recent years.~~

2.43 Student numbers may rise over the plan period due to demographic shift and the University's intention to target students in its key growth areas and those of the region, namely health sciences and wellbeing, advanced manufacturing, engineering and computing software and big data. The expectations of some students for better quality, self-contained accommodation has seen an increase in new, purpose-built student accommodation within the city over recent years. It is recognised however that there is not always a linear relationship between increasing student numbers and demand for student residential accommodation, given the local demographic of students attending the University of Sunderland.

2.44 Sunderland has an established community of Travelling Showpeople with a total of 100 plots on four sites, mainly within the Coalfield area (1 small site in Washington).

2.45 The city does encounter unauthorised encampments by Gypsies and

Travellers, however these are small and temporary in nature with Gypsies and Travellers passing through the city and not wanting to live here permanently.

2.46 In terms of delivering new homes, Sunderland has recently experienced higher delivery than a decade ago as illustrated in Figure 7. This is in part due to the amount of demolitions between 2000 and 2013 and the recession. However, this trend during the past four years has started to change, with an average net additional dwellings completion of 846 per year.

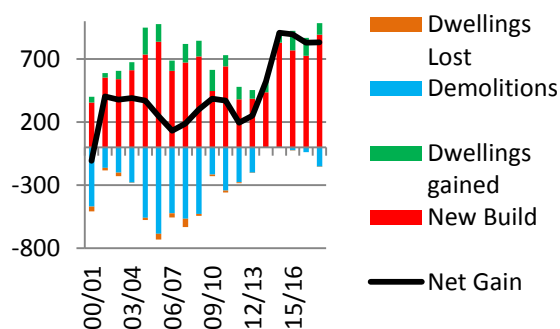


Figure 7 Housing Delivery

2.47 Historically, we have been very successful at developing previously developed land. In fact, between 1995 and 2016, 90% of new housing development in Sunderland was built on previously developed land (pdl) (brownfield) (see Figure 8).

¹² Information provided by University of Sunderland.

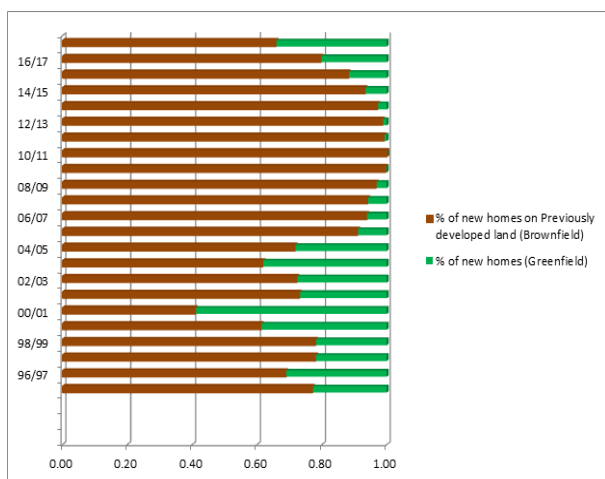


Figure 8 Proportion of Housing Completions on Previously Developed Land

2.48 The council's latest SHLAA identifies only 44% of new homes will be delivered on brownfield land. This is because the supply of brownfield sites that is considered to be deliverable is considered to be relatively low. This is in part due to viability. The Council's Viability Assessment concluded that Sunderland has challenging areas and previously developed land will be difficult to deliver and therefore sites in the Urban Core should not be heavily relied upon in the housing supply.

2.49 The spatial distribution of housing supply in recent years varies across the city. For example, between 2008 and 2018, 33% of housing completions in the city were in the Coalfield, sub-area compared to 14% in the Washington sub-area. Consequently, the Coalfield settlements have become particularly saturated with housing development and increasingly, infrastructure including the road network and school capacity has been put under pressure. On the other hand, other parts of city

such as Washington and Sunderland North have experienced lower levels of housing growth, in part, due to the lack of available sites for development and these areas being tightly surrounded by Green Belt.

2.50 Figure 9 below illustrates the expected distribution of housing growth across the city during the Plan period based on the SHLAA.

Sub Area	0-5 years (2018-2023)	6-10 years (2023-2028)	11-15 years (2028-2033)	Total
Coalfield	1643	964	238	2845
Urban Core	203	270	240	713
Sunderland North	371	503	236	1110
Sunderland South	1297	1748	1734	4779
Washington	377	256	145	778
Total City Area	3891	3741	2593	10225

Figure 9 Housing Distribution (SHLAA 2018)

Economic Growth

2.51 We have a strong track record of attracting investment and growth directly into the city, as well as

benefitting from being ideally placed in terms of the wider regional economy.

- 2.52 Experian data suggests that there were 130,150 workforce jobs registered in Q1 of 2015, representing an increase of 9,630 jobs (8%) compared to 1997. Despite this, unemployment within the city remains at 6.3%, compared to the regional average of 6.2% and the national average of 4.4%.¹³

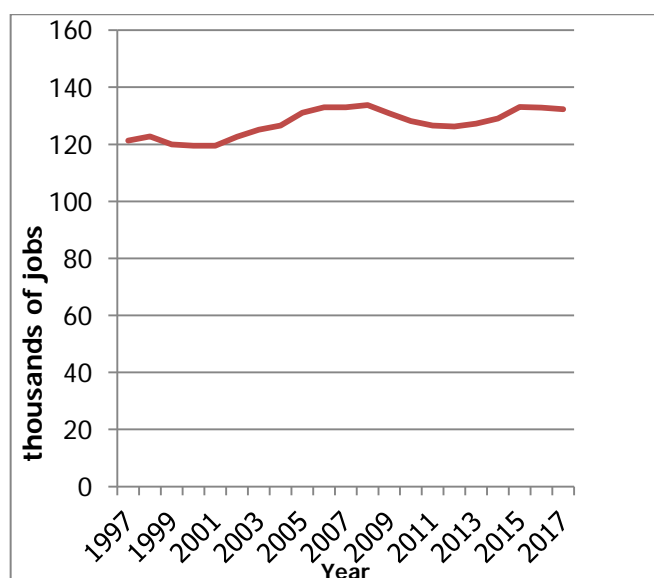


Figure 10 Workforce Jobs

- 2.53 Key sectors that have experienced strong employment growth over the last 15 years include health & care, utilities, food & finance, accommodation and insurance & pensions. The business base accommodates a slightly lower share of smaller firms and a higher share of larger firms compared with regional and national averages. It is also characterised by relatively low levels

of business start-ups and self-employment.

- 2.54 Advanced manufacturing and particularly the automotive sector are a key part of the local economy, centred around the Nissan plant, which produces more than 500,000 vehicles a year and supports a thriving supply chain extending along the A19 and A1 corridors. The sector employs 30,000 people regionally. To support the continued growth of this sector, the IAMP will be developed on land to the north of the existing Nissan plant. It is anticipated that the IAMP would create approximately 7,850 new jobs and would be a significant driver for the regional economy and the automotive sector within the UK.

- 2.55 Workplace wages also exceed resident wages, indicating that the types of jobs available locally are well paid, however many of these are filled by workers who live outside of the administrative boundaries of Sunderland. As a result, Sunderland is a net importer of labour, with a net inflow in the order of 5,670 workers each day¹⁴. Over the last ten years, the city's self-containment rate has reduced by 3%, as a result of jobs growth outstripping growth in the working age population. Census data also points to a slight skills mismatch, with in-commuters more likely to be employed within higher skilled occupations.

- 2.56 We have a wide range of existing industrial estates and business parks.

¹³ ONS Annual Population Survey 2016

¹⁴ Experian (2011) Workforce jobs

The employment land requirements for the period 2015 to 2033 have been calculated to be between 95ha to 115ha. There are significant variations in supply within the different sub-areas (as shown in Figure 11). Washington continues to experience the strongest demand for industrial development.

Sub-area	Available land (ha)		
	Employment	Mixed use	Total
Washington	46.8	0	46.8
Sunderland North	2	1.5	3.5
Sunderland South	45.31	6.92	52.23
Coalfield	28.34	0	38.34
Total	122.44	8.42	130.86

Figure 11 Supply of Available Employment Land¹⁵

2.57 Office development historically has been focussed within the Urban Core and town centres. However, over recent decades there has been a significant shift in the location of offices, with more choosing to locate to out-of-centre facilities on purpose-built business parks. This trend has been particularly pronounced within Sunderland, with the creation of new business parks at Doxford International, Hylton Riverside and Rainton Bridge. Business parks have been the primary focus for office development over the past couple of decades.

2.58 There are three main centres in Sunderland. The Urban Core (which contains the City Centre retail boundary) is the main location for shopping with 99,990sqm¹⁶ of

floorspace. Washington Centre contains 58,000sqm¹⁷ of floorspace and has a wide range of shops and facilities, including a leisure centre, two large supermarkets and a number of national multiple retailers. While Houghton Town Centre is much smaller in scale, it remains the main centre within the Coalfield area and includes a number of shops and services including a library, sports centre and health centre. There are also a number of other district and local centres throughout the city, which are important in meeting the day-to-day needs of their local residents.

2.59 The amount of market share and revenue of the City Centre has declined over recent years. The council's Retail Needs Assessment (2016) indicates that the comparison retail revenue of the City Centre has declined from £335m in 2008 to £272m by 2016, which represents a 19% fall. This is a national trend and partly due to changing shopping habits, such as the growth of out-of-centre retail and online retailing, but also due to increased competition between centres.

2.60 The number and concentration of hot food takeaways within the city is becoming an increasing concern, not only in relation to health, but also due to the adverse impact that an over concentration of such uses can have on the vitality and viability of designated centres, whilst also changing the overall retail character of

¹⁵ Sunderland Employment Land Review 2016.

¹⁶ Experian Goad Survey September 2015.

¹⁷ Experian Goad Survey September 2015.

designated centres and reducing the diversity of uses. Many hot food takeaways are only open during evening hours resulting in inactive frontages during normal daytime trading hours, which can have an adverse impact on the vitality and general attractiveness of shopping centres.

- 2.61 Sunderland's cultural and leisure offer is extensive and varied, including two high quality beach resorts, accessible open spaces, leisure centres, a dry ski slope, the only 50m Olympic-sized swimming pool in the North East, Sunderland AFC football stadium, the Empire Theatre, a cinema, plus many music venues, restaurants and bars. In addition, Sunderland plays host to a number of events throughout the year including the annual International Air Show.

Built and Historic Environment

- 2.62 Sunderland contains a wide range of heritage assets, including nine Scheduled Ancient Monuments and 692 Listed Buildings. Sunderland has a strong historical heritage with iconic structures within the city, such as Fulwell Mill, Hylton Castle, Penshaw Monument and St Peter's Church, together with quality townscapes, including 14 Conservation Areas that are protected throughout the city.

- 2.63 There are 9 Scheduled Ancient Monuments or Grade I and II* Listed Buildings and 2 Conservation Areas on Historic England's At-Risk Register in 2015. These include the Old Sunderland and Old Sunderland Riverside Conservation Areas, Bowes

Railway Museum, Hylton Castle, Doxford House and Monkwearmouth Station Museum. In addition, there are numerous Grade II Listed Buildings and non-designated heritage assets across the city, the condition and vacancy of which also places them at risk.

Natural Environment

- 2.64 Our natural environment is one of its greatest assets and includes a network of identified wildlife and geological sites as well as priority species and habitats which in turn contributes to our economy, our health and wellbeing whilst enriching our lives. Designated sites in the city comprise:

- International – 1 Special Area of Conservation (SAC), 1 Special Protection Area (SPA) and 1 RAMSAR;
- National – 17 Sites of Special Scientific Interest, 5 Local Nature Reserves; and
- Local – 6 Local Geological Sites, 63 Local Wildlife Sites and 14 proposed Local Wildlife Sites.

- 2.65 Our natural environment is highly diverse, offering coastal, riverside and limestone landscapes, interspersed with a rich heritage. There are two National Character Area classifications; namely the Tyne and Wear Lowlands and the Durham Magnesian Limestone Plateau. Due to the Magnesian Limestone geology of the city and association with the North Sea coast and River Wear estuary, Sunderland has many sites of botanical interest and a variety of habitats of value to wildlife.

2.66 Whilst Sunderland forms part of the Tyne and Wear conurbation, it benefits from wide green infrastructure corridors to the north, west and south of the main built-up area, as well as Open Countryside to the west and east of Houghton and Hetton and a green corridor along the River Wear that runs through the heart of the city. There are more than 3,800 hectares of formal and natural greenspace, including 43 parks. Approximately half of the city's residents can reach a quality natural greenspace within 300m of their homes.

Waste, Water and Energy

2.67 The main rivers in the city are the River Wear, which flows north-eastwards to the sea at Sunderland, the River Don which flows along the northern council boundary and the Lumley Park Burn/Hetton Burn, which is a westward draining tributary of the Wear. The topography of the area is characterised by the River Wear valley in the north and east of the city.

2.68 There are 5 Critical Drainage Areas identified within the city, which are areas that the Environment Agency (EA) has identified as having notable flood risk and drainage problems. In these locations, there is a need for surface water to be managed to a higher standard than normal to ensure that any new development will contribute to a reduction in the risk of flooding. These higher standards are determined by the Environment Agency.

2.69 The city's drinking supply emanates from a combination of reservoirs, treatment works and boreholes, including the Magnesian Limestone Aquifer, which lies to the east of the city and is protected through source protection zones.

2.70 Sunderland is well served by waste infrastructure and is net self-sufficient in the management of waste. The area has significant built waste management capacity which provides for the needs of Sunderland and a number of other authorities across the North East region.

2.71 Local authority waste is managed under the South Tyne and Wear Waste Management Partnership (STWWMP) which is a collaboration between Sunderland, Gateshead and South Tyneside Councils and covers the management of this waste for the duration of the Plan period.

Sustainable Transport

2.72 Sunderland benefits from good public transport infrastructure, with a comprehensive network of bus routes, whilst the Tyne and Wear Metro provides frequent services connecting to destinations throughout Tyne and Wear. In terms of rail access, Sunderland has a train station providing frequent links (up to eight trains an hour including both Northern Rail and Metro services) to Newcastle Central Station, from where East Coast Mainline services can be accessed. Grand Central provides a direct rail service (five times a day) to York and London from Sunderland Station.

2.73 Key road connections include:

- The A19 – a key strategic route connecting to North Tyneside, Northumberland and the A1 in the north and to Teesside and North Yorkshire in the south;
- The A183 – running east to west and connecting Sunderland to Chester-le-Street and the A1;
- The A1018 – running south from the Urban Core to Seaham and the A19;
- The A182 – running south and south-east from Washington to Houghton-le-Spring, County Durham and the A19;
- The A690 – running north east to south west and connecting Sunderland to Durham and the A1; and
- The A1231 – running east to west and connecting Sunderland to the A1 and the A19.

2.74 Recent improvement schemes have been implemented at key junctions along the A19 to improve connectivity and the council is bringing forward the Sunderland Strategic Transport Corridor, which will improve connectivity to the sites along the southern edge of the River Wear, the City Centre and the Port. Improvements are also proposed at the Downhill junction to support the proposed IAMP.

2.75 The majority of journeys within Sunderland continue to be made by private car, however bus and Metro patronage is strong and growing. Bus travel is the most commonly used

form of public transport, representing approximately 75% of journeys made by public transport. This reflects the lack of rail and metro services in most of the city. There are over 150km of dedicated cycle routes in Sunderland, with more than 80km off-road. There are also three routes on the National Cycle Network which pass through the city; with sections of National Cycle Routes 1, 7 and 70.

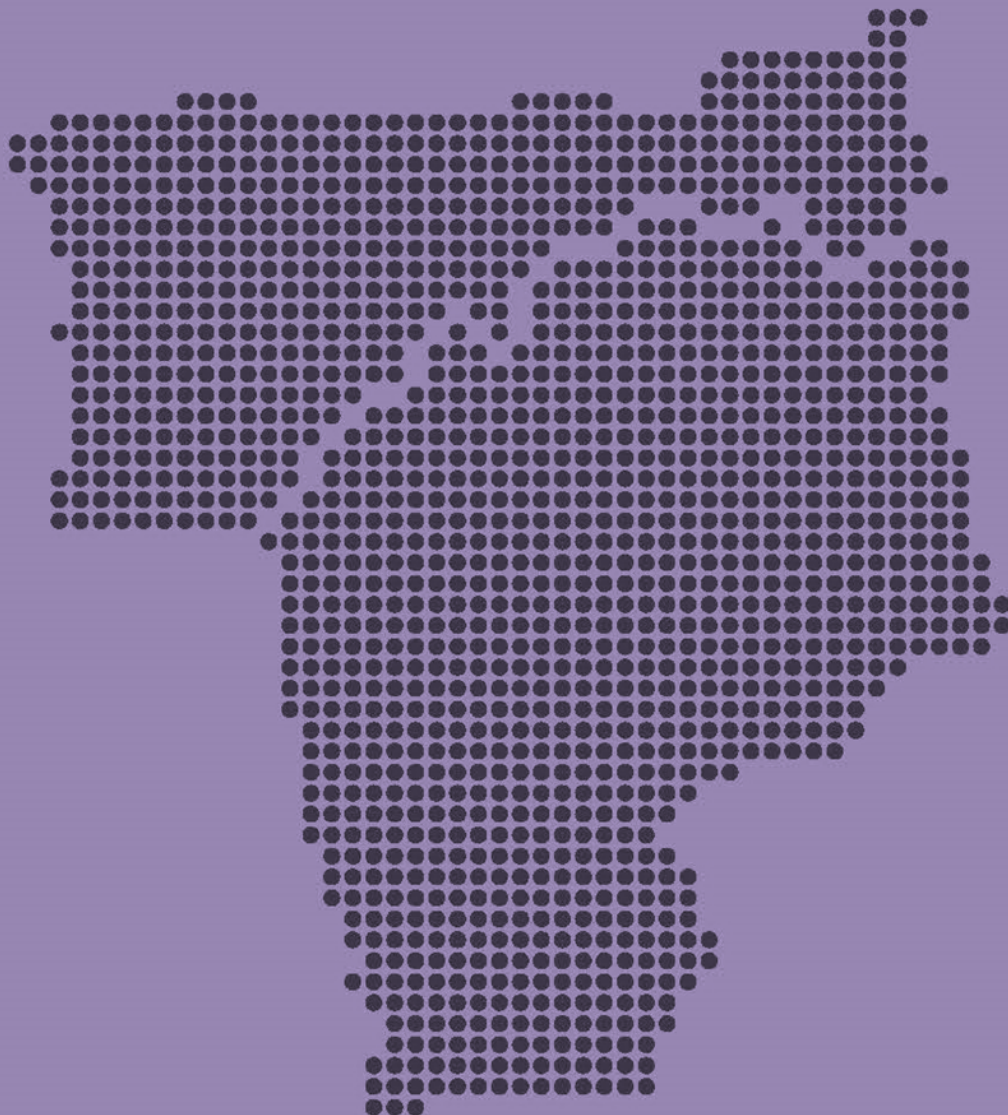
Minerals

2.76 Sunderland possesses a variety of valuable mineral resources which play a part in meeting local, regional and national requirements. Sunderland currently has one operational quarry at Eppleton Quarry, Hetton-le-Hole, which is extracting Permian yellow sand and Magnesian Limestone. The limestone is crushed before sale for use as roadstone and fill. Magnesian Limestone from the area is also used for agricultural purposes. There are also surface coal resources present across roughly the western half of Sunderland, although coal is no longer extracted.

2.77 Sunderland is reliant on imports of minerals from authorities within the North East and further afield. The need for aggregates for built development is addressed through the Local Aggregate Assessment which is prepared jointly with the 8 North East Mineral Planning Authorities (MPAs). The Local Aggregates Assessment (LAA) has identified that the Tyne and Wear authorities jointly do not provide sufficient minerals to meet their needs, and resources will be depleted during the Plan period. Sunderland is

the main contributor to the supply of aggregates in the region and an extension to Eppleton Quarry will assist in meeting future needs.

Vision, Strategic Priorities and Spatial Strategy



3. Spatial Vision and Strategic Priorities

3.1 To enable Sunderland to take hold of the opportunities available to it and address the strategic challenges outlined in the previous chapter, this Plan sets out a spatial vision for

Sunderland by 2033. This vision describes where the city wants to be by 2033 and has been influenced by a number of other council plans and strategies and their visions including;

"Aim 1: A new kind of University City

Aim 2: A national hub of the low carbon economy

Aim 3: A connected waterfront City Centre

Aim 4: A whole-life, inclusive city economy

Aim 5: Entrepreneurial in economic leadership "

Sunderland Economic Masterplan

"Sunderland will be a welcoming, internationally recognised city where people have the opportunity to fulfil their aspirations for a healthy, safe and prosperous future".

Sunderland City Council's Corporate Plan

Our vision is for a greater choice of good quality homes which meet the needs and the aspirations of our residents, so individually and as a city we can grow and prosper. These homes will be based in thriving neighbourhoods where everyone feels part of their community.

Sunderland Housing Strategy

By 2024, Sunderland will deliver:

- *over £1bn of investment into the city's infrastructure and industrial assets;*
- *about 20,000 new jobs created across a range of sectors, increasing the city's productivity and reducing unemployment levels;*
- *a more vibrant and attractive city with more happening in terms of events, entertainment and culture; and*
- *a significant increase in our levels of education and skills.*

Sunderland Transforming our City: The 3,6,9 Vision

Spatial Vision

3.2 Sunderland's Local Plan is the spatial manifestation of the wider ambitions and goals of the council and its partners. Through the implementation of the policies in the Local Plan the council will guide investment and development to 2033 and will deliver the following vision to continue the sustainable growth of Sunderland.

Spatial Vision 2033

By 2033, Sunderland will be a place that:

- has a population in the order of 290,000 people;
- increased the working age population;
- is healthy, safe and prosperous, where people have the opportunity to fulfil their aspirations;
- is more socially, economically and environmentally sustainable;
- has improved its social infrastructure, with additional healthcare, education and community facilities;
- has easy access to useable open space, leisure and recreation;
- has vibrant, well supported, town, district and local centres that are places to meet as well as shop;
- offers a mix of good quality housing, both market and affordable of the types, sizes and tenures that meet the needs and demands of existing and future communities;
- offers residents the opportunity to live in sustainable communities accommodating all ages and abilities;
- has a Urban Core that is revitalised and has become a destination of choice, a

place for people to live, work and spend their leisure time;

- is open to business and is responsive to the changing needs and demands of our growing economy;
- is vibrant and growing with excellent access to a range of job opportunities for all ages, abilities and skills;
- is entrepreneurial, a University City at the heart of a low carbon regional economy;
- which creates new and diverse job opportunities particularly in advanced manufacturing;
- values the University of Sunderland and Sunderland College who play a vital role in attracting the best minds and ensuring a skilled workforce that choose to live here;
- has a high quality natural, built and historic environment;
- has a network of green infrastructure, supporting and protecting our biodiversity and wildlife, whilst also improving access to greenspace for all;
- is resilient to climate change, has maximised the opportunities for renewable energy, embraced sustainable design principles and has reduced the impacts of flooding on homes and businesses; ~~and has excellent transport links and sustainable access for visitors, businesses and residents;~~ and
- has excellent transport links and sustainable access for visitors, business and residents.

Strategic Priorities

3.3 To assist in the delivery of this vision, the following strategic priorities have been identified:

Spatial Strategy	<p>Strategic Priority 1. To deliver sustainable economic growth and to meet objectively assessed needs for employment and housing, in particular through providing opportunities for young economically active age groups and graduates.</p> <p>Strategic Priority 2. To identify land we need for development in the right locations so we can protect our most vulnerable assets and while ensuring we meet our sustainable growth ambitions.</p>	<p>SP1, SP2, SS1, SP3, SS2, SS3, SS4, SS5, SS6, SS7, SP7, SP8, H1, H2, H3, H4, H6, EG1, EG2, EG4, EG5, VC1, VC5, WWE6, WWE7, SP11.</p> <p>SP1, SP2, SS1, SP3, SS2, SS3, SP4, SS4, SP5, SS5, SS6, SP6, SS7, SP8, H1, H2, H3, H4, H6, EG1, EG2, EG3, EG4, EG5, VC1, VC3, VC4, NE1, NE2, NE4, NE6, NE7, NE8, NE9, NE11, NE12, WWE6, WWE7, WWE8, WWE9, SP11, M1.</p>
Healthy Safe Communities	<p>Strategic Priority 3. To promote healthy lifestyles and ensuring the development of safe and inclusive communities, with facilities to meet daily needs that encourage social interaction and improve health & wellbeing for all.</p>	<p>SP1, SP2, SP3, SP4, SP7, HS1, HS3, HS4, H1, VC1, VC4, VC5, BH1, BH2, NE1, NE4, NE6, NE8, WWE1, WWE2, WWE3, WWE4, WWE10, SP10, ST1, ST3, ID1, ID2.</p>
Homes	<p>Strategic Priority 4. To provide a range and choice of accommodation, house types and tenures to meet the diverse needs of current and future residents.</p>	<p>SP1, SP2, SS1, SP3, SS2, SS3, SP4, SS4, SP5, SS6, SP6, SS7, SP7, SP8, H1, H2, H3, H4, H5, H6, H7, <u>SP11</u>.</p>
Economic Growth	<p>Strategic Priority 5. To provide a wide portfolio of employment sites to support the development of key employment sectors and expand the opportunities for new office development.</p>	<p>SP1, SP2, SS1, SP3, SP4, SS5, SP5, SP6, EG1, EG2, EG3, EG4, EG5, EG6, <u>SP11</u>.</p>
Vitality of Centres	<p>Strategic Priority 6. To improve <u>support</u> the vitality and economic performance of the Urban Core and designated centres.</p>	<p>SP1, SP2, SS1, SP3, SP6, EG5, VC1, SP9, VC2, VC3, VC4..</p>
Built <u>and</u> Historic Environment	<p>Strategic Priority 7. To protect, sustain and enhance the quality of our built and historic environment and the delivery of distinctive and attractive places.</p>	<p>SP2, VC1, BH1, BH3, BH7, BH8, ID1, ID2.</p>
Natural Environment	<p>Strategic Priority 8. To protect and enhance the city's biodiversity, geological resource, countryside and landscapes whilst ensuring that all homes have good access to a range of interlinked green infrastructure.</p>	<p>SP1, SP5, SS6, SP6, BH1, BH2, NE1, NE2, NE3, NE4, NE6, NE7, NE8, NE9, NE10, NE11, NE12, WWE2, WWE4, WWE5, M4, ID1, ID2.</p>
Water, Waste	<p>Strategic Priority 9.</p>	<p>BH1, BH2, NE1, WWE1,</p>

and Energy	<p>To adapt to and minimise the impact of climate change by reducing carbon emissions, maximising the use of low carbon energy solutions and seeking to reduce the risk/impact of flooding.</p> <p>Strategic Priority 10. To manage waste as a resource and minimise the amount produced and sent to landfill.</p>	<p>WWE2, WWE3, WWE4, WWE5, WWE10.</p> <p>WWE5, WWE6, WWE7, WWE8, WWE9, WWE10.</p>
Transport	<p>Strategic Priority 11. To promote sustainable and active travel and seek to improve transport infrastructure to ensure efficient, sustainable access.</p>	<p>SS5, SS6, SP10, ST1, ST2, ST3, ID1, ID2.</p>
Minerals	<p>Strategic Priority 12. To manage the city's mineral resources ensuring the maintenance of appropriate reserves to meet needs.</p>	<p>WWE6, WWE7, WWE8, WWE9 <u>SP11, M1, M2, M3</u></p>
Infrastructures	<p>Strategic Priority 13. To ensure that the city has the infrastructure in place to support its future growth and prosperity.</p>	<p>ID1, ID2.</p>

4. Spatial Strategy

- 4.1 The underlying principle of national policy is to deliver sustainable development to secure a better quality of life for everyone now and for future generations. All the policies within this Plan contribute towards achieving sustainable development.
- 4.2 Sustainable development is considered to be the golden thread running through this Plan. For the purposes of this Plan, the definition of sustainable development is contained in National Planning Policy Framework (NPPF). The NPPF emphasises the economic, social and environmental roles which the planning system must perform in order that sustainable development can be delivered. The three roles cannot be undertaken in isolation as they are mutually dependent and this Plan will seek to ensure that these roles are sought jointly and concurrently wherever possible. This Plan will positively seek opportunities to meet the development needs of Sunderland unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 4.3 This Plan seeks to provide a flexible policy framework to remove obstacles where appropriate and encourage sustainable development. The Plan should be read as whole and all policies taken into consideration if relevant.
- 4.4 Climate change is recognised as one of the most significant threats facing the 21st Century and as such, there are unprecedented challenges to the environment, economy and the future security of energy. Sunderland Partnership and the council recognise that climate change is one of the greatest environmental challenges and the Climate Change Action Plan sets out how the city is going to reduce its energy consumption, emissions of carbon dioxide (CO₂) and other greenhouse gases, which are known to be the main cause of climate change. The spatial strategy and all policies in the Plan will seek to reduce the impacts of climate change.
- 4.5 This spatial strategy chapter sets out policies for the overall strategy for development, growth and investment in Sunderland to 2033. It also contains policies for each of the spatial sub-areas, for strategic allocations and it identifies locations where development should take place in order to create sustainable neighbourhoods and deliver our vision and objectives. This strategy is based on a number of considerations:
- national planning policy;
 - this Plan's Strategic Priorities and Vision;
 - our environmental constraints; and
 - the availability and viability of land for development.

- 4.6 Each of the allocations in this Plan has been subject to a Sustainability Appraisal (SA) as detailed within the SA report.

Key diagram

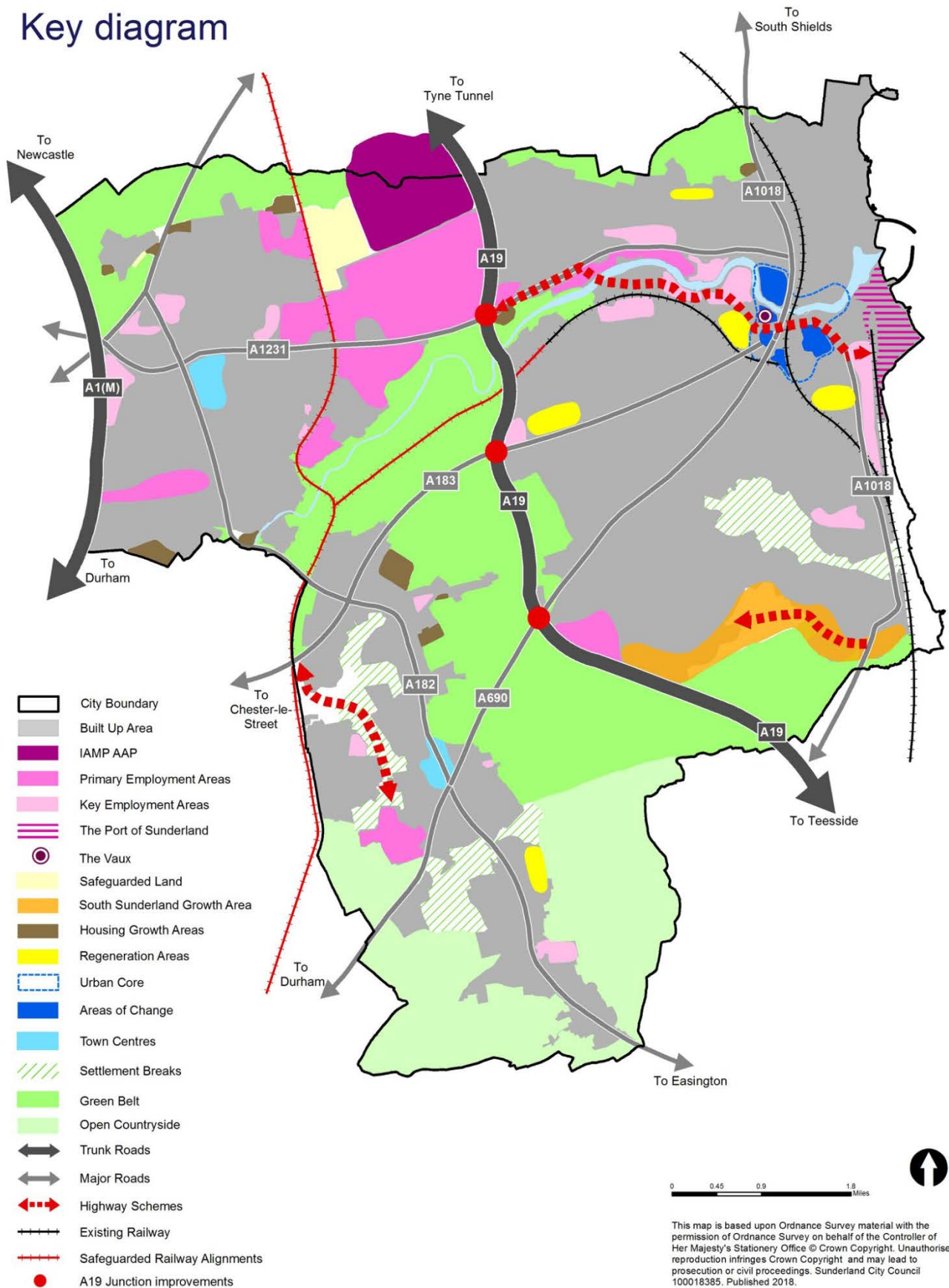


Figure 12 Key Diagram

4.7 The Key Diagram (Figure 12) illustrates the spatial policies contained in this Plan.

Strategic Policy

SP1 Spatial Strategy

1. To support sustainable economic growth and meet people's needs, the council, working with local communities, its partners and key stakeholders will:
 - i. deliver at least 13,410 new homes and create sustainable mixed communities which are supported by adequate infrastructure;
 - ii. create at least 7,200 new jobs, particularly in key growth sectors;
 - iii. develop at least 95ha of employment land;
 - iv. deliver at least 45,400m² new comparison retail development; and
 - v. ensure that sufficient physical, social and environment infrastructure is delivered to meet identified needs.
2. The spatial strategy seeks to deliver this growth and sustainable patterns of development by:
 - i. supporting the sustainability of existing communities through the growth and regeneration of Sunderland's sub areas including the Urban Core (Policy SP2); Washington (Policy SP3); North Sunderland (Policy SP4); South Sunderland (Policy SP5); and the Coalfield (Policy SP6);
 - ii. delivering the majority of development in the Existing Urban Area;

- iii. emphasising the need to develop in sustainable locations in close proximity to transport hubs. ~~Higher densities close to transport hubs will be encouraged.~~
- iv. encouraging higher density development around and in close proximity to transport hubs;
- v. delivering the right homes in the right locations through the allocation of homes in the A&D Plan and amending the Green Belt boundary to allocate Housing Growth Areas;
- vi. protecting Sunderland's character and environmental assets including Settlement Breaks, greenspaces, Open Countryside and Green Belt; and
- vii. minimising and mitigating the likely effects of climate change.

4.8 In order to meet identified development needs, the spatial strategy sets out the scale and distribution of new development for the Plan period up to 2033.

4.9 Through the spatial strategy, the Plan seeks to enable sustainable economic growth. By 2033, it is the aim of the strategy to ensure that the city offers the right type of new homes in the right places and creates opportunities for job growth. The strategy seeks to align economic growth in the city with the housing offer, to ensure that past trends of out-migration are rebalanced. This will ensure the sustainability of our area into the future as a place to both live and work.

4.10 As required by the NPPF, this Plan must define the overall level of growth over the Plan period (2015 to 2033), based on the requirement to meet the city's objectively assessed needs (OAN). Determining the OAN for housing has been assisted by the SHMA¹⁸. The SHMA has identified the OAN for housing in Sunderland to be an average of 745 net additional dwellings per annum (dpa) each year, equating to a total housing requirement of at least 13,410 dwellings over the Plan period. The 13,410 dwellings figure should not be seen as a ceiling, but rather the level of growth which is both needed and anticipated to take place over the Plan period.

4.11 In accordance with Planning Practice Guidance (PPG) paragraph 2a-018, the OAN includes an economic uplift. When calculating an authority's OAN, the Local Planning Authorities should consider and assess the likely change in the number of jobs over the Plan period based on an economic forecast. The Experian jobs growth forecast, which was utilised for the demographic modelling work within this Plan, assumes a total of 7,200 net additional workforce jobs being created in Sunderland over the Plan period. This economic forecast is considered to be realistic as over the past 18 years (1997-2015) 9,630 new jobs have been created in Sunderland¹⁹.

4.12 Within this jobs forecast, 3,400 of the predicted jobs growth is anticipated to be within the Transport Equipment and Machinery & Equipment sectors, which are the employment sectors that are most likely to be represented on the IAMP. It is therefore anticipated that the majority of the forecast growth in these sectors will take place on the IAMP. Given the priority and support to the IAMP, we are confident that the projected job growth will be delivered.

4.13 The IAMP is an important driver for economic growth and this will have a consequential impact on the demand for new housing in the northern part of the city. The evidence associated with the IAMP AAP establishes a very clear link between the development of the IAMP and the need for additional housing to support the anticipated workforce, in particular a need for more, larger family homes. The background reports to the IAMP AAP suggest that there is a particular need to increase the proportion of detached 4-bedroom and semi-detached 3-bedroom properties to reflect the profile of dwellings required to support the anticipated influx of workers. The council considers that the economic uplift applied as part of the calculation of the OAN, already accounts for growth associated with the IAMP. Notwithstanding this, under its duty-to-cooperate, the council will work with neighbouring authorities to undertake additional work to further consider the impacts of the IAMP in the future once there is more certainty

¹⁸ SHMA Addendum 2018

¹⁹ Sunderland Employment Land Review (2016)

over the speed of delivery and its likely impacts.

4.14 The Government's proposed standardised methodology calculates a Local Housing Need (LHN) for Sunderland of 593 dpa. The SHMA Addendum (2018) and Compliance Statement, demonstrate that pursuing a housing target based purely on the Government's household growth projections would mean that the Plan would provide an insufficient number of dwellings to support economic growth within in the city. It is considered that such a low level of development would have severe consequences including:

- demand for new housing outstripping supply potentially leading to young people being unable to stay in the area;
- economic growth being constrained (due to a shortage of local labour force); or
- increased levels of in-commuting to support economic growth, which would not be sustainable and would put greater strain on the transport network.

4.15 The housing requirement within this Plan has therefore been set at a level that supports the economic growth aspirations established by Experian and to meet housing needs.

4.16 To assist delivery in the supply of housing sites and to ensure deliverability, the council has identified sufficient supply (above the OAN) to act as a flexibility factor. This allows for an additional supply of housing

sites to be maintained throughout the Plan period, in case the delivery of some sites fails to materialise within the anticipated timescales. Housing completions will be assessed annually against the housing requirement to monitor performance and determine whether any action is required to improve delivery rates. This will be reported in the Authority Monitoring Report (AMR).

4.17 With regards to the objectively assessed need for employment land, the ELR identifies a need for between 95 and 115 hectares of employment land (for B Use Classes) over the Plan period. The Plan identifies a number of Primary and Key Employment Sites throughout the city to meet this requirement.

4.18 With regard to retail needs, the Sunderland Retail Needs Assessment (2016) identifies the need for 45,400m² of comparison floorspace over the Plan period, based on a static retention rate. Site specific allocations will be identified through the A&D Plan to meet this requirement.

4.19 In line with sustainable development principles (as defined in the NPPF) and the need to make the most efficient use of resources, the spatial strategy gives a clear priority for development to be located within the Existing Urban Area. However, encouraging the effective re-use of suitable previously developed sites will only meet a limited proportion of our overall need for new homes and may not

necessarily deliver significant infrastructure improvements.

4.20 The council is taking a very proactive approach to bringing forward as much previously developed land as possible, but despite Sunderland's strong record for bringing previously developed land back into use, much of the remaining brownfield land is highly constrained through contamination or other factors which affect development viability. The latest Viability Assessment has concluded that this is very challenging and in some cases it has concluded that sites are unviable and should not be relied upon in the supply.

4.21 The council will continue to explore opportunities to work with land owners of unviable brownfield sites to see these sites brought forward and assist in the wider regeneration of the city. This spatial strategy has sought to maximise the use of all possible suitable and viable previously developed land sites in its housing supply and included all of those that have a realistic prospect of delivery within the Plan period.

4.22 The SHLAA has identified that approximately 13,233 new homes can be delivered in the Existing Urban Area on a mixture of brownfield (44%) and greenfield sites (56%). As set out in the Housing Trajectory (Figure 34), 18% of the housing requirement has already been delivered, ~~22~~ 26% has planning permission or is under construction, and a further 18% is on Strategic Sites (Vaux and SSGA, most of which also have planning

permission). To deliver the remainder of the housing requirement, the council will allocate housing sites in the Existing Urban Area through the A&D Plan.

4.23 It is also important that this Plan directs the growth in both employment and housing supply to the locations best suited and most attractive to the market, whilst ensuring there are no locations that are over-burdened by development, or that other locations are not starved of growth. As set out in the Sunderland today chapter, the city has experienced a disproportionate distribution of housing development over recent years. The SHLAA demonstrates that the majority of the identified land supply is located in the South Sunderland (47%) and Coalfield sub-areas (28%). In part, this has been as a consequence of the lack of available housing sites in the northern part of the city, which can be largely attributed to the presence of the Tyne and Wear Green Belt, which places a heavy constraint on the supply of suitable development land. Subsequently, locations such as Washington and Springwell have experienced limited development over a number of years.

4.24 Conversely, much of the southern part of the city is not constrained by Green Belt and therefore a significant quantum of housing development has been channelled towards the Coalfield and South Sunderland sub-areas. The strategy seeks to rebalance this distribution by ensuring that the needs

of the entire city are met. ~~Any further~~
Future development within the Settlement Breaks and the Open Countryside in the southern part of the city ~~will~~ could have major impacts on both infrastructure and the environment and this approach is becoming more and more unsustainable.

4.25 Our spatial strategy acknowledges that, as development opportunities within the urban area become more limited, some development on land outside the current urban area will be required. The council has identified land in the Settlement Breaks and the Open Countryside which are considered to be suitable for housing development through the SHLAA, however, in order to meet the housing requirement there still remains a shortfall of land to deliver around 177 dwellings.

4.26 Prior to considering amending the Green Belt boundaries, the council has taken a proactive approach to identify alternative sources of land supply. The starting point for every local authority is that the decision to amend Green Belt boundaries should only arise after all reasonable and acceptable efforts have been taken to maximise the amount of development within the urban area, optimising densities and ensuring that all land is appropriately used.

4.27 Whilst increasing densities has been considered as an option, the SHMA indicates that the main shortfalls in house types within the city are for

larger detached family dwellings and bungalows. Increasing densities would therefore not assist the council in meeting the housing needs of the city. The council also considered alternative sources of land supply including assessing employment land, greenspaces and greenfield land for potential suitability. In addition, the council through its Duty to Cooperate conversations with neighbouring authorities has asked other councils in the area if they can accommodate this shortfall without the need to develop within their own Green Belt.

4.28 To meet the identified shortfall, the council has concluded that the most sustainable solution requires us to amend the Green Belt boundary. The council has undertaken an extensive Green Belt assessment to identify land which would cause the least harm to the purposes of the Green Belt, is suitable for development and could create a new defensible Green Belt boundary. Through this work, the council has also established the exceptional circumstances to justify amending the Green Belt boundary. Without alterations to the Green Belt boundaries, the Plan would not be able to accommodate housing needs, especially in the north of the city (Washington and North sub-areas).

4.29 The spatial strategy allocates 11 Housing Growth Areas (HGAs) (Policies SS2, SS4 and SS7) and amends the Green Belt boundary (as defined on the Policies Map). These HGAs will be able to deliver approximately 1330 new homes during

the Plan period. These sites range in size from 20 homes to 400 homes. These sites are considered to be the most appropriate and suitable locations for the future expansion of our Existing Urban Area.

- 4.30 The spatial strategy seeks to protect greenspaces in the city, including the Settlement Breaks, which form valuable breaks between distinct settlements within Sunderland. The spatial strategy proposes to continue their designation and prevent further encroachment.
- 4.31 In order to deliver this level of growth, the strategy will ensure that necessary infrastructure, services and facilities are delivered. An Infrastructure Delivery Plan (IDP) has been prepared alongside this Plan, which identifies the key infrastructure requirements, anticipated costs and expected delivery. The IDP is a 'live' document that the council will monitor and review on a regular basis to reflect the current circumstances and to inform the Development Management process. The Infrastructure Schedule contained within the IDP sets out an overview of the key infrastructure requirements necessary to deliver this Plan.
- 4.32 The following section sets out how the spatial strategy relates to each sub-area in Sunderland.

Urban Core

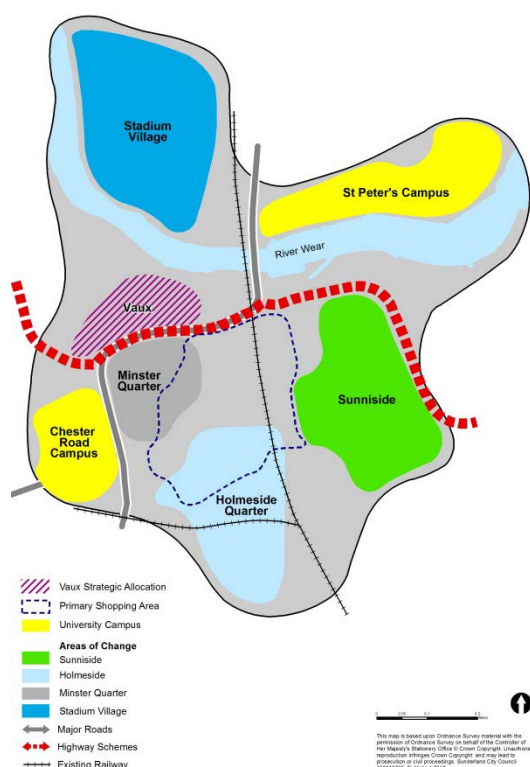


Figure 13 Urban Core Key Diagram

Strategic Policy

SP2 Urban Core

The Urban Core will be regenerated and transformed into a vibrant and distinctive area by:

1. increasing the range and type of office accommodation, prioritising this at The Vaux (Policy SS1);
2. concentrating retail development in the Primary Shopping Area, (as defined on the Policies Map) (Policy VC3);
3. supporting the development of higher and further education facilities at University Campus;
4. promoting mixed use development in the Areas of Change:
 - i. Sunnyside - residential led mixed use;
 - ii. Heritage Action Zone – heritage-led mixed use development;

- iii. Minster Quarter – culture led mixed use;
- iv. Holmeside – civic and commercial led mixed use; and
- v. Stadium Village – leisure led mixed use;

5. growing the leisure, tourism and cultural economy; and
6. diversifying the residential offer to create sustainable mixed communities.

Development in the Urban Core should:

- i. make improvements to connectivity and pedestrian movement in the Urban Core;
- ii. provide a high quality of public realm to create attractive and usable spaces;
- iii. protect and enhance heritage assets; and
- iv. ensure high standard of design that integrates well with the existing urban fabric.

4.33 The Urban Core, as designated on the Policies Map, is the main administrative centre of Sunderland. It is the focus for a wide range of civic, retail, cultural and leisure functions and is also home to both campuses of the University of Sunderland. It is a highly accessible location by a range of public transport options including rail, metro and bus services.

4.34 Policy SP2 sets the strategic policy approach for the Urban Core. The

strategy seeks to transform the Urban Core into a more attractive and vibrant place, a place where people gather to socialise, work, live and play. A new revitalised Urban Core will be the catalyst for the city's wider economic growth and will help Sunderland retain and attract more highly skilled workers and increased population and visitor numbers.

4.35 The Urban Core should be a focus for main town centre uses, especially retail and office use. Within the Urban Core the council has identified a number of Areas of Change. These are identified on Figure 13, and also include the Heritage Action Zone (HAZ), which is a five-year initiative encompassing the Old Sunderland conservation area, the Old Sunderland Riverside conservation area and part of the Sunnyside conservation area and focusses on reconnecting Fawcett Street, Church Street, High Street East and High Street West with the modern city centre. These areas offer opportunities to transform the Urban Core. Policy SP2 seeks to direct different forms of development to the most appropriate locations to consolidate and improve these distinct areas within the Urban Core.

4.36 It is also important that the Urban Core is not purely focussed on employment uses, but also accommodates a wide range of good quality residential provision. This will help to support the vibrancy of the Urban Core and in particular support the evening economy. Developments will need to provide flexible and

adaptable accommodation, meeting a range of needs, including those of students and families.

4.37 The A&D Plan will allocate/designate sites required to meet this strategy. Through the emerging Movement Strategy, the council will seek to improve accessibility and movement through and to the Urban Core. Movement through and around the Urban Core must ensure that the **relationship between vehicular traffic, pedestrians, and cyclists** maximises accessibility for all users.

4.38 The Vaux is an opportunity to bring Grade A office space into Sunderland as there is currently very little Grade A space. Therefore companies requiring this space are taking their business outside of Sunderland. The Vaux provides a huge opportunity to have a positive impact on the future of the city's economy. The north west corner of The Vaux offers an opportunity for new homes to create a truly sustainable urban neighbourhood. Policy SS1 allocates the Vaux as a strategic site.

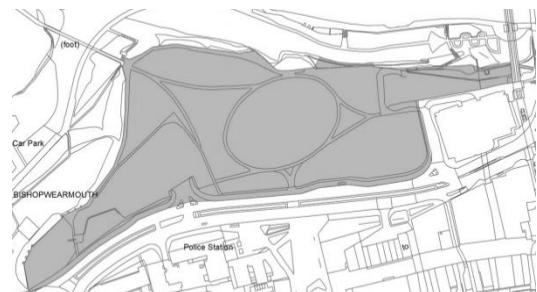


Figure 14 The Vaux

Strategic Site Policy
SS1 The Vaux (5.8ha)

To create a new sustainable urban

neighbourhood and a new gateway into the Urban Core, The Vaux is allocated for:

1. high density floorspace (B1a) for at least 60,000sqm;
2. a minimum of 200 new homes (C3); and
3. a hotel (C1) and small scale ancillary leisure and retail development.

Development at The Vaux should:

1. improve linkages to St Mary's Way and the rest of the Urban Core; and
2. provide new public space, active streets and maximise movement for pedestrians.

4.39 This gateway site to the Urban Core will include office, residential and leisure areas. The comprehensive development of the site should be designed to link to the rest of Urban Core through new public spaces and pedestrian linkages. The layout of the development will maximise movement through the site, as well as connecting to St Mary's Way.

Washington

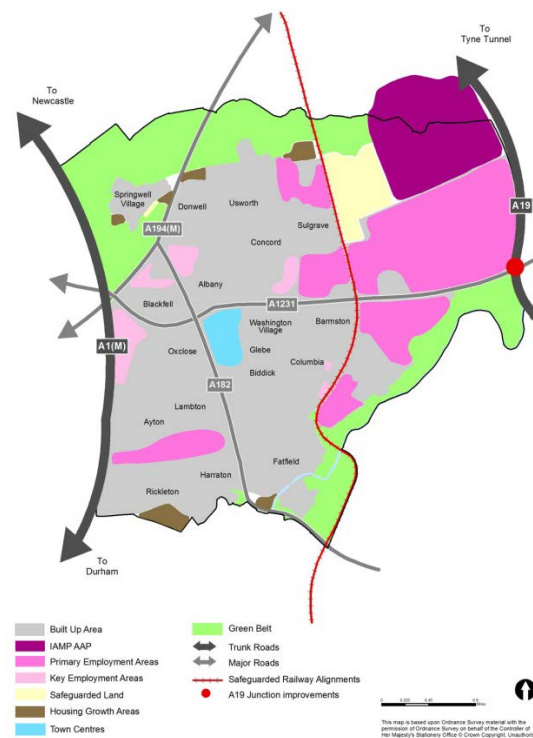


Figure 15 Washington Key Diagram

SP3 Washington

Washington will continue to thrive as a sustainable mixed community and a driver of economic growth for Sunderland.

In order to achieve this:

1. economic growth will be focused in identified Employment Areas (policies EG1 and EG2) and at the IAMP;
2. Washington Town Centre will be the focus for office, retail and Main Town Uses. Any development within the centre should enhance its vitality and viability;
3. South West Springwell, East Springwell, North of High Usworth, North of Usworth Hall, Fatfield and Rickleton (Policy SS2) are allocated as Housing Growth Areas;
4. land will be safeguarded at East Washington and South of Springwell (Policy SS3); and
5. existing Travelling Showpeople sites will be safeguarded (Policy H4).

4.40 Washington is a highly sustainable location, with good transport links to the City Centre, Durham, Gateshead, and Newcastle. The Washington sub-area has also been a principal location for employment growth within the city over recent years and is forecast to continue to be so with the development of the IAMP and the ELR identifying Washington as having the strongest employment market within the city. It is an inherently sustainable location.

4.41 The sub-area is and has been constrained from development by the

tightest of the Green Belt boundaries and due to the lack of available land for development within the urban area. Similarly, Springwell Village which is located on the edge of the sub-area, has also experienced very little new development over a number of years due to its tightly drawn Green Belt boundaries.

4.42 The strategy will ensure that Sunderland continues to grow and supports economic development. The IAMP AAP will drive the comprehensive development of the IAMP.

4.43 In order to help facilitate growth and provide homes where people want to live, a number of Housing Growth Areas have been identified within the Washington sub-area to support the sustainable growth of Washington. Allowing a small amount of new developments on the edges of Springwell Village will help to sustain the future of the shops, services and community facilities within the village.

SS2 Washington Housing Growth Areas

Development of Washington Housing Growth Areas should:

1. provide a mix of housing types with a focus on family homes;
2. address impacts and make provision or contributions towards education provision and healthcare;
3. enhance access to local facilities and services, and

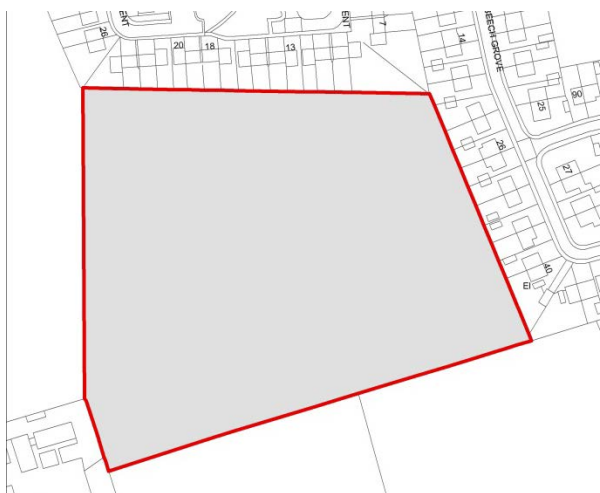


Figure 16 South West Springwell

HGA1 South West Springwell should:

- i. deliver approximately 60 new homes;
- ii. create a new defensible Green Belt boundary to the west and south of the site;
- iii. ensure that the open aspect to Bowes Railway Scheduled Ancient Monument is retained;
- iv. maintain wildlife and green infrastructure corridors and limit any impact on the area's landscape character by providing a greenspace buffer along the western edge of the site;
- v. be of high architectural quality to protect long distance views to the southern edge of the development from the south;
- vi. be designed to respect the village character and to existing residential development on the northern and eastern edges;

- vii. provide pedestrian/cycleway connections from the western edge of the site and connect to the existing public Right of Way to the north; and
- viii. include vehicle access from the south to connect to Mount Lane and improve other junctions as necessary.



Figure 17 East Springwell

HGA2 East Springwell should:

- i. deliver approximately 60 new homes;
- ii. create a new defensible Green Belt boundary to the south of the site;
- iii. maintain a wildlife and green infrastructure corridor running north-south and limit any impact on the area's landscape character through sensitive boundary treatment;
- iv. be of high architectural quality to protect long distance views to the southern edge of the development from the south;

- | | |
|--|--|
| <ul style="list-style-type: none"> v. be designed to respect the village character and to existing residential development on the northern and western edges; vi. include additional buffers as necessary to address noise implications from the A194(M) directly bordering the eastern edge of the site; vii. mitigate the impacts of the natural swale and associated surface water flooding located along the southern edge of the site and provide easements for public sewers as necessary; viii. retain all healthy trees and hedgerows and incorporate greenspace into the site for amenity purposes/minimise impact on priority species and protected habitat in the locality; and ix. include vehicle access from Peareth Hall Road, and improve other junctions as necessary. | <ul style="list-style-type: none"> ii. create a new defensible Green Belt boundary to the north; iii. maintain a wildlife and green infrastructure corridor running west-east and limit any impact on the area's landscape character; iv. retain existing screening of the site from the north and west, including any additional buffers and acoustic barriers as necessary to address noise implications from the A194(M); v. retain all healthy trees and hedgerows and incorporate greenspace into the site for amenity purposes/minimise impact on priority species and protected habitat in the locality; vi. retain as undeveloped the southern edge of the site to provide amenity space and as a potential location for SuDS; and vii. be of high architectural quality and be designed with consideration of the village character to the south. |
|--|--|



Figure 18 North of High Usworth

HGA3 North of High Usworth should:

- i. deliver approximately 45 new homes;



Figure 19 North of Usworth Hall

HGA4 North of Usworth Hall should:

- i. deliver approximately 205 new homes;

- ii. create a new defensible Green Belt boundary to the north and west;
- iii. provide greenspace/green infrastructure within the site;
- iv. limit impact on the area's landscape character to the north and west through sensitive boundary treatment, to minimise impact on priority species/habitat and to address surface water flooding;
- v. incorporate greenspace/green infrastructure to the east of the site to provide a buffer to the former Leamside line, address flooding associated with the Usworth Burn and to minimise impact on priority species and protected habitats;
- vi. provide an area of greenspaces along the southern edge to form a sewer easement and to protect/enhance an existing Right of Way;
- vii. be of high architectural quality along the northern edge of the site to protect long distance views and to reflect the local vernacular;
- viii. provide improved public transport connections to the site, and provide pedestrian/cycleway connections to the west and east of the site and connect to existing public rights of way; and
- ix. include appropriate vehicle access from Stephenson Road, and provide mitigation as necessary to the road junctions at Heworth Road, Rutherford Road, the A195 and A184.

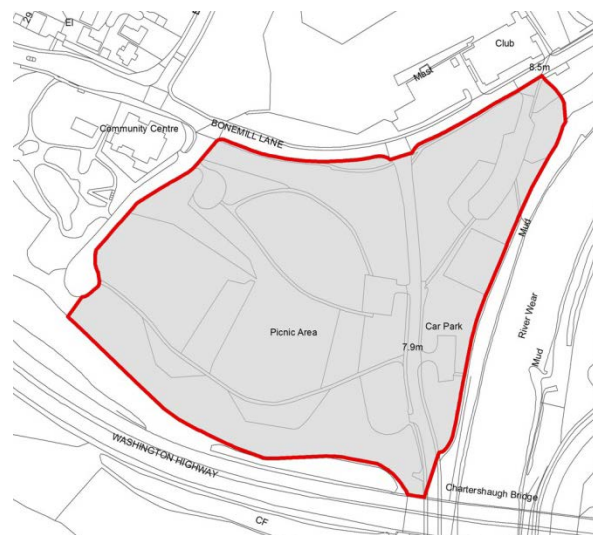


Figure 20 Fatfield

HGA5 Fatfield should:

- i. deliver approximately 30 new homes;
- ii. maintain wildlife and green infrastructure corridors along the River Wear and Princess Anne Park and limit any impact on the area's landscape character;
- iii. retain the majority of existing tree belts and screening of the site, and provide additional buffers as necessary to address noise from the A182;
- iv. incorporate greenspace on site and support greenspace improvements in the local area to compensate for area greenspace loss and to help minimise the impact on priority species/protected habitat in the locality;
- v. be of high architectural quality to reflect the local vernacular, providing a unique community within a woodland setting;
- vi. use archaeological assessments to enable the protection and depiction of the area's industrial history;

- vii. include vehicle access from existing highways linking to Bonemill Lane;
- viii. provide pedestrian/cycleway; and
- ix. connections through the site, linking to neighbouring routes.



Figure 21 Rickleton

HGA6 Rickleton should:

- i. deliver approximately 200 new homes;
- ii. maintain wildlife and green infrastructure corridors to the south;
- iii. provide a greenspace buffer to minimise impact on the adjacent Grade II Lambton Castle Registered Park and Garden and priority species and protected habitat in the locality;
- iv. retain all healthy trees and hedgerows and create a central greenspace into the site that will upgrade the existing scrub land and mature natural features;
- v. provide greenspace improvements to Rickleton Park to compensate for the greenspace loss;
- vi. be of high architectural quality and designed with consideration to the village character on the northern and eastern edges;

- vii. provide pedestrian connections from the site westwards and northwards to Bonemill Lane and to connect to the existing public Right of Way on the north eastern boundary; and
- viii. include vehicle access from Bramhall Drive, and provide mitigation as necessary to the road junctions at Bonemill Lane, Picktree Lane, A183, A1(M) and A182.



Figure 22 Safeguarded Land

Strategic Site Policy

SS3 Safeguarded Land

Land East of Washington and land South of East Springwell has been removed from the Green Belt and designated as Safeguarded Land.

Planning permission for the development of Safeguarded Land will not be granted except where development is temporary or would otherwise not prejudice the ability of the site to be developed in the longer term.

4.44 When revising Green Belt boundaries, the NPPF indicates that the Local Plan should have regard to their intended permanence in the long term, so that they should be capable of enduring beyond the Plan period. In addition, where necessary, the Local Planning Authority should identify 'Safeguarded Land' between the urban area and the

Green Belt in order to meet the likely longer term development needs.

4.45 Safeguarded Land is considered necessary for a number of reasons. Firstly, it provides a degree of permanence to the Green Belt boundaries put in place by the Plan and ensures that future further reviews of the Green Belt will not be needed at the end of the Plan period. Secondly, it provides flexibility and allows for a Plan review if the council cannot demonstrate a five year land supply. During a Plan review, the reassessment of Safeguarded Land will involve determining whether in the prevailing circumstances there is a case for releasing some or all of the land for development, or whether it should be maintained as Safeguarded Land until the next review of the Plan.

4.46 The council consider that the land East of Washington, as designated on the Policies Map, could accommodate a new sustainable community in the longer term. However, the development of this site would require a comprehensive approach to ensure that the infrastructure required to make the site sustainable is delivered. Land to the south east of Springwell Village is also identified for safeguarding. The site is removed from the Green Belt in order to ensure that a strong and durable boundary can be established. It should be noted that Safeguarded Land can only be released for development through a review of the Plan, in accordance with the NPPF.

4.47 Although development will not generally be appropriate on Safeguarded Land, it is recognised that not all development will prejudice the function and the value of the land. It may therefore, be appropriate to permit development required in connection with established uses, or change of use to an alternative open land use or to temporary uses which would not prejudice the possibility of development after the Plan is reviewed, nor is detrimental to the character of the site and its surroundings.

North Sunderland

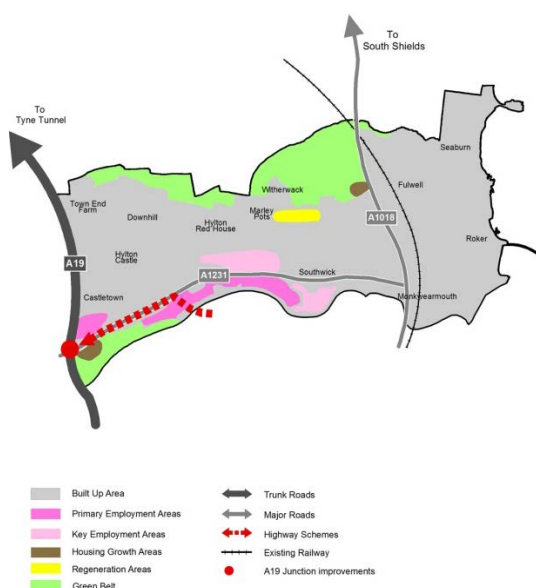


Figure 23 Key Diagram North Sunderland

Strategic Policy

SP4 North Sunderland

North Sunderland will continue to be the focus for regeneration and renewal. In order to achieve this:

1. the council and its partners will work to secure regeneration and renewal at Marley Potts and Carley Hill;
2. Housing Growth Areas at North Hylton and Fulwell (Policy SS4) are allocated to ensure there is land for the future growth of North Sunderland; and
3. economic development will be focussed on identified Employment Areas (Policies EG1 and EG2).

4.48 North Sunderland is a heavily urbanised sub-area located between the River Wear to the south and is separated from the villages of South Tyneside to the north by Green Belt. The area contains the attractive beach resorts of Seaburn and Roker as well

as Key Employment Areas along the river corridor.

4.49 Due to the tight boundary constraints of the North Sunderland sub-area, there is limited opportunity for growth. However, the area remains one of the most sustainable locations within good public transport links to the City Centre and metro linkages to Gateshead and Newcastle.

4.50 Two regeneration and renewal areas are identified in North Sunderland. These areas will be prioritised for redevelopment opportunities.

4.51 In order to support the sustainable growth of this sustainable location, the council have identified two Housing Growth Areas in North Sunderland.

Strategic Site Policy

SS4 North Sunderland Housing Growth Areas

Development of the North Sunderland Housing Growth Areas should:

1. provide a mix of housing types with a focus on family homes;
2. address impacts and make provision or contributions towards education provision and healthcare;
3. enhance access to local facilities and services, and



Figure 24 North Hylton

HGA7 North Hylton should:

- i. deliver approximately 110 new homes;
- ii. create a new defensible Green Belt boundary to the west, south and east of the site;
- iii. limit impact on the River Wear wildlife and green infrastructure corridor running west-east and limit any impact on the areas landscape character through sensitive design and boundary treatment;
- iv. create buffer zones to support wildlife and to address noise from the A19 and A1231 directly bordering the western and northern edges of the site;
- v. retain all healthy trees and hedgerows and incorporate greenspace into the site for amenity purposes/minimise impact on priority species and protected habitat in the locality;
- vi. ensure that a Habitats Regulations Assessment is undertaken and appropriate mitigation provided;
- vii. mitigate the impacts of the natural swale to the west of the site and associated surface water flooding, and provide easements for public

sewers as necessary;

- viii. be of high architectural quality to protect long distance views throughout the development towards Penshaw Monument and along the River Wear corridor;
- ix. provide pedestrian/cycleway connections from the site to (and along) Ferryboat Lane as well as links into existing public rights of way to the south of the site; and
- x. include vehicle access from Ferryboat Lane and include necessary mitigation works to A1231.



Figure 25 Fulwell

HGA8 Fulwell should:

- i. deliver approximately 80 new homes;
- ii. create a new defensible Green Belt boundary to the west and north of the site;
- iii. maintain wildlife and green infrastructure corridors to the north and limit any impact on the areas landscape character through sensitive boundary treatments;
- iv. retain the mature tree belts on the western and southern edges of the site, and incorporate greenspace into the site for amenity purposes;

- v. provide greenspace improvements to Fulwell Quarries to compensate for area greenspace loss in the locality;
- vi. ensure that a Habitats Regulations Assessment is undertaken and appropriate mitigation provided;
- vii. be of high architectural quality and designed to respect the local vernacular and to key views, including the setting of the WW1 Acoustic Mirror Scheduled Ancient Monument and Grade II listed buildings, Grade II ^{*} listed Fulwell Mill and Grade II listed Lime Kilns;
- viii. provide pedestrian/cycleway connections through the site and link to routes to the west and the wider area; and
- ix. include vehicle access to the east to connect to Newcastle Road, and carry out further highway improvements as necessary.

South Sunderland

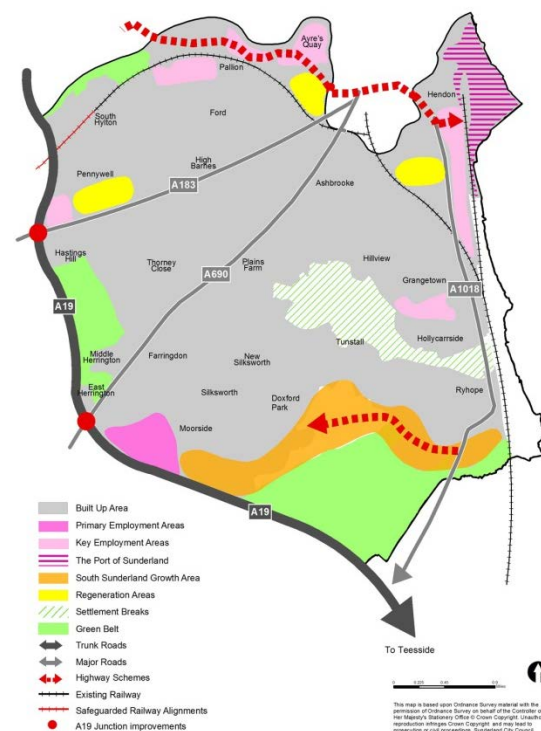


Figure 26 Key Diagram South Sunderland

Strategic Policy

SP5 South Sunderland

South Sunderland will continue to grow and become a spatial priority for housing and economic development. In order to achieve this:

1. economic growth will be focused in identified Employment Areas (Policies EG1 and EG2) and at the Port of Sunderland (Policy SS5);
2. South Sunderland Growth Area (Policy SS6) is allocated as a new sustainable community;
3. the council and its partners will work to secure regeneration and renewal at Hendon, Millfield and Pennywell; and
4. the Settlement Breaks will be protected to ensure development is focused in the Existing Urban Area.

4.52 South Sunderland is the most populated sub-area of the city,

extending from the southern banks of the River Wear to the A19 to the west and to the southern border of the city with County Durham. Although South Sunderland potentially has an over-supply of employment land (identified in the ELR), the council consider it necessary to safeguard most of these existing areas as Key Employment Areas, as they are needed to meet the employment land needs across the city as a whole.

4.53 One of the city's key economic assets is the Port of Sunderland which is located in South Sunderland.



Figure 27 The Port of Sunderland

Strategic Site Policy

SS5 The Port of Sunderland

The Port of Sunderland, as designated on the Policies Map, will be reinvigorated through:

1. the provision of road and rail links suitable for heavy freight to link the Port to national networks;
2. preventing waterside developments that would negatively impact on operations;
3. supporting the use of the River Wear as a freight corridor and serving waterfront businesses;
4. enabling development of port related uses within Use Classes B1, B2 and B8, including offshore renewables and automotive supply chains; and
5. requiring development which is located within Flood Zones 2 and 3 to meet the sequential test and exceptions test, where necessary.

4.54 The Port is a key transport hub for the movement of bulky goods. It is therefore important that there is the provision of good road and rail links to the Port which are able to transport heavy freight to and from the port for import and export.

4.55 The amount of land with waterside access within the Port is limited. It is therefore important to ensure that such sites are not sterilised by land users which do not require waterside access for their operations. Similarly, due to the limited amount of land available within the Port estate, it is essential to ensure that any development is restricted to port related uses.

4.56 It is however recognised that the port estate extends into the former Hendon Railway sidings which are located outside of the operational port. As this area is located outside of the

operational port, development for B1, B2 and B8 uses which are not port related will normally be supported in this location.

4.57 The Port of Sunderland is a Key Employment Area for the city, but due to its location on the coast and at the entrance to the River Wear, the Port estate contains significant areas which are located within Flood Zones 2 and 3. National Guidance indicates that Water Compatible development is appropriate within Flood Zones 2 and 3, however it will be necessary for any other development to demonstrate that it meets the Sequential Test, as prescribed by National Guidance. Where necessary, the council will also require an applicant to demonstrate that they have met the Exception Test (See Policy WWE2).

4.58 Despite its predominantly urban character, South Sunderland does contain a range of substantial greenspaces, including a Settlement Break from the coast into the heart of the urban area.

4.59 There are some areas in South Sunderland that are of concern which would benefit from regeneration and renewal and Hendon, Millfield and Pennywell are Regeneration and Renewal Areas. These areas will be prioritised for redevelopment opportunities, especially for bringing back empty homes into use.

4.60 South Sunderland contains a good supply of potential housing sites

including the four sites which comprise the SSGA.

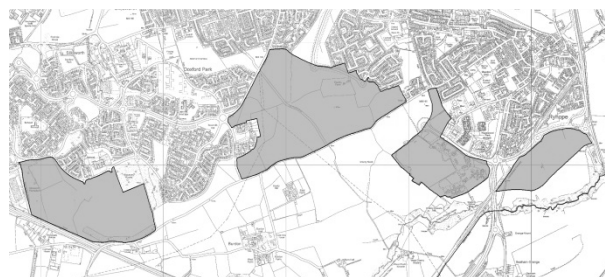


Figure 28 SSGA

Strategic Site Policy

SS6 South Sunderland Growth Area

Sites within SSGA include Chapelgarth, Land North of Burdon Lane, Cherry Knowle and South Ryhope. These sites are allocated to create a new high quality, vibrant and distinctive neighbourhood. Development should deliver:

1. approximately 3000 new homes;
2. 10% affordable housing;
3. a new primary school and extensions to two existing schools;
4. a local centre;
5. community/cultural facilities;
6. large expanses of public open space;
7. woodlands;
8. cycleways and footpaths; and
9. the completion of the Ryhope-Doxford Link Road

4.61 The SSGA will be an example of sustainable development and a destination of choice for families wishing to live in Sunderland. The development will achieve high standards of sustainability, design and provide a range of supporting facilities

to help foster a strong sense of community. The creation of well-connected, integrated and sustainable transport links will be essential to making this a sustainable neighbourhood. Development will also protect and enhance existing heritage assets in the area and provide a network of connected greenspaces. This new sustainable neighbourhood will provide for a mix of housing sizes, types and tenures, including affordable housing. The site is allocated for 3,000 homes but it is expected that approximately 2,285 will be delivered in the Plan period.

- 4.62 In order to ensure the comprehensive development of the sites and ensure that the necessary infrastructure is delivered at the right time, the council is preparing the South Sunderland Growth Area Supplementary Planning Document (SPD). Once adopted, all development on the SSGA should be in accordance with this document.

The Coalfield

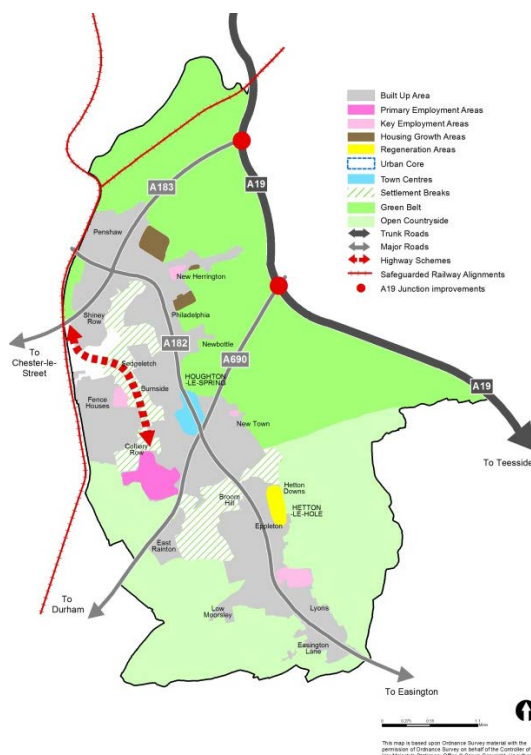


Figure 29 Key Diagram The Coalfield

Strategic Policy

SP6 The Coalfield

The Coalfield character and settlement will be protected whilst ensuring its future sustainability. In order to achieve this:

1. the Open Countryside and Settlement Breaks will be protected from inappropriate development;
2. Housing Growth Areas at Penshaw, New Herrington and Philadelphia (Policy SS7) are allocated to ensure there is land for the future growth of The Coalfield;
3. existing Travelling Showpeople sites will be safeguarded and new sites allocated (Policy H4);
4. economic development will be focussed on identified Employment Areas (Policies EG1 and EG2);

5. Houghton Town Centre will be the focus for office, retail and Main Town Uses. Any development within the Centre should enhance its vitality and viability; and

6. the Council and its partners will work to secure regeneration and renewal at Hetton Downs.

4.63 The Coalfield is the largest sub-area by area and smallest by population. It extends southwards from the River Wear towards Easington in County Durham, linking westwards towards Chester-le-Street and Durham City and eastwards towards South Sunderland, Murton and Seaham.

4.64 In order to support the sustainable growth of the Coalfield, the council has identified three Housing Growth Areas to the north of the sub-area. These sites, together with further housing sites identified in the SHLAA, will ensure that the area retains a residential development focus. However, policies to protect Settlement Breaks and Open Countryside are also in place to ensure that the sub-area retains its semi-rural character.

4.65 Houghton-le-Spring Town Centre will continue to serve as the principal centre in the Coalfield. To the west of the town centre is Rainton Bridge Industrial Estate, which serves as the principal employment area to the Coalfield.

SS7 The Coalfield Housing Growth Areas

Development of The Coalfield Housing Growth Areas should:

1. provide a mix of housing types with a focus on family homes;
2. address impacts and make provision or contributions towards education provision and healthcare;
3. enhance access to local facilities and services, and



Figure 30 Penshaw

HGA9 Penshaw should:

- i. deliver approximately 400 new homes;
- ii. create a new defensible Green Belt boundary to the north and east;
- iii. provide sensitive design to minimise the impact on the wildlife and GI corridors to the north and east, providing a buffer to Herrington Burn and protected species in particular;

- iv. minimise any impact on the areas landscape character, including sensitive boundary design that respects views and the setting of Penshaw Monument Grade I Listed Building;
- v. ensure that dwellings are designed to reflect the positive elements of the local vernacular and materials;
- vi. retain all healthy trees and hedgerows and provide large areas of greenspace through the centre of the site and in the south west corner, utilising the pylon buffer zone;
- vii. provide ecological improvements to support wildlife in these areas;
- viii. mitigate any surface water flooding impacts and incorporate appropriate water attenuation in relation to flood zones associated with Herrington Burn;
- ix. provide pedestrian/cycleway connections through the site and link to the routes in the Country Park and the wider area; and
- x. provide vehicular access via Chislehurst Road. Access from Chester Road will not be permitted. Various vehicular junctions in the vicinity of the site should be assessed, including Wensleydale Avenue, A183/Washington Highway and the A183/A19 junction.

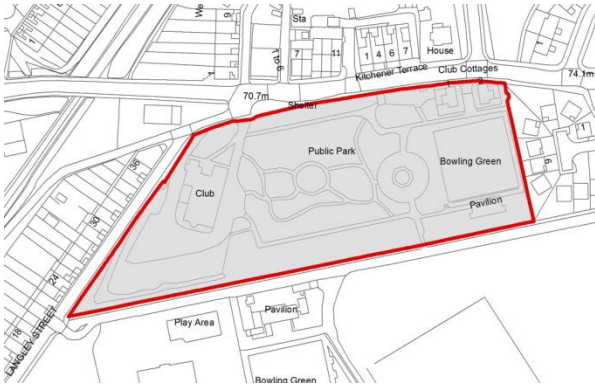


Figure 31 New Herrington

HGA10 New Herrington should:

- i. deliver approximately 20 new homes;
- ii. create a new defensible Green Belt boundary to the south of the site;
- iii. incorporate the creation of a new club building and car park that would serve the community;
- iv. provide greenspace improvements to the adjacent park, as well as including changing facilities within the community building to support sports uses. The location of the new building and car park should be located appropriately to serve all uses;
- v. ensure that dwellings are designed to reflect the positive elements of the local vernacular and materials;
- vi. retain all healthy trees and hedgerows and protect trees with Tree Preservation Orders (TPO's);
- vii. ensure that opportunities to provide ecological improvements to support wildlife are incorporated into the scheme design;
- viii. mitigate surface water flooding on the southern edge of the site;

- ix. provide pedestrian/cycleway connections through the site, linking to the adjacent park; and
- x. provide an improved vehicular junction with B1286 and Langley Street.



Figure 32 Philadelphia

HGA11 Philadelphia should:

- i. deliver approximately 195 new homes;
- ii. create a new defensible Green Belt boundary to the east and south of the site;
- iii. provide sensitive design that relates to the development of the Philadelphia Complex by providing a buffer to the west between the residential development and the proposed commercial development and incorporates design that relates to the area's historic past including Newbottle Village Conservation Area, and Listed Building in the locality;
- iv. be of high architectural quality to protect long distance views to the southern edge of the development

from the south;

- v. provide greenspace on the northern edge of the site to provide a gas main easement and to mitigate the impacts of a natural swale and associated surface water flooding;
- vi. provide greenspace buffers to the south and east of the site in order to support the adjacent wildlife and green infrastructure corridor and limit any impact on the areas landscape character;
- vii. protect the Local Wildlife Site located on the north eastern edge of the site and minimise impact on priority species and habitat in the locality;
- viii. provide pedestrian and cycle links through the site and along the southern and eastern boundaries to link to neighbouring residential areas and nearby parkland;
- ix. include vehicle access from the Philadelphia Complex redevelopment; and
- x. provide junction improvements if necessary to Coaley Lane/Houghton Road, A182/Front Street and A182/B1286 junctions.

Strategic and Local Policies



5. Healthy & Safe Communities

- 5.1 Many factors influence our health, including the lifestyles we lead, the environment we live in and the opportunities we have to exercise and access health and other facilities. A wider sense of wellbeing is influenced by a variety of factors such as opportunities for work and recreation, attractive environments, personal relationships and feelings of safety and being part of a community.
- 5.2 The link between planning and health outcomes is long established and most recently reinforced by the NPPF, PPG and the Government's public health strategy 'healthy lives, healthy people'.
- 5.3 Health and wellbeing is a cross cutting theme and this chapter includes policies to deliver Strategic Priority 3 and promote healthy and safe communities by:
- supporting the delivery of the Strategic Priorities (Policy SP7);
 - protecting the amenity and quality of life of residents (Policy HS1);
 - directing noise-sensitive development to appropriate locations (Policy HS2);
 - ensuring appropriate remediation is undertaken when developing contaminated land (Policy HS3); and
 - giving careful consideration to potential risks associated with development of or near to 'notifiable installations' (Policy HS4).

Strategic Policy

SP7 Healthy and Safe Communities

The council will seek to improve health and wellbeing in Sunderland by:

1. working with the NHS to improve health outcomes, particularly in areas with the poorest health and reduce health inequalities generally;
2. protecting existing health facilities and/or supporting the provision of new or improved facilities (Policy VC5);
3. promoting and facilitating active and healthy lifestyles;
4. supporting the integration of health facilities and services with other community uses (education, sport, cultural and leisure) through multi-purpose buildings;
5. managing the location/number of and access to unhealthy eating outlets (Policy VC4);
6. ensuring that new developments:-
 - i. are age friendly, inclusive, safe, attractive and easily accessible on foot or by bicycle;
 - ii. have a strong sense of place which encourages social interaction;
 - iii. are designed to promote active travel and other physical activities through the arrangement of buildings, location of uses and access to open space;

- iv. promote improvements and enhance accessibility to the city's natural, built and historic environments;
- v. do not have unacceptable adverse impacts upon amenity which cannot be adequately mitigated (Policies HS1 and HS2);
- vi. appropriately address any contaminated land to an acceptable level (Policy HS3); and
- vii. submit a Health Impact Assessment (HIA) as part of any application for major development. Where significant adverse health impacts are identified, development should be resisted unless appropriate mitigation can be provided.

schemes for 100 bed spaces or more, or any other form of development for which an Environmental Impact Assessment would be required. The HIA should be proportionate to the scale of development proposed and can be incorporated into other appropriate submission documents, such as a Design and Access Statement. Where a submitted HIA indicates that a development would have a significant adverse impact upon health and wellbeing, development will be resisted unless evidence is submitted to demonstrate to the council's satisfaction that the impacts can be adequately mitigated. Further guidance on what detail should be contained within a HIA will be set out within a developer guidance note.

5.4 The applicant should set out within their Design and Access Statement how the proposals have been designed to take account of the requirements of this policy. Applicants are also encouraged to utilise the design principles set out within Sport England's 'Active Design' guide when preparing a development scheme in order to promote active, healthy and stronger communities.

5.5 In order to ensure that health impacts are considered at the very outset, a Health Impact Assessment (HIA) will be required to be submitted in support of major development. For clarity, major development within the context of this policy ~~are~~ is considered to be residential schemes for 100 dwellings or more, student accommodation

Policy

HS1 Quality of Life and Amenity

1. Development must demonstrate that it does not result in unacceptable adverse impacts which cannot be addressed through appropriate mitigation, arising from the following sources:
 - i. air quality;
 - ii. noise;
 - iii. dust;
 - iv. vibration;
 - v. odour;
 - vi. emissions;
 - vii. land contamination and instability;
 - viii. illumination;
 - ix. run-off to protected waters; or
 - x. traffic;
2. development must ensure that the

cumulative impact would not result in ~~significant~~ unacceptable adverse impacts on the local community; and

3. development will not normally be supported where the existing neighbouring uses would unacceptably impact on the amenity of future occupants of the proposed development.

- 5.6 Development can remedy environmental deficiencies and contribute to the quality of life of residents. New development should take into account the amenities of adjoining properties, with particular attention being paid to the scale of new buildings in relation to existing surrounding development, daylight, sunlight effects, siting, elevational treatments and the use of appropriate materials. Where a site is affected by land stability issues (including mineral legacy issues as set out in Policy M3), the responsibility for securing a safe development rests with the developer and/or landowner. Affected development must incorporate remediation and management measures. Cumulative impacts should also be considered. Any new developments will be expected to follow the "agent of change" principles (i.e. person or business responsible for the change must also be responsible for managing the impact of the change).

Policy

HS2 Noise-sensitive Development

Development sensitive to noise or which would result in noise impacts (including vibration) will be controlled by implementing the following measures:

1. noise sensitive development will be directed to the most appropriate locations and protected against existing and proposed sources of noise through careful design, layout and uses of materials;
2. noise-sensitive development affected by existing sources of noise should submit an appropriate noise assessment and where necessary, a detailed schedule of mitigation. In assessing such mitigation, account will be taken of:
 - i. the location, design and layout of the proposed development; and
 - ii. measures to reduce noise within the development to acceptable levels, including external areas.
3. In areas of existing low levels of noise, proposals for development which may generate noise should be accompanied by a noise assessment, provide details of the noise levels on the site and quantify the impact on the existing noise environment and noise sensitive receptors. Where necessary an appropriate scheme of mitigation shall detail any measures required to ensure that noise does not adversely impact on these receptors.

- 5.7 Sources of noise include roads, railway lines, aerodromes, industrial/commercial developments, waste, recycling and energy plant, sporting, recreation and leisure facilities.

- 5.8 Noise and associated vibration can affect and have a direct impact on noise sensitive uses, particularly housing, but also other sensitive uses such as schools and hospitals and

impact upon people's health and wellbeing. Any development (including new development, conversion, extension and changes of use) for a noise generating development close to noise sensitive uses will be assessed to determine the impact of the proposed development in relation to these existing uses.

- 5.9 Issues of noise will be considered on a site-by-site basis having regard to the development, site context and surrounding uses in the context of related policies and guidelines.

Policy

HS3 Contaminated Land

When development is considered to be on contaminated land, development should:

1. ensure all works, including investigation of the nature of any contamination, can be undertaken without the escape of contaminants which could cause unacceptable risk to health or to the environment;
2. identify any existing contaminated land and the level of risk that contaminants pose in relation to the proposed end use and future site users are adequately quantified and addressed;
3. ensure appropriate mitigation measures are identified and implemented which are suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
4. demonstrate that the developed site will be suitable for the proposed use without risk from contaminants to people, buildings, services or the environment including the apparatus of statutory

undertakers.

- 5.10 In a heavily built up area such as Sunderland where there has been a history of heavy industry, land contamination is known to exist. It is important therefore that any land that is known or suspected of being contaminated, or where a sensitive use is proposed, is dealt with appropriately before the development takes place.

- 5.11 Any potential risks associated with contaminated land should be identified and assessed at the pre-application planning stage. Applicants also need to consider that sites may be contaminated as a result of being in the vicinity of a contaminated site. The risk of this contamination depends on ground conditions and the type of contamination. Where necessary, developers will be required to carry out remediation works and satisfy the council that their development can be safely built and occupied without posing any unacceptable risks to human health or the environment.

- 5.12 Where a site is affected by contamination, the responsibility for securing a safe development rests with the developer and/or landowner. In such cases, the applicant must submit a report to demonstrate remediation and management measures to deal with risks of water pollution, contamination from site works, and health risks for end users. This report should be submitted with a planning application and the council will consult the Environment Agency

and take account of the council's Environmental Health Officers advice in assessing such reports.

- 5.13 Where contaminants are identified and it is determined that remediation is required, the developer must also demonstrate that a method of treatment necessary to deal with any hazards found, has been agreed or conditions requiring such measures to be implemented, can be attached. Such measures must ensure that water resources and other environmental resources are not adversely affected, further migration of gases and substances is prevented, and that appropriate remediation takes place on-site to secure a safe development that is suitable for its proposed use.

Policy

HS4 Health and Safety Executive Areas and Hazardous Substances

1. Development within the specified distances from sites identified as 'notifiable installations', must take account of any risks involved and the need for appropriate separation between hazardous installations and incompatible uses.
2. The development of new notifiable installations must be located in appropriate areas and take account of any risks involved and the need for appropriate separation between hazardous installations and incompatible uses.
3. Development involving the introduction, storage or use of hazardous substances which would create potential risk and could not be acceptably mitigated

against, will not be permitted.

- 5.14 Sites and installations which have quantities of hazardous substances present on site are designated as notifiable installations by the Health and Safety Executive (HSE). Consultation zones are defined around these hazardous installations and the council is required to consult with the HSE on certain proposals for development within such zones. The council will be guided by HSE advice in determining whether a proposed development may proceed as submitted or whether protection measures could overcome any safety objections. Further information can be found at www.hse.gov.uk
- 5.15 The siting of new notifiable installations will be managed with the aim of keeping the installations separate from housing and other sensitive land uses with which the installations would be incompatible. The council will consult the HSE and the Environment Agency about the siting of proposals for new notifiable installations.
- 5.16 Hazardous substances consent is required for the presence of certain quantities of hazardous substances. This is a key part of the controls for storage and use of hazardous substances which could, in quantities at or above specified limits, present a major off-site risk.

6. Homes

6.1 The Plan seeks, through the provision of new housing, to meet the needs and aspirations of existing and future residents, creating sustainable neighbourhoods in which residents want to live and work.

6.2 The council is committed to increasing the rate of house building and seek to boost supply through policies that enable more sites to come forward for the development of a wide range of housing.

6.3 This chapter sets out the policies to meet Strategic Objective 4 and to:

- ensure a sufficient supply of housing land is available to meet the Objectively Assessed Housing Needs (Policy SP8);
- support development proposals that provide a mix of housing types/design and tenures to meet current and future housing need, taking into account the ageing population (Policy H1);
- deliver sufficient affordable housing to meet identified needs (Policy H2);
- support the provision of serviced and un-serviced plots to facilitate self and custom build schemes (Policy H2);
- support the development of quality accommodation for students (Policy H3);
- meet the needs of Travelling Showpeople, Gypsies and Travellers (Policy H4); and

- manage the existing housing stock to ensure an appropriate supply of good quality dwellings (Policy H5 and H6).

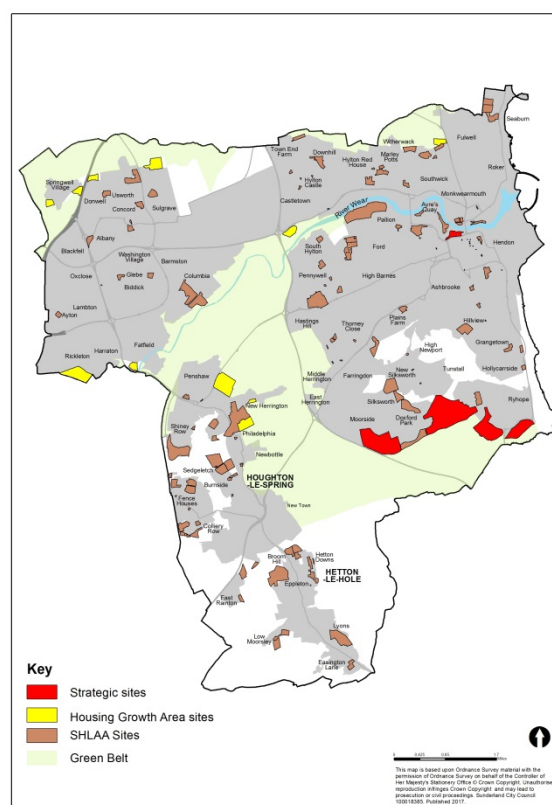


Figure 33 Potential Housing Supply

Strategic Policy

SP8 Housing Supply and Delivery

The council will work with partners and landowners to seek to exceed the minimum target of 745 additional dwellings per year. The new homes to meet Sunderland's need will be achieved by:

1. the development of sites identified in the SHLAA;
2. the development of sites allocated in the A&D Plan;
3. the development of sites (Strategic and

Housing Growth Areas) allocated in this Plan;

4. the conversion and change of use of properties;
5. the development of windfall sites; and
6. the development of small sites.

6.4 To meet Sunderland's housing requirement it is evident that a step change in delivery is required. Identifying sufficient land supply is one element and the council will need to engage with its partners, developers and Government organisations in order to increase build rates over the Plan period to a consistent level sufficient to meet the overall Plan requirement.

6.5 To ensure that the council maintains a continuous five year supply of deliverable housing sites, this Plan requires a minimum of 745 new dwelling per year. This Plan will be reviewed in 2024 and will need to reassess the strategy.

6.6 The expected delivery rates are expressed as a trajectory for the Plan period. The red line is a minimum target. As shown in the trajectory, current commitments (planning permissions and sites under construction) play an important role in boosting supply initially until the strategic allocations in this Plan (Strategic Site and Housing Growth Areas) come forward. As do completions since the start of the Plan period which have exceeded the minimum target.

6.7 The majority of the supply (potential dwellings), which will be allocated in the A&D Plan have been identified in the SHLAA as being suitable, available and achievable. The trajectory also makes an allowance for 50 residential dwellings per annum on small sites (4 homes or less). No windfall allowance has been identified as sites rarely come forward that the SHLAA has not assessed. An allowance has been made for demolitions. There are no plans for large scale demolitions over the Plan period, however a number of small regeneration schemes are being finalised, as such the outstanding demolitions have been taken into account early in the Plan period. A nominal loss of 20 units per annum has been accounted for from year 6 onwards as demolitions/losses can unexpectedly come forward through the planning process.

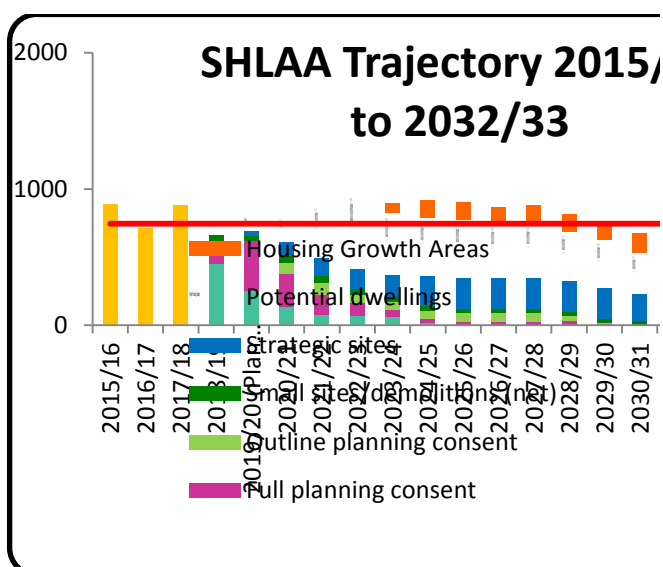
6.8 It is recognised that there continues to be a number of empty properties in Sunderland. Whilst most of these are short-term in nature, there are a relatively small number of long-term empty homes, (those over 6 months), corresponding to approximately 2.2% of housing stock²⁰. The council and its partners work closely with the owners of empty properties to encourage reoccupation and it will continue to do so. However, historically the net number of empty properties returned to use has been minimal and as such no allowance has been made for empty properties within the supply.

²⁰ SCC Council Tax records

6.9 Annual monitoring of this trajectory may trigger a review of this Plan if housing delivery is not keeping pace with the minimum target. Through the monitoring process, if it becomes apparent that there is sustained under-performance against the requirement. The measures to be put in place to rectify this will include:-

- looking at ways to assist in the delivery of sites with planning permission;
- use of council powers to support delivery;
- utilising Permission in Principle (PIPs);
- exploring opportunities to speed up delivery of allocated sites;
- considering if new sites are needed to boost the housing land supply; and
- review of the Plan ~~and~~, appropriate evidence and consideration of the release of safeguarded land.
-

Figure 34 Housing Trajectory



H1 Housing Mix

1. Residential development should create mixed and sustainable communities by:
 - i. contributing to meeting affordable housing needs (Policy H2), market housing demand and specialist housing needs as identified through the council's SHMA or other evidence;
 - ii. providing a mix of house types, tenures and sizes which is appropriate to its location;
 - iii. achieving an appropriate density for its location which takes into account the character of the area; and
 - iv. requiring 10% of dwellings on developments of 10 or more to meet building regulations M4 (2) Category 2 – accessible and adaptable dwellings.
2. Development where appropriate and justified, should also seek to:
 - i. provide larger detached dwellings; and
 - ii. ensure there is a choice of suitable accommodation for older people and those with special housing needs including bungalows and Extra Care housing.
3. Development should consider the inclusion of self-build and custom house building plots.

6.10 The SHMA is a key piece of evidence in helping local authorities understand the full housing needs for their area

and the identification of the scale, mix and tenures of housing that local people are likely to need. The current SHMA (2017) identifies an imbalance of house types amongst Sunderland's housing stock, with low levels of large detached family dwellings and bungalows. The SHMA identifies this lack of choice as one of the causes of out-migration and therefore the council will be seeking developments to deliver larger family homes to try and retain population. It is necessary to ensure that an adequate and appropriate supply of housing choice is provided across our communities in terms of type, tenure, design and price, to meet the needs and aspirations of existing and future residents.

6.11 The council will seek to ensure that all new housing developments are delivered to a density which is appropriate for its location, taking into consideration the character and accessibility of an area. Higher densities will be encouraged in sites which have good public transport accessibility such as Metro, rail and frequent bus service and are located in close proximity to centres (Policy SP1). Higher density development will be particularly encouraged within the Urban Core.

6.12 Policy H1 seeks to ensure that new housing supply meets the needs of an ageing population, in recognition that almost a quarter of the Sunderland's population is forecast to be aged 65 or over by the end of the Plan period. The SHMA recognises a significant

preference for people to stay in their own home and homes that are designed from the outset to be flexible and accessible to avoid the need for 'special' adaptations which are often costly to install and remove for future occupiers. As such, the council will require developers to ensure at least 10% of dwellings on sites of 10 or more, meet building regulations M4 (2) Category 2 – accessible and adaptable dwellings. However, low-rise non-lifted serviced flats will be excluded due to not being able to achieve step-free access. The council does recognise that in some instances, it may not be possible to deliver the accessible and adaptable dwellings requirement in full. In this instance the applicant will be expected to submit a detailed viability assessment to clearly demonstrate how the requirement set out within Policy H1 (iv) would make the scheme unviable. In order to ensure choice in the housing stock for the city's ageing population developments should consider alternative designs and layouts to provide for those older people who may want to stay within their own home.

6.13 The council established its own Self-Build and Custom Build Register in April 2016 in accordance with the provisions of the Act. To assist people who want to build their own home, the council will support appropriate self build developments as well as seek to identify appropriate small sites to assist in the delivery of self-build/custom house building plots.

6.14 Development should consider the inclusion of self-build and custom house build plots on schemes, utilising the Self-build and Custom Build Register. If provision is made for this type of housing within a development and it can be demonstrated to the council's satisfaction that no demand exists, the land will revert back to the developer to deliver general housing instead.

Policy

H2 Affordable Homes

All developments of more than 10 dwellings, or on sites of 0.5ha or more, should provide at least 15% affordable housing. This affordable housing should:

1. be provided on-site in order to help achieve mixed and balanced communities. However, off site provision or a financial contribution made in lieu may be considered acceptable where it can be justified;
2. be retained in affordable use in perpetuity;
3. when part of a mixed housing scheme should be grouped in small clusters throughout the site; and
4. be indistinguishable in terms of appearance from the market housing.

6.15 Providing sufficient homes that everyone in the community can afford is a key priority for the council and this Plan. The council's strategy is to maximise affordable housing delivery from viable sites over the Plan period alongside exploring other opportunities to maximise the delivery of affordable housing.

- 6.16 Policy H2 sets out the council's approach for the delivery of affordable housing when developments propose more than 10 dwellings. Refer to Policy SS6 for affordable housing requirements within the South Sunderland Growth Area (SSGA).
- 6.17 Affordable housing should be provided on-site in order to ensure that developments contribute towards creating mixed and balanced communities. In some circumstances, the council may accept delivery of affordable housing off-site, for example where the off-site provision would have wider regeneration benefits. Where it can be demonstrated to the council's satisfaction that neither on-site nor off-site provision would be appropriate, the payment of a financial contribution in lieu of on-site provision may be acceptable.
- 6.18 In accordance with the current 2017 SHMA, the council will seek a tenure split of 80% affordable rent and 20% intermediate tenure. Current identified needs are for 1-2 bedroom properties followed by 3+ bedroom properties and 1-2 bedroom properties for older people. The SHMA will be updated regularly and applicants need to take this into consideration with regards to an appropriate mix.
- 6.19 Affordable housing should be available as an affordable unit in perpetuity to ensure the city offers choice in tenure for existing and future residents. Depending on the type of affordable housing provided this could entail recycling subsidy for alternative affordable provision or retention of discounts for future households.
- 6.20 The council will use any commuted sum payments in partnership with other agencies and partners to:
- provide affordable housing on council or Registered Social Landlord (RSL) owned sites;
 - bring empty housing back into use for affordable housing;
 - work with developers or other affordable housing providers, to increase affordable housing provision on their sites;
 - purchase housing on the open market; and
 - any other initiative that will deliver affordable housing.
- 6.21 In order to create balanced, mixed and sustainable communities, the provision of affordable housing on-site should be dispersed amongst the market housing in clusters of a size proportionate to the scale of the development. ~~(3 or 4 dwellings per cluster)~~. Therefore all affordable housing provision should be indistinguishable from other development on the site. The type and size of affordable housing units provided should also reflect those that are built to be sold on the housing market.
- 6.22 Developments should be in accordance with the planning obligations SPD.

6.23 The council does recognise that in some instances, it may not be possible to deliver the affordable housing requirement in full. In this instance the applicant will be expected to submit a detailed Viability Assessment to clearly demonstrate how the affordable housing requirement set out within Policy H2 would make the scheme unviable. Further details on viability is set out within the council's Planning Obligations SPD.

Policy

H3 Student Accommodation

Development of student accommodation should be located within the Urban Core and must demonstrate that:

1. there is a need for additional student accommodation;
2. it is of a scale and appearance appropriate to its surroundings;
3. it is located within close proximity to local facilities and is accessible to the university by foot, cycle and by public transport;
4. it provides high quality living accommodation in terms of design, layout, and facilities provided within the development, in accordance with the Student Accommodation SPD; and
5. the layout of the accommodation is designed in such a way that it is capable of being re-configured through internal alterations to meet general needs housing in the future.

6.24 It is recognised that students and the University make an important contribution to the economy, by increasing demand for services, shops

and housing whilst studying. Providing choice in accommodation and ensuring students reside in the city and do not feel isolated from the University and its activities, will help create the qualities and characteristics of a "University City".

6.25 To assist in the regeneration of the Urban Core and the creation of a 'University City', the council will support proposals for purpose-built student accommodation or the conversion of existing buildings for student accommodation within the Urban Core.

6.26 Should a proposal come forward that is not located within the Urban Core, the developer will need to demonstrate there are no suitable and available sites to accommodate the proposed development within the Urban Core and that the proposal will not result in an over concentration of student or shared accommodation.

6.27 The quality of the student accommodation provision is also fundamental. Students expect high quality accommodation with a range of facilities included. As such, all student accommodation should be developed to high standards, but the offer should ensure choice and value for money so students can opt for different types of accommodation depending on their circumstances.

6.28 Notwithstanding the above, student accommodation numbers need to be managed in line with projected student numbers to ensure the city

does not end up with an oversupply of accommodation, which cannot be easily converted to other uses.

Further information on need is set out in detail within the Student Accommodation SPD.

Policy

H4 Travelling Showpeople, Gypsies and Travellers

1. The needs of Travelling Showpeople will be met by:

- i. allocating land for new Travelling Showpeople sites at Station Road North, and Land at Market Place Industrial Estate, to accommodate 15 plots in the short term;
- ii. identifying broad locations at Station Road/Pearsons Industrial Estate and Market Place Industrial Estate to accommodate 18 plots to meet medium and longer term needs; and
- iii. safeguarding the existing Travelling Showpeople sites at Pearson Industrial Estate, Sunnyside/Grasswell, Stephenson Industrial Estate and Herrington Burn, unless it can be demonstrated that:
 - a. there is no longer a need for the site, or
 - b. capacity can be better met elsewhere.

2. Where additional need is identified, development of new plots/pitches for Travelling Showpeople and Gypsies and Travellers should:

- i. be accessible to public transport, services and facilities, and be capable of support by local social infrastructure;

- ii. be capable of connection to energy, water and sewage infrastructure;
- iii. provide safe access to and from the main road network;
- iv. support the health and well-being of the occupiers;
- v. provide an appropriate layout and facilities;
- vi. not adversely affect the character of the immediate area, the amenity of nearby residents or the operations of adjoining land uses;
- vii. not have an adverse effect on the health and well-being of any site occupiers or on others as a result of new development; and
- viii. be of sufficient size to accommodate plots/pitches of an appropriate size and, in the case of Travelling Showpeople, to accommodate appropriate levels of storage space.

6.29 The Gypsy and Traveller and Travelling Showpeople accommodation Assessment Update (2017) identifies the need for a total of 33 plots for Travelling Showpeople in the city over the Plan period to 2033, of which 15 plots are required in the short term (up to 2022/23) and a further 18 plots in the medium to longer term.

6.30 In order to ensure that identified needs for Travelling Showpeople are met in full, Policy H4 seeks to protect existing sites, allocate new sites to meet needs up to 2023 and identify broad locations for growth beyond

2023. Due to the nature and size of land required for Travelling Showpeople plots, the sites identified for allocation are within council ownership to assist in delivery.

6.31 In relation to Gypsies and Travellers, the assessment identifies that there is no need for any permanent sites for Gypsies and Travellers but it does identify that there is a need for some form of stopover provision within the city to accommodate 5 pitches. This need is met through the council's Unauthorised Encampment Policy. This policy sets out an acceptance approach to encampments which allows Gypsies and Travellers to reside within Sunderland for an agreed number of days, providing that the location is suitable and a code of conduct is followed. This approach has been taken due to the small and infrequent number of encampments that the city experiences, as the needs are city wide and not location specific.

6.32 Whilst the council is satisfied that the allocations and broad locations identified through the policy will be sufficient to meet needs through the full Plan period, it is recognised that the plan also needs to have sufficient flexibility to address any planning applications which come forward for new sites in other locations. In regard to Travelling Showpeople, it will be expected that plots on allocated sites will be utilised first and then broad locations should be considered afterwards.

Policy

H5 Existing Homes and Loss of Homes

1. The council will support development which would bring empty properties back into use.
2. Development which would result in the loss of residential housing stock, particularly family housing, through change of use or redevelopment will not be permitted unless it is demonstrated that:
 - i. the dwelling(s) no longer provide accommodation of a satisfactory standard;
 - ii. it is financially unviable to improve or adapt the existing dwelling(s); and
 - iii. the locality and character of the surroundings are no longer appropriate for residential use.
3. Where replacement housing is proposed, the new dwelling(s) should align to the needed type, mix or tenure of housing identified in the most recent SHMA.

6.33 The existing homes in Sunderland remain its most important asset and as such, the loss of existing stock will be carefully considered.

6.34 Bringing an empty property back into residential use or modernising an older property is considered more sustainable than its loss, as it not only contributes to the housing supply but helps to sustain communities. However, the council does understand that retention is not always appropriate and in certain instances losses are unavoidable. When clearance does occur, the

redevelopment of residential areas can also help contribute to creating improved living environments by new stock being better aligned to the required house types and sizes of the area.

- 6.35 The loss of existing housing stock as part of large scale housing area renewal schemes will be supported where a detailed feasibility study or neighbourhood assessment is provided to inform a Housing Delivery Plan, alternatively, Masterplans may be used to guide future development.

Policy

H6 Homes in Multiple Occupation (HMOs)

Development for HMOs should ensure that:

1. the property is located where increased traffic and activity would not be detrimental to local amenity;
2. the intensity of use would not adversely affect the character and function of the locality;
3. the proposal would not be detrimental to the amenities of neighbouring properties by causing undue noise and disturbance;
4. adequate provision for parking, servicing, refuse, recycling arrangements and the management and maintenance of the property can be demonstrated through the submission of a management plan; and
5. the proposal would not result in an over concentration of HMOs within the locality.

- 6.36 Development for HMOs will need to demonstrate that they would not have

a detrimental effect on the character and function of the locality, its local amenity or neighbouring properties. When considering whether there is an over concentration of HMO properties within the locality, the council will consider each proposal on its individual merits, taking account of the number of existing HMOs, clustering and the character of the area. As shared accommodation tends to provide smaller living accommodation than single dwelling houses, particular attention will be given to ensure that a good standard of amenity is in place for future occupiers of the HMOs. The council will require development proposals to retain acceptable levels of privacy and protect amenity.

- 6.37 Article 4 Directions have been implemented where the numbers of HMOs in an area are having a detrimental effect on the character and function of that area. In Sunderland five wards across the city, namely Barnes, Hendon, Millfield, St Michael's and St Peter's are subject to an Article 4 Direction. These remove permitted development rights and prevent the change of use to HMOs without planning approval. HMOs proposed within an area covered by an Article 4 Direction will be subject to Policy H6 and other relevant policies within this plan.

Policy

H7 Backland and Tandem Development

The development of residential new build within the curtilage of an existing dwelling should:

1. be of a form and scale that respects the local character of the area with regard to density, size and massing of existing buildings;
2. have a plot depth that is appropriate in size and would offer an adequate level of separation between dwellings;
3. ensure that an acceptable level of amenity is retained;
4. demonstrate suitable access, having regard to existing dwelling frontages and street scenes; and
5. ensure existing landscape and streetscape features (e.g. mature trees or other landscape features), are integrated into the development.

6.38 The spacious nature and low density of some of Sunderland's mature suburbs has led to development

pressure for the intensification of existing housing areas through development of backland plots. This can have a significant impact on local distinctiveness and conservation by the erosion of the unique character that makes these places special, particularly if the principles of good design are not taken into account. It is essential therefore, if development takes place in these areas, that it is appropriate in all respects and that it makes a positive contribution to the environment and community within which it is located, to ensure the local distinctiveness and character of these areas is maintained.

7. Economic Growth

7.1 The council is committed to supporting sustainable economic growth in order to attract inward investment and help existing businesses thrive.

Sustainable economic growth is essential to maintaining and enhancing the overall prosperity of the city. This Plan will help to build on Sunderland's inherent strengths to meet the twin challenges of global competition and a low carbon future.

7.2 This chapter includes policies to meet Strategic Priorities 1 and 5 and supports economic growth by:

- supporting the redevelopment of The Vaux for office-led regeneration (Policy SS1);
- ensuring an attractive and flexible supply of general employment land over the Plan period (Policies EG1 and EG2);
- supporting developments which enhance automotive industries and advanced manufacturing, particularly at the IAMP; and
- supporting development of key sectors such as education, health, high-tech and knowledge-based industries.

7.3 These policies will support the growth ambitions identified through the council's Economic Masterplan, the Economic Leadership Board's 3,6,9 Vision and the NELEP's Strategic Economic Plan.

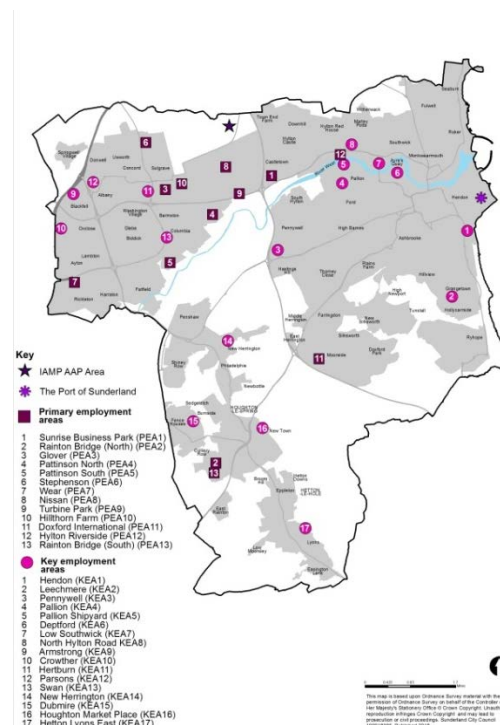


Figure 34 Employment Areas

Policy

EG1 Primary Employment Areas

- The following areas are allocated as Primary Employment Areas (as designated on the Policies Map) and will be safeguarded for B1 (Business – excluding B1a), B2 (General Industrial) and B8 (Storage and Distribution) employment uses:
 - Sunrise Business Park (PEA1);
 - Rainton Bridge (North) (PEA2);
 - Glover (PEA3);
 - Pattinson North (PEA4);
 - Pattinson South (PEA5);
 - Stephenson (PEA6);
 - Wear (PEA7);
 - Nissan (PEA8);
 - Turbine Park (PEA9); and

- x. Hillthorn Farm (PEA10).
- 2. The following areas are allocated as Primary Employment Areas and will be safeguarded for B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) employment uses:
 - i. Doxford International (PEA11);
 - ii. Hylton Riverside (PEA12); and
 - iii. Rainton Bridge South (PEA13).
- 3. Development within the Primary Employment Areas that is not within a B Use Class will not normally be permitted; unless:
 - i. for small ancillary uses where these can be shown to genuinely support, maintain or enhance the business and employment function of the area (shops (A1) including sandwich bars or Cafes (A3) including snack bars);
 - ii. the maximum permitted floorspace for individual ancillary units will be 50sqm (gross); and
 - iii. the number and distribution of units would result in an over-concentration that might affect the function and appearance of the area.
- 4. Exceptionally, other uses will be considered on their merits. In all cases new uses must:
 - i. be of a type, scale and appearance compatible with the established character and function of the Primary Employment Area;
 - ii. not adversely prejudice the day-to-day operation of the Primary Employment Area through parking, traffic generation or pedestrian movement; and

- iii. not result in an unacceptable dilution of the employment function of the Primary Employment Area.

- 7.4 Primary Employment Areas (PEAs) are those existing employment areas which are considered essential to the long-term success of Sunderland. These are located in the strongest demand areas and should be protected from non-employment uses which could impact upon their viability as employment locations. Some small scale ancillary uses will be supported in Primary Employment Areas where this meets the day to day needs of workers on the employment sites.
- 7.5 While the policy will consider development for uses that are not within the B Use Classes, these will only be supported in exceptional circumstances as it is the council's intention to protect Primary Employment Areas from non-employment uses (B Use Classes).

Policy

EG2 Key Employment Areas

1. The following are allocated as Key Employment Areas (as designated on the Policies Map) and will be safeguarded for B1 (Business – excluding B1a), B2 (General Industrial) and B8 (Storage and Distribution) employment uses:
 - i. Hendon (KEA1);
 - ii. Leechmere (KEA2);
 - iii. Pennywell (KEA3);
 - iv. Pallion (KEA4);
 - v. Pallion Shipyard (KEA5);

- vi. Deptford (KEA6);
- vii. Low Southwick (KEA7);
- viii. North Hylton Road (KEA8);
- ix. Armstrong (KEA9);
- x. Crowther (KEA10);
- xi. Hertburn (KEA11);
- xii. Parsons (KEA12);
- xiii. Swan (KEA13);
- xiv. New Herrington (KEA14);
- xv. Dubmire (KEA15);
- xvi. Houghton Market Place (KEA16);
and
- xvii. Hetton Lyons East (KEA17).

2. The release of vacant land or premises within Key Employment Areas to uses outside the B Use Classes will only be considered acceptable where it can be demonstrated that:
 - i. the council's current Employment Land Review recommends its release for another purpose, or it can be demonstrated to the council's satisfaction that a site is no longer needed or capable of accommodating B Use Class employment uses;
 - ii. the integrity, function and operation of the remaining Key Employment Area for employment purposes is not adversely affected;
 - iii. the site is of an insufficient quality and/or suitability to accommodate existing types of industrial demand; and
 - iv. the site has been unused for employment uses for at least 24 months, despite having been properly marketed on reasonable terms.

- 7.6 Key Employment Areas (KEAs) are those existing employment areas which are still required to meet anticipated needs for employment floorspace over the Plan period, but are recognised as older and less effective employment areas, in locations of weaker demand.
- 7.7 To avoid the long term protection of employment land where there is no reasonable prospect of it being used for that purpose, the council has adopted a more flexible approach. Key Employment Areas can be used for alternative uses where it can be demonstrated that they are no longer required to meet employment needs and the proposed alternative development would be appropriate in that location.
- 7.8 In respect of point iv), the council will require a statement of the efforts that have been made to market the land or premises for employment development (within Use Classes B1, B2 and/or B8). The statement shall include clear and genuine evidence demonstrating that the land/premises has been widely marketed through an agent/surveyor dealing in commercial property at a price that reflects its current market value for B Use Class employment purposes for at least the last 24 months continuously and that no reasonable offer has been refused. Statements will be considered by the in-house property team whom regularly monitor the employment market and local land values.

EG3 Other Employment Sites

For non-designated employment sites, development will be supported for:

1. new employment uses or extensions to existing employment uses; and
2. the change of use or redevelopment of land or premises that are presently in employment uses if there are regeneration benefits or there is no reasonable prospect of the land being used for employment uses, and the development is considered to be acceptable.

7.9 There are also a number of existing employment sites which are not designated as Primary or Key Employment Areas. These tend to be older, less marketable employment sites close to, or within residential areas, where proposals for redevelopment for other uses – could give rise to significant regeneration benefits.

7.10 Whilst the council will continue to support these existing businesses, it is also necessary for the Plan to allow flexibility for them to be reused for alternative forms of appropriate development.

7.11 Policy EG3 applies to existing employment land which does not fall within a Primary Employment Area, Key Employment Area, the Port of Sunderland, the IAMP, or the strategic allocation at The Vaux.

EG4 New Employment Areas

Development for new employment uses (B1 – (excluding B1a), B2 and B8 uses) outside of designated employment areas must demonstrate that the proposed use:

1. cannot be accommodated within the designated employment areas;
2. can be provided with appropriate vehicular access; and
3. would not be detrimental to local amenity.

7.12 Whilst the established employment areas will be the most appropriate location for businesses, it is acknowledged that in order to maximise opportunities to grow the local economy and be responsive to changing market conditions, there may be occasions where a certain use requires a location outside of these areas. Policy EG4 seeks to provide this additional flexibility by supporting such development where it would be acceptable in all other regards.

7.13 Designated employment areas are considered to be the Primary Employment Areas, Key Employment Areas, the Port of Sunderland and the IAMP. The council will require applicants to provide a detailed statement justifying why the proposals cannot be accommodated within designated employment areas. This should include evidence that the proposal would not adversely impact upon the functionality of existing employment areas.

7.14 Office development (Use Class B1a) is considered to be a main town centre use, which should be directed to designated centres in accordance with the NPPF. Policy EG4 therefore does not apply to proposals for office development.

7.15 In order to improve the vitality and viability of the Urban Core, Policy EG5 seeks to direct most new office development to The Vaux, which is identified as a strategic allocation for office-led development under Policy SS1.

Policy

EG5 Offices

Development for offices (Use Class B1a) should be prioritised within the following locations:

1. The Vaux strategic site allocation (Policy SS1);
2. Primary Employment Areas at Doxford International, Hylton Riverside and Rainton Bridge South (PEA11, PEA12 and PEA13); and
3. within other designated centres as identified within the retail hierarchy set out in Policy VC1.

7.16 Office development is recognised as a main town centre/Urban Core use therefore, it is considered to be appropriate development within designated centres. The development of new office floorspace in designated centres, as identified within the retail hierarchy set out in Policy VC1 will generally be supported.

7.17 It is also recognised that some of the Primary Employment Areas are also business parks which contain predominantly office uses, therefore it would be appropriate to continue to support the development of offices in these locations. The Primary Employment Areas where office development will continue to be supported are at Doxford International, Hylton Riverside and Rainton Bridge South.

7.18 The development of new office floorspace in other locations (including Primary Employment Areas and Key Employment Areas not specified under Policy EG5 criterion 2) will normally be resisted unless they are ancillary to the principal use, or it can be demonstrated to the council's satisfaction that it is necessary for the development to be located there for operational reasons.

Policy

EG6 Trade Counters

1. Where industrial users within a Primary Employment Area or Key Employment Area require a "trade counter"/ "factory shop" this should be limited to a maximum of 500m² or 15% of the existing industrial floorspace and only be used for the sale of goods made or stored on the premises.
2. Developments for a trade counter/ factory shop should not:
 - i. compromise the industrial nature of the site or area in question;
 - ii. attract customers in such large numbers so as to impede the access arrangements; and

- iii. cause significant operational difficulties for other neighbouring occupants.

7.19 Certain business uses found in employment areas require an ancillary trade counter for the sale of goods.

7.20 In order to retain the employment character of these employment areas, it is important that the retailing element does not become over-dominant. To ensure that this is the case, Policy EG6 seeks to ensure that a maximum of 15% of internal floorspace may be permitted to be used for sales.

7.21 In order to protect the vitality and viability of existing centres, it should be ensured that any trade counter development is not of a sufficient scale that is likely to have a significant adverse impact upon the designated centres. The policy therefore establishes an upper limit of 500m² for ancillary retail use, which is consistent with the lowest of the locally set impact assessment thresholds in Policy VC2.

7.22 For clarity, in circumstances where the proposed trade counter/factory shop would be over 500m² but less than 15% of the internal floorspace of the unit, the lower threshold will apply.

8. Vitality of Centres

8.1 The City Centre (as defined on the policies map) and other Town, District and Local Centres within the authority area are an important aspect of the local economy, providing shops, services and community facilities to serve our local communities. These centres help give areas their own identity and are particularly important to members of the public who are less mobile, or do not have easy access to a car.

8.2 This chapter seeks to meet Strategic Priority 6 and will support the vitality and viability of our centres by:-

- focussing development proposals for main town centres uses within designated centres, as set out within the retail hierarchy (Policy VC1);
- resisting developments which would have a significant adverse impact upon designated centres (Policy VC2);
- prioritising retail development in Primary Frontages and supporting a wider diversity of uses in Secondary Frontages (Policy VC3);
- limiting the number of hot food takeaways in areas of over-concentration and/or areas which suffer from poor health (Policy VC4);
- protecting community facilities and local services (Policy VC5); and
- generally supporting new leisure and tourism development (Policy VC6).

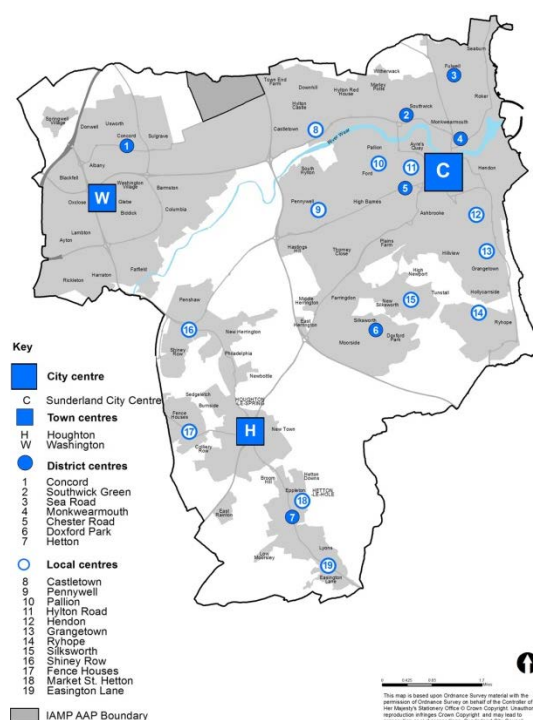


Figure 35 Retail Hierarchy

Policy

VC1 Main Town Centre uses and Retail Hierarchy

1. The vitality and viability of the centres within the network and hierarchy identified below (and designated on the Policies Map) will be maintained and enhanced:

City Centre: Sunderland City Centre;

Town Centres: Houghton, and Washington.

District Centres: Chester Road, Concord, Doxford Park, Hetton, Monkwearmouth, Sea Road and Southwick Green;

Local Centres: Castletown, Easington Lane, Fencehouses, Grangetown, Hendon, Hylton Road, Market Street (Hetton), Pallion, Pennywell, Ryhope, Silksworth and Shiny Row;

2. the city centre and town centres will be the principal locations for major retail, leisure, entertainment, cultural facilities and services;
3. the District Centres will have a role in providing key services including shopping, commercial, leisure, public and community facilities;
4. the Local Centres will provide a focus for essential community services and small-scale retail facilities to meet day-to-day needs, thereby supporting the wellbeing of local people;
5. neighbourhood shops, services and community facilities located outside of the designated centres will be protected where they are important in meeting day-to-day needs;
6. the development of main town centre uses, will be focused within existing designated centres, as set out within the retail hierarchy. Development outside of existing centres will be expected to follow the sequential assessment approach; and
7. established out-of-centre retail parks – whilst not considered part of the retail hierarchy, will be considered to be sequentially preferable to other out-of-centre locations when considering development proposals for main town centre uses.

8.3 One of the characteristics of Sunderland is its extensive network of centres, which provide a focus for growth in the retail, office and leisure sectors. Centres also act as a focus for local community life and ensure that services are available in accessible locations. The network and hierarchy

of centres will be the preferred location for retail and office development over the Plan period.

- 8.4 For the purpose of main town centre uses, the City Centre, which is within the Urban Core, is defined on the Policies Map. The City Centre, Washington and Houghton Town Centres are recognised as the three most important centres. All three perform significant retail, social and public functions and are important centres for the local transport network in the respective sub-areas. The District Centres feature significant retail facilities and services such as banks, whilst the much smaller Local Centres primarily cater for day-to-day shopping needs.
- 8.5 These centres are the primary locations for shopping facilities and they also play important roles as “hubs” of the local community, providing for wider social needs.
- 8.6 Whilst not identified within the retail hierarchy, neighbourhood shops, services and community facilities located outside of the designated centres provide a valuable service to local communities in helping to meet their day-to-day needs. It is therefore necessary for these to be protected in order to promote sustainable patterns of development.
- 8.7 Development proposals for main town centre uses should be focused within the designated centres, as set out within the retail hierarchy and should be of a scale and format that is

appropriate to the position of the centre within the hierarchy. A definition of main town centre uses is provided within the glossary.

8.8 Development of main town centre uses in edge and out-of-centre locations will be expected to follow the sequential assessment approach, prioritising locations which are accessible and well connected to designated centres. For clarity, for the City Centre and Town Centres, the Primary Shopping Area (as defined on the Policies Map) forms the centre boundary for sequential assessment purposes. For all other centres, it is the centre boundary (as defined in the Policies Map) which should be used. Out-of-centre developments for main town centre uses will only be supported where they can demonstrate that they have satisfactorily met the sequential test and would not have a significant adverse impact upon the vitality and viability of designated centres.

8.9 Whilst development will be focused within designated centres, it is recognised that established out-of-centre retail parks have a role to play in meeting the needs of residents. These are not considered to form part of the retail hierarchy but where out-of-centre development is considered acceptable and the sequential test has been met, there are merits in co-locating new developments within or alongside existing retail parks. These are often already well integrated into the public transport network and can offer sustainability benefits over

standalone out-of-centre schemes. The council considers the following to represent established out-of-centre retail parks within the city for the purposes of this policy:

- Salterfen;
- Hylton Retail Park;
- Pallion Retail Park; and
- Peel Centre, Washington.

Strategic Policy

SP9 Comparison Retail

In order to meet identified development needs, at least 45,400m² of comparison retail floorspace (Use Class A1) will be provided. The overall distribution of floorspace should broadly be as follows:

Sub-Area	Indicative New Comparison Retail Floorspace (m ²)
City Centre & Sunderland South	26,500
Sunderland North	3,800
Coalfield	2,500
Washington	12,600

8.10 The Sunderland Retail Needs Assessment (2016) considers the need for new retail floorspace over the period to 2035. The study indicates that based on a static retention rate there is an overall requirement for 45,400m² of additional comparison retail floorspace by 2035. The study does recognise that new floorspace is not required until after 2020. It is therefore proposed that allocations will be made within the emerging A&D Plan to meet this requirement. Policy SP9 however, does seek to establish the broad spatial distribution to inform any future site allocations.

8.11 The Sunderland Retail Needs

Assessment does not identify any need for additional convenience retail floorspace over the period to 2035. However, it is recognised that there is limited provision currently within the Coalfield sub-area, resulting in a significant amount of leakage of expenditure. There is therefore scope for the provision of a new supermarket to service this area and this should be located within Houghton Town Centre to reinforce its role as the Coalfield's Primary Shopping Area and to promote sustainable shopping patterns. Any necessary allocations to address this will be made through the A&D Plan.

Policy

VC2 Retail Impact Assessments

1. When assessing applications for edge or out-of-centre retail development (Use Class A1), the council will require an impact assessment to be submitted where the development would exceed the following local thresholds:

	Convenience retail:	Comparison retail:
City Centre	2,000m ²	2,500m ²
Washington Town Centre	1,250m ²	1,500m ²
Houghton Town Centre	750m ²	750m ²
District Centres	750m ²	750m ²
Local Centres	500m ²	500m ²

2. The council will refuse planning permission where there is evidence that development is likely to have a significant adverse impact upon the vitality and viability of a designated centre.

8.12 Impact assessments are used to assess the potential impact of new developments for main town centre uses upon existing designated centres. In accordance with national policy, development will be resisted where significant adverse impacts are likely to occur.

8.13 An impact assessment will be required if development is over the local floorspace threshold. Normally the threshold will be based on the closest centre, however there may be some circumstances where a lower or higher threshold would be more appropriate based on the proposal and local circumstances.

8.14 Impact assessments should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible and should include an assessment of the impact of the proposal on existing, committed and planned public and private investment.

8.15 It is important that the impact is assessed in relation to all designated centres that may be affected, which are not necessarily just those closest to the proposal and may be in neighbouring authority areas. For clarity, the locally set threshold identified within the policy is based on

the gross external area of a development.

8.16 A local threshold with regard to impact assessments for leisure and office developments has not been set, therefore the default threshold set out within the NPPF will apply.

8.17 The Primary Frontages in the City Centre include all those within, and leading to, the Bridges, together with the western half of High Street West and Blandford Street. The Secondary Frontages include the remainder of High Street West, Fawcett Street, the northern end of John Street, St Thomas Street, Waterloo Place, Athenaeum Street, Holmeside, Park Lane, Vine Place, Derwent Street and Olive Street.

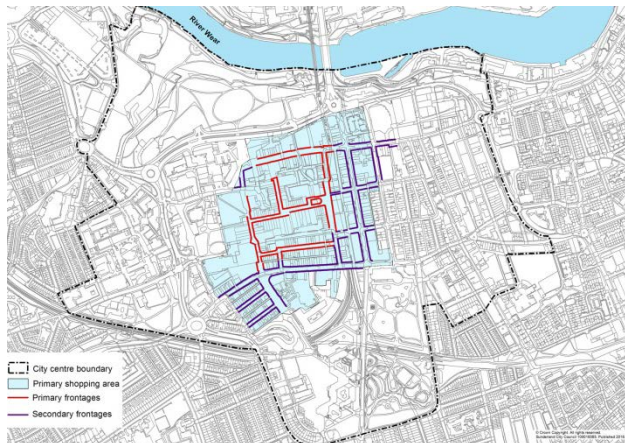


Figure 36 City Centre

8.18 For Washington Town Centre, the Primary Frontages are those on the ground floor of the Galleries shopping centre and units within the Galleries Retail Park. The first floor units within the Galleries are Secondary Frontages.

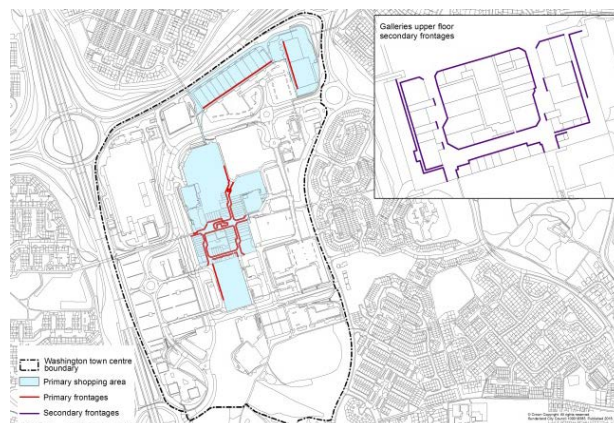


Figure 37 Washington Town Centre

8.19 For Houghton Town Centre, the Primary Frontages are located along Newbottle Street (with the exception of the area to the north of the junction with Station Road), and Mautland Street to encourage a linkage between Newbottle Street and the new Lidl supermarket.

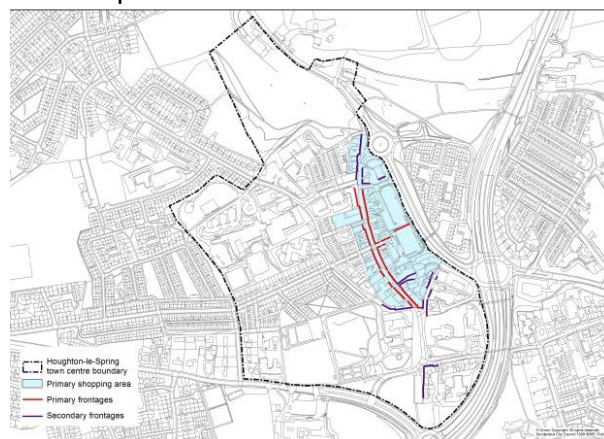


Figure 38 Houghton Town Centre

Policy

VC3 Primary Shopping Areas & Frontages

1. Primary Shopping Areas, as designated on the Policies Map, have been established for Sunderland City Centre and Washington and Houghton Town Centres. These areas should be the focus of new retail development, where possible.

2. Development for A1 retail use within the Primary Frontages, as shown on the Policies Map, will be supported.
3. Non-A1 uses in Primary Frontages will only be considered acceptable where it can be demonstrated that premises have been vacant and marketed unsuccessfully for A1 uses for a period of least 24 months.
4. Where proposals for non-A1 use within primary shopping areas cannot demonstrate that they have satisfied the above, they will be normally be resisted if they would result in:
 - i. more than 15% of each Primary Frontage thoroughfare in Sunderland City Centre
 - ii. being in non-A1 retail use; or
 - iii. more than 25% of each Primary Frontage thoroughfare in Washington Town Centre being in non-A1 retail use; or
 - iv. more than 40% of each Primary Frontage thoroughfare in Houghton Town Centre being in non-A1 retail use.
5. A more diverse range of uses will be supported within Secondary Frontages including retail, service, leisure, entertainment facilities, offices, arts, culture, tourism and residential uses.

8.20 Primary frontages are those which are the main shopping areas in each of our higher order centres and it is therefore important that we continue to preserve the predominance of A1 retail uses within these frontages.

8.21 Primary Shopping Areas and primary and Secondary Frontages have been identified for the City Centre,

Washington and Houghton centres. These are designated on the Policies Map and are shown in Figures 37, 38 and 39

8.22 Retail use will continue to be the predominant focus within these Primary Frontages but there is a recognition that in Washington and Houghton centres their vitality and viability is underpinned by a wider diversity of uses and therefore the proportion of the Primary Frontages in these centres which should be retained in retail use, as set out in Policy VC3, is set at a lower level to reflect this. The percentages set out within the policy are consistent with the recommendations of the Sunderland Retail Needs Assessment.

8.23 Secondary frontages represent an opportunity for a much more diverse range of uses within the designated centres. The council will therefore support a wide diversity of appropriate uses including retail, service, leisure, entertainment facilities, offices, culture and tourism, arts and residential uses. This reflects the need to diversify the offer within our centres in order to protect their vitality into the future.

Policy

VC4 Hot Food Takeaways

1. Development for hot food takeaways (Use Class A5) will be managed to ensure the vitality and viability of designated centres by:
 - i. resisting development of further hot food takeaways in the Primary Frontages of the City Centre;

- ii. restricting development for a hot food takeaway use at ground floor level if the unit has been vacant for less than 24 months unless:
 - a. the proportion of units accounted for by A5 uses in each thoroughfare, or centre, does not exceed x% [with x defined through reference to Table 1];
 - b. the proportion of the length of frontage in each thoroughfare, or centre, accounted for by A5 uses does not exceed y% [with y defined through reference to Table 1];
 - c. there will be no more than z% of consecutive A5 units in each thoroughfare, or centre [with z defined with reference to Table 1]; and
- iii. if the unit has been vacant for more than 24 months, development for hot food takeaway use at the ground floor level will be considered favourably where:
 - a. it has been marketed for 24 months for other main town centre uses (particularly those in Use Classes A1, A2, A3 and A4), but without success;
 - b. the proposal would not have an adverse impact upon local amenity and include the provision of appropriate extraction equipment; and
 - c. the proposals would not be detrimental to highway safety.

- 2. To promote healthier communities, the council will:
 - i. prevent the development of hot food takeaways (Use Class A5) within a 400m radius of entry points to all primary and secondary schools; and
 - ii. prevent the development of hot food takeaways in wards where the prevalence of obesity is more than 21% for year 6 pupils or 10% for reception pupils.

8.24 The council is becoming increasingly concerned over the high number of hot food takeaways present in many of our designated centres. An over-concentration of hot food takeaways can have a detrimental impact upon the vitality and viability of centres due to their hours of operation and their inactive and often shuttered frontages during daytime hours. They can also give rise to complaints about noise, disturbance, odours and litter.

8.25 In addition, there are also increasing concerns regarding the potential impacts of hot food takeaways on the health of the city's residents. There are already high concentrations of hot food takeaways in certain parts of the city, with 17 of the 25 wards within the city having a higher proportion of outlets per head of population than the national average. In addition, childhood obesity rates within many of the city's wards are significantly higher than both the national and regional averages.

8.26 In assessing proposals for new hot food takeaways within designated centres, consideration will be given to

the detrimental impact that an over-provision of A5 uses may have upon the vitality and viability the centre.

8.27 Whilst it is recognised that an oversupply of hot food takeaways within a designated centre can adversely impact upon its vitality and viability, the council also recognise that a significant number of vacant units within a centre can also have a negative impact. Policy VC4 therefore seeks to support proposals for hot food takeaways within designated centres where they would bring a long term vacant unit (vacant for 24 months or more) back into active use. This would be subject to the applicant demonstrating to the council's satisfaction that the property has been vacant for a continuous period of at least 24 months and that the unit has been genuinely marketed for main town centre uses (particularly those in Use Classes A1, A2, A3 and A4) at a realistic market value for a continuous period of at least 24 months without success. This will however not apply to hot food takeaways in the Primary Frontages of the City Centre, where proposals for hot food takeaways will normally be resisted.

8.28 When considering proposals that have met the above requirement, the council will carefully consider the potential impacts of the proposals on local amenity and highways safety, together with all other material planning considerations. Applications for new hot food takeaways or significant amendments to an existing hot food takeaway should be

accompanied by a noise and impact assessment which quantifies the impact that may arise from activities taking place and mitigates these to a level that would not be unacceptable at the nearest sensitive receptor.

8.29 Where a unit has not been vacant for a continuous period of at least 24 months, Policy VC4 seeks to limit the number of hot food takeaways located within each centre in order to protect their vitality and viability. The proportion and concentration of hot food takeaways considered acceptable is dependent on their position within the retail hierarchy.

	x	y	z
Centre	Maximum proportion of A5 units in each thoroughfare or centre (%)	Maximum proportion of the Length of Frontage in each thoroughfare or centre in A5 uses (%)	Maximum Cluster of Adjacent A5 Units in each thoroughfare or centre (No. of units)
City Centre - Primary Frontage Thoroughfares	No further A5 uses		
City Centre - Secondary Frontage Thoroughfares	5	5	3
Washington Town Centre - Primary and Secondary Frontage Thoroughfares	5	5	3

Houghton-le-Spring - Primary and Secondary Frontage Thoroughfares	10	10	3
District Centres	10	10	2
Local Centres	15	15	2

Table 1 Hot Food Takeaway Thresholds

8.30 With regard to the health aspects of the policy, a 400m buffer to school access points has been defined. Within these buffer zones no development proposals for hot food takeaways will be supported.

8.31 Childhood obesity data is gathered as part of the National Childhood Measurement Programme. The latest childhood obesity data at ward level can be accessed from the council's Public Health Team upon request.

Policy

VC5 Protection and Delivery of Community Facilities and Local Services

Community facilities and local services will be protected and enhanced by:

1. resisting their loss, unless a replacement facility that meets the needs of the community is provided, or the community facility is no longer required in its current use and it has been demonstrated that it is not suitable for any other community uses;
2. supporting development of new and extended community facilities. Developments for new community facilities should be located in accessible neighbourhood and centre locations; and

3. supporting the shared use of facilities, provided that it can be demonstrated that such shared use will not adversely affect the level of social and community provision.

8.32 Community facilities and local services (as defined in the glossary) provide opportunities for residents to meet and share their interests and access essential services such as education, health care (SP7) and family support. It is therefore important that these facilities are protected where possible.

8.33 When assessing the impact of new community facilities the council will consider:

- accessibility to their respective neighbourhoods;
- the likely number of future occupants; and
- the impact on existing community facilities that are accessible to the development and their available capacity.

8.34 Evidence that may be required to support an application could include:

- the nature and condition of the building or site and the cost of repairs, renovations or improvements needed to allow the facility to continue in operation;
- the nature and location of comparable facilities;
- the potential to relocate the use into other premises or to another site in the area; and/or
- evidence that the local community has been notified in writing of the

intention to close the facility and detail of representations received.

8.35 It is important to protect viable facilities so far as is practicable, unless there is an overriding justification for their loss or exceptional benefits deriving from alternative forms of development. The council will require any application involving the loss of any community facility or land last used for community purposes to be supported by written evidence to justify its loss. The applicant will be required to consult with the Community Development Team and provide written evidence that they have marketed the facility for at least 24 months and consulted with the Local Voluntary and Community Sector and advertised in the local press. The level of detail will depend upon the nature of the proposal; the applicant should contact the council at the earliest stage to discuss this.

8.36 Exceptions to this policy will be considered where the proposals are part of the rationalisation of the estates of key public services, such as the Emergency Services, the Clinical Commissioning Group (or replacement body) and the Learning Trust.

auditorium;

- ii. leisure and tourism proposals at Seaburn and Roker seafront;
- iii. new hotel development in the Urban Core;
- iv. the delivery of cinema and ancillary food and beverage units at Washington Town Centre;
- v. the development of new sports hubs at Washington, Sunderland North and Sunderland South as part of the Football Association's Parklife programme;
- vi. leisure development which contribute to healthy lifestyles; and
- vii. the temporary and meanwhile use of vacant buildings and sites by creative, cultural and community organisations, particularly where they help activate and revitalise key city and Town Centre locations and the public realm.

2. Proposals for leisure uses on designated employment land will not normally be supported unless they satisfy the requirements set out in Policies EG1 and EG2 for Primary and Key Employment Areas.

Policy

VC6 Culture, Leisure and Tourism

1. Development of cultural, leisure and tourism proposals will generally be supported, particularly:

- i. the development of Music, Arts and Culture proposals within the Minster Quarter, including a new

8.37 Culture, leisure and tourism are important to the vibrancy of the city. Sunderland contains a number of cultural assets including the Empire Theatre, the National Glass Centre and the Sunderland Museum and Winter Gardens in the Urban Core. Sunderland also plays host to a number of events including the

annually held Sunderland International Air Show, Sunderland Illuminations and the Tall Ships race in 2018.

8.38 Policy VC6 seeks to support cultural, leisure and tourism development, where appropriate. Leisure (which would also be considered to be main town centre use), should be in accordance with Policy VC1, as these locations are the most accessible by a wide range of transport options and would provide the opportunity for linked trips.

8.39 Working closely with the Sunderland Music Arts and Culture Trust (MAC Trust), the council is committed to supporting the delivery of new cultural development within the Minster Quarter. Further details will be provided within the Minster Quarter SPD.

8.40 The coastline and beaches at Roker and Seaburn are some of Sunderland's key assets. The area has benefited from extensive regeneration and redevelopment over the last decade, resulting in increased visitor numbers

and business/commercial development. The council and its partners, through the Seafront Regeneration Strategy, are keen to build on the success to date and will continue to focus efforts on the regeneration of this stretch of the coastline.

8.41 In accordance with the Leisure Needs Assessment, a cinema and supporting food and beverage units will be supported in the town centre, as they will help to significantly improve the evening economy offer.

8.42 The council are working in partnership with the Football Association, Football Foundation and Sport England to deliver three football hubs. Across the 'ParkLife Programme' aims to increase the numbers participating in football by increasing the number of 3G artificial pitches, associated facilities and improvements to grass pitches. At least one of the hub sites will also include a commercial health and fitness facility.

9. Built and Historic Environment

9.1 The policies in this chapter seek to meet Strategic Priority 7 to protect and enhance the built and historic environment. The policies in this chapter will:

- require development to achieve a high quality standard of design (Policy BH1); and where possible incorporate sustainable design and construction methods (Policy BH2);
- ensure that existing and proposed areas of public realm are well designed and accessible (Policy BH3);
- ensure that new advertisements and shop fronts are well-designed and appropriate to their surroundings (Policies BH4 and BH5);
- support the development of high quality communications infrastructure (Policy BH6);
- require development to respect and respond positively to the historic environment and any heritage assets within it (Policies BH7 and BH8); and
- preserve, protect and enhance, where possible, the city's archaeological heritage (Policy BH9).

Policy

BH1 Design Quality

To achieve high quality design and positive improvement, development should:

1. create places which have a clear function, character and identity based upon a robust understanding of local context, constraints and distinctiveness;

2. maximise opportunities to create sustainable, mixed-use developments which support the function and vitality of the area in which they are located;
3. be of a scale, massing, layout appearance and setting which respects and enhances the positive qualities of nearby properties and the locality;
4. retain acceptable levels of privacy and ensure a good standard of amenity for all existing and future occupiers of land and buildings;
5. promote natural surveillance and active frontages, including the provision of appropriate lighting, to assist in designing out crime;
6. clearly distinguish between public and private spaces, including appropriate use of hard and soft boundary treatments which reflect the character of the area;
7. create visually attractive and legible environments through provision of distinctive high quality architecture, detailing, building materials;
8. provide appropriate landscaping as an integral part of the development, including the enhancement and upgrading of public realm and existing green infrastructure, retaining landscape features and reflecting surrounding landscape character;
9. maximise the opportunities for buildings and spaces to gain benefit from sunlight and passive solar energy;
10. not detract from established views of important buildings, structures and landscape features;

11. in the case of tall buildings, form a positive relationship with the skyline and topography of the site and the surrounding area;
12. create safe, convenient and visually attractive areas for servicing and parking which does not dominate the development and its surroundings;
13. maximise durability and adaptability throughout the lifetime of the development to accommodate a range of uses; and
14. meet national spaces standards as a minimum (for residential).

Large scale developments should be supported by detailed Masterplans or development frameworks, and where appropriate, design codes.

- 9.2 The council is committed to delivering excellence in development quality. It expects all new development to embrace the principles of sustainable design, positively respond to the character and setting, as well as avoiding harmful and/or cumulative impacts to the amenity of neighbouring buildings, local character and heritage assets.
- 9.3 Good design is crucial to achieving attractive and durable places to live. This Plan therefore encourages high quality design and development in terms of new buildings and spaces and their setting in the built and rural landscape. This policy sets out the design principles that should be applied across the city to all forms and scales of development.

- 9.4 New residential development needs to ensure that homes are built with enough indoor and outdoor space to meet the needs of the intended residents. This will be achieved through new housing meeting nationally described space standards as a minimum.

- 9.5 Masterplans or development frameworks should be prepared for large scale development, in particular those which will be phased. This will ensure that development creates high quality sustainable places based on sound urban design principles. Design codes should also be prepared for large-scale, phased development and accompany outline planning applications. The code should set out mandatory and non-mandatory aspects of design and include regulatory plans. The need for design codes should be identified at the pre-application stage of development. Development should take into consideration SPDs on design and will be a material consideration in the determination of planning applications for relevant proposals.

Policy

BH2 Sustainable Design and Construction

Sustainable design and construction should be integral to development. Where possible major development should:

1. maximise energy efficiency and integrate the use of renewable and low carbon energy;
2. reduce waste and promote recycling during construction and in operation;

3. conserve water resources and minimise vulnerability to flooding;
4. provide details of the type, life cycle and source of materials to be used;
5. provide flexibility and adaptability, where appropriate, allowing future modification of use or layout, facilitating future refurbishment and retrofitting;
6. include opportunities to incorporate measures which enhance the biodiversity value of development, such as green roofs;
7. include a sustainability statement setting out how the development incorporates sustainable resource management and high environmental standards; and
8. maintain an appropriate buffer between sensitive development and existing waste water treatment works to ensure amenity and operational continuity, in accordance with Government Code of Practice guidance.

9.6 Development provides an opportunity for reducing energy consumption and enabling more efficient use of energy, both of which are important for reducing carbon emissions and wasteful use of finite natural resources. It is important that developments are designed to mitigate climate change, and to withstand its effects. This will help to minimise the impact of development on the global environment, and ensure that buildings and spaces endure. Sustainable design also includes the sustainable use of resources, which is

an important part of conserving materials and natural resources that are likely to become scarcer. This includes considering how existing buildings can be re-used, and how new buildings might be used in different ways in the future. Sustainable materials include those that are degradable, have low embedded energy, are easily renewed, or are recyclable.

9.7 In order to ensure that the energy efficiency of properties is maximised, the layout of developments should be designed to reduce dependence on energy for heat and lighting through maximising the southern orientation of buildings and enabling passive solar gain and the use of microgeneration technologies such as photovoltaic (PV) panels.

9.8 For major development a Sustainability Statement should be submitted which sets out how the development:

- is designed with regard given to sustainable development principles, taking into account the effects of climate change;
- delivers carbon reduction and energy efficiency levels required by relevant government guidance/schemes;
- reuses and recycles materials and other resources from all stages of development, design, demolition, construction and operation;
- maximises energy efficiency through internal and external layout, orientation, massing, materials, insulation, heat

recovery, construction techniques, natural ventilation, shading and landscaping;

- protects existing water and sewage infrastructure. Where development increases the demands for off-site service infrastructure, it must be demonstrated that sufficient capacity already exists or that extra capacity (or a financial contribution towards capacity) will be provided; and
- will connect to/or be ready to connect to any forthcoming decentralised heat or energy scheme, where feasible.

9.9 Since not all development involves new buildings, extensions and alterations are also required to demonstrate how the proposals will achieve resource efficiency and environmental standards. Applicants should also consider incorporating simple cost effective energy efficiency measures into the existing building.

Policy

BH3 Public Realm

Existing and proposed areas of public realm will:

1. create attractive, safe, legible, functional and accessible public spaces;
2. be constructed of quality, sustainable and durable materials which enhance the surrounding context; and
3. where appropriate, incorporate public art in development.

9.10 The public realm comprises the streets, footpaths and open spaces of

the city. These in turn are defined and contained by buildings, other elements and structures. The relationship between buildings and the public realm should ensure that streets and spaces are busy, overlooked by the fronts of buildings and perceived to be safe throughout the day and into the evening. The quality of the public realm shapes people's perceptions of place and contributes to the character and identity of an area, helping to instil a strong sense of place.

9.11 The construction of high quality areas of public realm with a clear function will aid in creating a distinctive city with its own identity whilst providing wider community benefits. The standard of the public realm provided should reflect the surrounding context of the local area.

9.12 High quality public realm can act as a catalyst for regenerating the city, by making it a more attractive place to invest work, live and visit. Improvements to public realm are also vital to our town centres and local neighbourhoods to support local economies and also to improve people's health by creating inclusive environment that encourage people to walk, cycle and socially interact.

9.13 Public art has a major role to play in providing the distinctive identity, enlivening the environment, creating a sense of place and the potential to attract inward investment. Development proposals in the city should respond positively to opportunities to introduce public art

and work collaboratively with the community.

- 9.14 Further guidance is provided within the council's Design and Access SPD.

Policy

BH4 Advertisements

Development for advertisements should:

1. be well designed and sympathetic to the character and appearance of their location and the building to which they relate, having regard to matters such as size, materials, construction, location, level of illumination and cumulative impact with other signage on the building and within the vicinity; and
2. for illuminated advertisements and signs, not adversely affect the amenity and/or safety of the surrounding area.

- 9.15 Advertisements can play a helpful role in promoting the city's businesses and provide direction to locations. However, they can sometimes have a negative impact upon the amenity of an area as well as public safety. As such, consideration must be given to local characteristics and features of the street scene. The council aims to ensure that advertisements are designed to a high standard and contribute to a safe and attractive environment. It considers that poorly designed, very bright or inappropriately sited advertisements can detract from the visual quality of the street or local area and so will be resisted.

- 9.16 In relation to public safety it is necessary to consider the effect of an advertisement upon the safe use of

vehicles and operation of traffic flow, including pedestrian traffic. Control over outdoor advertisements should be efficient, effective and simple in concept and operation.

Policy

BH5 Shop Fronts

1. Development for shop fronts and signs will be supported where the following criteria is satisfied:
 - i. the design is well related to the scale and appearance of the building to which the proposal relates; and
 - ii. the design respects the character and appearance of the location.
2. Solid shutters which present a blank frontage to shopping streets will not be permitted.
3. Proposals relating to Listed Buildings, within Conservation Areas and in areas of special advertisement control will be subject to the requirements of the relevant designation and appropriate planning policy guidance.

- 9.17 A shop frontage contributes to the overall appearance of the street scene and as such proposals for this type of development need to ensure the changes positively enhance the appearance of the building as well as the immediate area and do not detract from it.

- 9.18 Care needs to be taken in the choice of shutters, as solid shutters, particularly bare galvanised or mill finished aluminium ones, can have a detrimental environmental effect, making areas feel desolate and forbidding once trading hours have

ceased. Recessed shutter boxes can also assist in avoiding clutter to fascias.

- 9.19 There are particularly sensitive areas of Sunderland where ~~careful~~ extra care should be taken over the design and materials used within new shop fronts, such as where they would affect a Listed Building or where they would be located within a Conservation Area. Proposals in such areas would therefore be required to sustain and enhance the significance of designated Heritage Assets and take account of any other appropriate planning guidance such as relevant Character Appraisal and Management Strategies (CAMS).

Policy

BH6 Quality Communications

1. Development should include high quality digital infrastructure, providing access to services from a range of providers.
2. Development for the installation of new telecommunications infrastructure must demonstrate that:
 - i. there would be no significant adverse effect on the external appearance of the building or on the space in which they are to be located;
 - ii. there would be no significant adverse impact on the special character and appearance of heritage assets;
 - iii. the applicant has explored the possibility of sharing facilities, such as masts, cabinet boxes, satellite dishes and antennae on

existing buildings or other structures;

- iv. opportunities to miniaturise and camouflage any telecommunications apparatus have been explored;
- v. they are appropriately designed, coloured and landscaped to take account of their setting; and
- vi. there would be no significant adverse impact on the visual amenities of neighbouring occupiers.

- 9.20 Digital technologies have been a major driving force in influencing and shaping industry and society in the last few years. Changes that are currently transforming our working, learning, leisure and community environments will need to be integrated into future developments.

- 9.21 The council will seek to ensure that the development of modern telecommunications equipment is sympathetic to our townscape and countryside. The aim is to ensure that telecommunications equipment is kept to a minimum through encouraging the sharing of existing and/or proposed facilities where this is technically possible. The visual impact of telecommunications equipment can be minimised through careful design, placement, colouring and landscaping. This will help to protect the character of an area and the appearance of property.

- 9.22 Policy BH6 applies to planning applications or prior notification

applications for the installation of satellite dishes, microwave antennae, radio masts, cabinet boxes and other types of telecommunications apparatus which require planning permission. When considering such applications the council will also have regard to the legal requirements placed upon telecommunications operators to provide an adequate service, and any technical and operational constraints that may be faced.

Policy

BH7 Historic Environment

The council will ensure that the historic environment is valued, recognised, conserved and enhanced, sensitively managed and enjoyed for its contribution to character, local distinctiveness and sustainable communities by:

1. giving great weight to the conservation of heritage assets (designated and non-designated) based on their significance in accordance with national policy;
2. supporting new development which makes a positive contribution to the character and townscape quality of the historic environment;
3. supporting and developing innovative initiatives that identify, maintain, conserve and sustain or return to beneficial use designated or non-designated heritage assets;
4. capitalising in an appropriate and sensitive manner on the regeneration and tourism potential of heritage assets;
5. taking a positive and proactive approach to securing the

conservation and re-use of heritage assets at risk, including working with owners and partner organisations to develop schemes that will address the at-risk status of the assets and exploring opportunities for grant-funding to deliver viable schemes;

6. reviewing existing local heritage designations, such as Conservation Areas, and making new designations to protect and conserve built heritage assets, where justified, by appropriate surveys and evidence;
7. using Article 4 Directions, where appropriate, to protect features of historic/architectural importance; and
8. improving access and enjoyment of the historic environment where appropriate, by supporting proposals that retain, create or facilitate public access to heritage assets to increase understanding, appreciation and enjoyment of their significance, special qualities and cultural values.

9.23 The historic environment of Sunderland is an irreplaceable resource, providing assets of significant cultural, social, economic and environmental value. Sunderland benefits from a rich, diverse and distinctive ~~cultural and built heritage~~ historic environment that makes a fundamental contribution to the quality of the environment and providing a sense of place and belonging for its local communities. The historic environment includes archaeological remains, historic buildings, townscapes and landscapes, and includes locally significant assets and their settings in addition to

designated and statutorily protected features.

9.24 The City Council acknowledges the value and importance of the City's historic environment and recognises that its heritage assets should be conserved and enhanced in a manner appropriate to their significance.

9.25 Some of the city's Heritage Assets are at risk, and addressing Heritage-at-Risk is a key priority of the Council. It will focus on working with funding partners such as Historic England and Heritage Lottery Fund, other partner organisations, property owners and developers to develop solutions for assets at risk. For example, Sunderland's 'Historic High Streets' Heritage Action Zone is a partnership initiative with Historic England and other local partners that seeks to revive historic Sunderland and reconnect it with the modern city centre.

9.26 The Council will also seek to increase its knowledge and understanding of its historic environment, reviewing its local heritage designations, undertaking survey and appraisal work and commissioning specialist studies and research as opportunities arise. For instance, it will continue to produce Conservation Area Character Appraisals and Management Strategies (CAMS) to ensure that all its Conservation Areas are supported by adopted planning guidance. The use of Article 4 Directions will continue to be used as an effective way of

conserving the character and appearance of conservation areas.

9.27 Access and enjoyment of the historic environment goes hand in hand with its conservation. Proposals should therefore, where appropriate to the use, demonstrate that all reasonable steps have been taken to ensure heritage assets are accessible to all user groups and that this can be achieved without harming the significance of the asset.

Policy

BH8 Heritage Assets

1. Development affecting heritage assets (both designated and non-designated) or their settings should recognise and respond to their significance and demonstrate how they conserve and enhance the significance and character of the asset(s), including any contribution made by its setting where appropriate.
2. Development affecting a Listed Building, including alterations and additions should:
 - i. conserve and enhance its significance in regards to the protection, repair and restoration of its historic fabric, its features and plan form, its boundary enclosures, its setting and views of it, its group value and contribution to local character and distinctiveness; and
 - ii. be sympathetic and complimentary to its height, massing, alignment, proportions, form, architectural style, building materials, and its setting.
3. The demolition of and/or substantial harm to Listed Buildings will only be

considered in exceptional circumstances and with clear and convincing justification.

4. To preserve or enhance the significance of Conservation Areas, including their diverse and distinctive character, appearance and their setting, development:
 - i. should be in accordance with the objectives and proposals of the adopted Character Appraisal and Management Strategy (CAMS) for the relevant Conservation Area;
 - ii. should make a positive contribution to the character and distinctiveness of the Conservation Area;
 - iii. should support proposals for the conversion and adaptive re-use of vacant and underused buildings and heritage/townscape value in a sensitive manner; and
 - iv. within and adjacent to Conservation Areas should be of high design quality, to respect and enhance the established historic townscape and built form, street plan and settings of Conservation Areas and important views and vistas into, within and out of the areas.
5. The demolition or unsympathetic alteration of buildings which make a positive contribution to a Conservation Area will only be acceptable in exceptional circumstances and must be robustly justified.
6. Development of open spaces and the loss of any trees that contribute to the essential character of Conservation Areas and the settings of individual buildings within them will be resisted unless there are clear heritage or environmental benefits that outweigh

the loss.

7. Development within or adjacent to the Registered Historic Parks and Gardens and unregistered Parks and Gardens that are considered by the council to be of historic interest, will be required to protect and enhance their designed landscape character and setting and their natural and built features of historic, architectural and artistic importance.
8. Development affecting non-designated heritage assets should conserve heritage assets, their features and setting, and make a positive contribution to local character and distinctiveness.
9. In considering proposals affecting heritage assets identified as being at risk the council will support their conversion and adaptation where this secures their sympathetic repair, re-use in appropriate uses and sustains their significance into the future.

9.28 Sunderland's historic environment has a large number of heritage assets, both designated and non-designated, including Scheduled Monuments, archaeological sites, Historic Parks and Gardens, Listed Buildings and Conservation Areas. Outside statutorily designated areas a diversity of townscapes and landscapes make up the remainder, containing buildings of local historic and architectural value. Policy BH8 will ensure that these are conserved and enhanced.

9.29 A Heritage Statement must accompany all applications that affect heritage assets, and should describe the significance of the heritage asset and the impact of the proposals on its significance.

9.30 A proposal to demolish a listed building, or to alter or extend it in a way that would affect its special character, requires Listed Building Consent. If the proposal also involves 'development', planning permission is required and, in that case, the Local Planning Authority will wish to consider applications for Listed Building Consent and planning applications concurrently. Proposals to alter or extend any Listed Building will be assessed against the need to preserve the special architectural or historic interest which led to the building being listed. There is a general presumption in favour of the preservation of Listed Buildings, and consent to demolish or partly demolish such buildings will only be granted in exceptional circumstances. Demolition of listed buildings will need to demonstrate through a feasibility study that all options to conserve the building have been considered and clearly justify the case for demolition. Consent for demolition will not be given until redevelopment proposals have also been agreed and a programme of recording of the listed building has been initiated.

9.31 Extensions to listed buildings or development that affects the setting of a listed building, (either by virtue of being within its curtilage or sited in the surrounding environment within which it is experienced) will be required to be supported by visual analysis (such as relevant perspectives and cross sections) and other technical material that enables the

impact of the proposal to be properly assessed.

9.32 The council recognises the need in some cases to be flexible in the consideration of development to re-use listed buildings at risk, particularly those that have been vacant and deteriorating for long periods of time and are vulnerable. However, development that harms the significance of the listed building, including its setting, will not be considered acceptable unless the degree of harm is outweighed by the benefits of securing the repair and its re-use and the proposal sustains the overall significance of the asset into the future.

9.33 Development in Conservation Areas will be considered against the relevant CAMS or otherwise on the basis of whether they preserve and enhance the significance of the Conservation Area.

9.34 Demolition of unlisted buildings which are identified in the relevant CAMS as making a positive contribution to the Conservation Area will normally be refused. Applications will be expected to be accompanied by the same level of supporting information as those to demolish listed buildings. Proposals for the sympathetic and creative re-use and adaptation of vacant and underused historic buildings in conservation areas will be encouraged.

9.35 Developments within and otherwise affecting the settings of Conservation Areas should display high quality

designs that respect and enrich their historic context and the fundamental character of the Conservation Area.

9.36 In considering development affecting non-designated heritage assets and where necessary their settings, the council will have regard to the conservation of the heritage asset and its contribution to local character and distinctiveness in weighing up the merits of the proposal.

9.37 In addition to the city's Registered Parks and Gardens of Historic Interest there are several parks and gardens and other designed landscapes of historic interest in the city that whilst not currently registered, are considered by the council to be of sufficient significance to warrant being treated as if they were registered when considering development proposals that affect them.

9.38 For Heritage Assets at Risk, the council will work collaboratively with developers and funding organisations and take a balanced approach to secure the assets repair and restoration, whilst also developing innovative ways of adapting them to accommodate uses that secure their future in beneficial usage.

Policy

BH9 Archaeology and Recording of Heritage Assets

1. Development which adversely affects the archaeological interest or setting of a Scheduled Ancient Monument or will be refused planning permission unless ~~wholly~~ exceptional circumstances exist that satisfy the requirements of the

NPPF.

2. The council will support the preservation, protection and where possible the enhancement of the city's archaeological heritage by requiring that:
 - i. applications that may affect buried archaeological remains must be supported by an archaeological desk-based assessment and evaluation reports where appropriate;
 - ii. where development affects heritage assets of archaeological interest, preference will be given to preservation in situ. However where loss of the asset is justified in accordance with national policy, the remains should be appropriately archaeologically excavated and recorded, the findings assessed and analysed, the resulting archive report deposited with the Tyne and Wear Historic Environment Record and the physical archive deposited with the relevant collecting museum. Significant findings will also be published in an archaeological journal to make them publicly accessible and to enhance understanding; and
 - iii. where demolition or part demolition of a designated built heritage asset or non-designated building of significance has been justified, or substantive changes are to be made to the asset, works must not commence until archaeological building recording of the asset has been carried out and the results deposited with the Historic Environment Record and Tyne and Wear Archives.

9.39 Proposed works that directly affects a SAM normally requires Scheduled Monument Consent; applications are determined by Historic England rather than the Council. The Council's responsibilities in relation to Scheduled Ancient Monuments (SAMs) consist of having regard to the effect of any development upon their settings.

9.40 The city's archaeological remains are a rare record of the evolution of civilisation in Sunderland, giving people the opportunities to experience and learn about their past. The Tyne and Wear Historic Environment Record (HER) is compiled, maintained and continually updated by the County Archaeologist on behalf of the five Tyne and Wear authorities. The council is required in accordance with

of the NPPF to make publicly available information on the significance of heritage assets gathered as part of plan-making or development management. The council takes a pro-active approach towards this gathering of information, for inclusion in the HER.

9.41 Such opportunities arise in particular with development that seeks to demolish, remove, or make substantive physical changes to heritage assets. In such cases the council will require an appropriate level of archaeological assessment and evaluation, historic and architectural appraisal and other relevant analysis deemed necessary.

10. Natural Environment

10.1 The provision of attractive, accessible areas of green infrastructure, open space, sports and community facilities helps to support physical activity and social interaction, allowing people to lead healthy lifestyles. Connecting up the different communities and facilities to ensure Sunderland functions effectively is essential to support sustainable lifestyles and enhance the quality of life for local people. This chapter includes policies to meet Strategic Priority 8 and will seek to protect and enhance the natural environment by:

- maintaining and improving the Green Infrastructure Network (Policy NE1);
- protecting biodiversity and geodiversity (Policy NE2);
- conserving trees, woodlands and hedgerows (Policy NE3);
- protecting and conserving the quality, community value, functionality and accessibility of greenspaces (Policy NE4);
- protecting the Green Belt from inappropriate development (Policy NE6);
- protecting Settlement Breaks from development (Policy NE7);
- limiting development within the Open Countryside (Policy NE8);
- protecting, conserving and enhancing the varied landscape character of the city (Policy NE9);
- conserving, protecting and enhancing the natural and cultural integrity of the designated Heritage Coast (Policy NE10);

- ensuring that development is designed to preserve or enhance key views and vistas (Policy NE11); and
- protecting the loss of the best and most versatile agricultural land, (Policy NE12).

Policy

NE1 Green and Blue Infrastructure

1. To maintain and improve the Green Infrastructure Network through enhancing, creating and managing multifunctional greenspaces and bluespaces that are well connected to each other and the wider countryside, development should:
 - i. incorporate existing and/or new green infrastructure features within their design and to improve accessibility to the surrounding area;
 - ii. address corridor gaps and areas of corridor weakness where feasible;
 - iii. support the management of existing wildlife corridors, including reconnecting vulnerable and priority habitats (see policy NE2);
 - iv. apply climate change mitigation and adaptation measures, including flood risk and watercourse management;
 - v. link walking and cycling routes to and through the corridors, where appropriate;

- vi. include and/or enhance formal and natural greenspace and bluespace provision;
- vii. protect and enhance landscape character; and
- viii. have regard to the requirements of the Green Infrastructure Delivery Plan and make contributions proportionate to their scale towards the establishment, enhancement and on-going management.

2. Development that would sever or significantly reduce green infrastructure will not normally be permitted unless the need for and benefits of the development demonstrably outweigh any adverse impacts and suitable mitigation and/or compensation is provided.

10.2 Green Infrastructure (GI) describes the strategic network of undeveloped land, comprising green, brown and blue spaces that define, connect and intersperse our built environments. It relates to spaces in public or private ownership, with or without public access. It includes landscapes, historic environments, natural habitats, biodiversity and geological features, greenspaces and woodland, linear corridors, and in the case of bluespaces it also includes waterways, lakes, water dependent habitats and the sea.

10.3 Green infrastructure provides a wide range of social, economic and environmental benefits including direct recreational benefits providing opportunities for physical activity,

promoting health and well-being, mitigating the impacts of extreme weather, reducing flood risk, supporting biodiversity, providing wildlife corridors, enabling local communities to grow their own food, strengthening the economy and enhancing environmental quality.

10.4 Six inter-district green infrastructure corridors within the city have been identified (as shown by Figure 40). These corridors will build on the existing network linking the city to the wider region and seek to broaden the range and quality of functions that green infrastructure can bring to Sunderland. The district corridor network within Sunderland will also be protected and enhanced. This network is also shown on Figure 40.

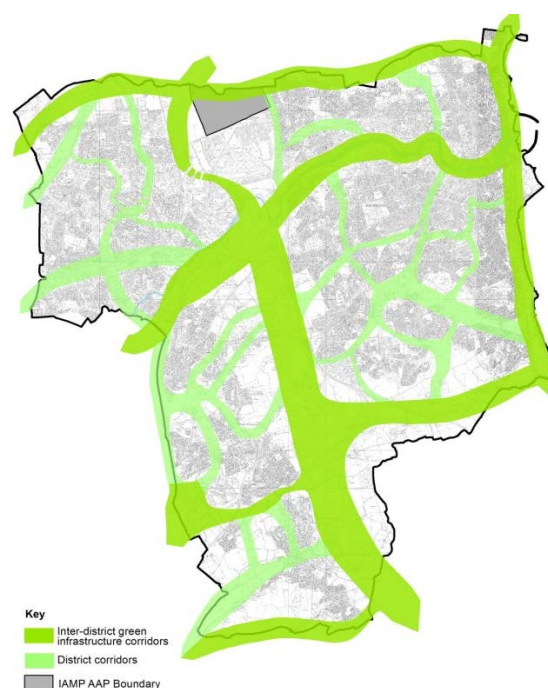


Figure 39 Green Infrastructure

10.5 Our approach to GI will follow that outlined by our Green Infrastructure Strategy, having regard to the

requirements of the supporting Green Infrastructure Delivery Plan.

Development brings opportunities to enhance the network and deliver new green infrastructure. GI is considered equal to all other forms of infrastructure and will be viewed as a critical element in the determination of planning applications.

10.6 The A&D Plan will identify land to deliver this policy.

Policy

NE2 Biodiversity and Geodiversity

1. ~~Biodiversity and geodiversity will be protected, created, enhanced and managed by requiring development to~~ Where appropriate, development must demonstrate how it will:
 - i. provide net gains in biodiversity; and
 - ii. avoid (through locating on an alternative site with less harmful impacts) or minimise adverse impacts on biodiversity and geodiversity in accordance with the mitigation hierarchy;
2. ~~proposals~~ development that would have an impact on the integrity of European designated sites that cannot be avoided or adequately mitigated will not be permitted other than in exceptional circumstances. These circumstances will only apply where there are:
 - i. no suitable alternatives;
 - ii. imperative reasons of overriding public interest;
 - iii. necessary compensatory provision can be secured to ensure that the overall coherence of the Natura 2000 network of European sites is

protected; and

- iv. development will only be permitted where the council is satisfied that any necessary mitigation is included such that, in combination with other development, there will be no significant effects on the integrity of European Nature Conservation Sites;
3. development that would adversely affect a Site of Special Scientific Interest, either directly or indirectly, will be required to demonstrate that:
 - i. there are no reasonable alternatives; and
 - ii. the case for development clearly outweighs the nature conservation value of the site;
4. development that would adversely affect a Local Wildlife Site or Local Geological Site, either directly or indirectly, will demonstrate that:
 - i. there are no reasonable alternatives; and
 - ii. the case for development clearly outweighs the need to safeguard the intrinsic value of the site;
5. development that would adversely affect the ecological, recreational and/or educational value of a Local Nature Reserve that will demonstrate:
 - i. that there are no reasonable alternatives; and
 - ii. the case for development clearly outweighs the need to safeguard the ecological, recreational and/or educational value of the site;

6. development proposals that would have a significant adverse impact on the value and integrity of a wildlife corridor will only be permitted where suitable replacement land or other mitigation is provided to retain the value and integrity of the corridor.

10.7 Wildlife is not confined to designated sites and many features serve as wildlife corridors, links and stepping stones. Sunderland's wildlife corridors coupled with our designated sites will be the means to deliver ecological networks and habitat connectivity within and beyond Sunderland. The location of new development will deliver sites that avoid, protect and/or enhance Sunderland's wildlife and geology.

10.8 For the purpose of this policy the term biodiversity includes all statutory and non-statutory designated sites, protected species, priority habitats and species, wildlife corridors, and habitats and species outside designated sites and not identified as a conservation priority but which are considered locally important including water-dependent, aquatic and marine habits and species. Geodiversity relates to the variety of rocks, minerals, fossils, landforms, sediments and soils, together with the natural processes that form and alter them, which are considered nationally or locally important.

10.9 Any proposal that is likely to have a significant effect on a European site, either alone or in-combination with

other plans or projects, will need to undertake a Habitats Regulations Assessment. Where necessary, planning obligations will be secured to implement avoidance and mitigation measures for strategic sites HGA7 and HGA8. Mitigation measures will include the provision of Suitable Alternative Natural Greenspace (SANG) or Strategic Access and Monitoring (SAMM) or a combination of the two in accordance with the HRA for North Sunderland and the project HRA for site HGA7. Proposals for development or land use that would adversely affect a European Site, either individually or in combination with other plans or projects, will only be permitted where the developer can demonstrate that there are imperative reasons of overriding public interest, including those of a social or economic nature, and there is no alternative solution. Compensatory measures will be secured to ensure that the overall coherence of the network of European sites is maintained.

10.10 It is expected that in the majority of cases, habitats and species of principal importance will have already been identified on a site-specific basis and are protected through national and local designations - however, species will not always be confined to a designated site boundary.

10.11 Where a development directly and/or indirectly impacts on a designated site, proposals should take account of appropriate buffer zones as a way of minimising potential adverse

effects and where possible incorporate or enhance them as part of the development. Buffer zones will vary in size, dependent upon different types of species and habitat involved.

10.12 Development likely to have a significant direct or indirect impact on legally protected species and habitats of Principal Importance in England²¹ and those listed by the Local Nature Partnership will not be recommended for approval unless they incorporate appropriate measures that ensure the long term survival and enhancement of current populations and habitats to ensure the sustainability of an individual group, species or habitat.

10.13 Dependent on the biodiversity and geodiversity impact, the council may require developers to produce a management strategy to ensure the continued protection of the features of interest. Such management strategies may include monitoring programmes to provide up to date information which will shape future policy reviews as well as inform future site specific plans.

10.14 Wildlife corridors are strategic networks which transcend administrative boundaries and are instrumental in the movement of species within and beyond Sunderland. Wildlife corridors will be protected from intrusive developments, including certain

recreational uses. The nature conservation value of wildlife corridors should be maintained and enhanced as part of any planning approval.

10.15 Biodiversity does not just occur on undisturbed greenfield sites. Many brownfield sites and built features have biodiversity value, and many sites require management to retain their importance. Where possible, these areas will be enhanced and integrated into the functional network.

10.16 The forthcoming Biodiversity and Geodiversity SPD will support the natural environment policies. The A&D Plan will identify land to deliver this policy.

Policy

NE3 Woodlands/Hedgerows and Trees

To conserve significant trees, woodlands and hedgerows, development should:

1. only be permitted where it can clearly demonstrate that development cannot reasonably be located elsewhere;
2. follow the principles below to guide the design of development where effects to ancient woodland, veteran/aged trees and their immediate surroundings have been identified:
 - i. avoid harm;
 - ii. provide unequivocal evidence of need and benefits of proposed development;
 - iii. provide biodiversity net gain;
 - iv. establish likelihood and type of

²¹ Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006

any impacts;

- v. implement appropriate and adequate mitigation and compensation;
- vi. provide adequate buffers; and
- vii. provide adequate evidence to support proposals;

- 3. retain, protect and improve woodland, trees subject to Tree Preservation Orders (TPOs), trees within Conservation Areas, and 'important' hedgerows as defined by the Hedgerows Regulations 1997;
- 4. give consideration to trees and hedgerows both on individual merit as well as their contribution to amenity and interaction as part of a group within the broader landscape setting; and
- 5. ensure that where trees, woodlands and hedgerows are impacted negatively by proposed development, justification, mitigation, compensation and maintenance measures are provided in a detailed management plan.

10.17 Woodlands and trees play an extremely important role in the landscape and environmental quality of Sunderland. Existing trees and landscaping can be a valuable resource and, where it is desirable to retain them (including any statutorily protected trees), the design and layout of new development must allow for this, including suitable buffer zones and details of measures to protect retained trees and landscaping.

10.18 Development which fails to make satisfactory arrangements for landscaping or the protection of retained trees will normally be refused unless the benefits of and development in that location clearly outweigh the loss. British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction recognises that trees need to be properly protected during construction periods. This document provides guidance on planting and protecting trees during construction and the level of information required for full surveys.

10.19 Ancient woodland and aged or veteran trees are irreplaceable; therefore discussions over possible compensation should not form part of the assessment to determine whether the benefits of the development proposal outweigh the loss.

10.20 Tree Preservation Orders (TPOs) are particularly important in controlling the felling and pruning of trees or woodlands which make a significant contribution to the environment. New orders will continue to be made where trees of amenity value are at risk. The council will take enforcement action against those who deliberately damage or remove protected trees.

Policy

NE4 Greenspace

The council will protect, conserve and enhance the quality, community value, function and accessibility of greenspace and wider green infrastructure, especially in

areas of deficiency identified in the Council's Greenspace Audit and Report by:

1. designating greenspaces in the A&D Plan;
2. requiring development to contribute towards the provision of new and/or enhanced greenspace where there is an evidenced requirement;
3. requiring all major residential development to provide:
 - i. a minimum of 0.9ha per 1000 bedspaces of amenity greenspace on site, unless
 - ii. a financial contribution for the maintenance/upgrading to neighbouring existing greenspace is considered to be more appropriate;
4. refusing development on greenspaces which would have an adverse effect on its amenity, recreational or nature conservation value unless it can be demonstrated that:
 - i. the proposal is accompanied by an assessment that clearly demonstrates that the provision is surplus to requirements; or
 - ii. a replacement facility which is at least equivalent in terms of usefulness, attractiveness, quality and accessibility, and where of an appropriate quantity, to existing and future users is provided by the developer on another site agreed with the council prior to development commencing; or
 - iii. replacement on another site is neither practicable or possible and an agreed contribution is made by the developer to the council for

new provision or the improvement of existing greenspace or outdoor sport and recreation facilities and its maintenance within an appropriate distance from the site or within the site.

The impact of development on greenspace provision will need to be considered on a case-by-case basis in terms of its potential impact on Natura 2000 (N2K) sites.

10.21 The provision of attractive, accessible and functional greenspace is an important component of the green infrastructure network that adds significantly to environmental quality and helps to support physical activity and social wellbeing.

10.22 The council will seek to ensure that local residents have access to greenspace to meet their needs. The Greenspace Report sets out in detail the existing provision and where shortfalls exist. While the overall provision of open space is sufficient it does vary across Sunderland. To ensure sufficient open space is provided for future residents, the council will designate land in the A&D Plan.

10.23 For the purposes of Policy NE4 we define greenspace as:

- amenity greenspace;
- provision for children and young people;
- natural and semi-natural greenspace;
- formal parks and country parks;
- allotments and community gardens;
- outdoor sports facilities;
- school playing fields and grounds;

- cemeteries and church grounds;
- civic spaces; and
- coast and estuary.

10.24 The Greenspace Audit should be used to inform development of the most suitable greenspace provision/improvement for each locality.

10.25 New or enhanced greenspaces will be sought where it can be justified, and must be publicly useable and available. Grass verges should not be included in any calculations, and heavily engineered SUDs solutions will not be considered acceptable within greenspace provision. This provision will be secured through on site provision or, if appropriate, elsewhere in the city. In some cases, a contribution to secure improvements in existing open space, rather than provision of new open space, will be appropriate.

10.26 Major new residential developments will be expected to provide amenity greenspace on site. For clarity, the council considers major development to be 10 or more houses, as per the NPPF. Bedspaces can be notionally equated with types of dwellings as follows:

One bedroom dwelling – 2 bedspaces
Two bedroom dwelling – 3 bedspaces
Three bedroom dwelling – 4 bedspaces
Above three bedrooms – 1 additional bedspace per bedroom.

10.27 There may be circumstances where onsite provision may not be the most appropriate option for the area in question, and this would need to be agreed with the council and in

conjunction with the Greenspace Audit. For example:

- smaller developments may not be able to deliver sufficient greenspace that would provide genuine benefit to the development;
- alternatively, the Greenspace Audit may indicate that the development lies within an area with high or above average quantities of amenity greenspace, in which case local quality improvements to existing greenspace may be more beneficial.

10.28 In these circumstances, it may be more appropriate to provide a contribution in lieu for the maintenance/upgrading of existing greenspaces in the locality, or a combination of reduced levels of new greenspace together with a financial contribution to upgrade nearby local greenspaces. Where necessary, the applicant will be required to provide detailed information on how and when the greenspace will be implemented and, once implemented, how the greenspace will be maintained and managed throughout its lifetime. In certain cases, a proposed development might be able to offer the opportunity for alternative provision with comparable community benefit.

10.29 Any impact to the quality and/or quantity of greenspace could have an indirect impact on the N2K sites along the coast by virtue of the potential to increase trips to the

coast. At present, this particularly affects sites within 6km of the coast, but may also impact on sites further afield. Further detail will be provided in the A&D Plan.

Policy

NE5 Burial Space

The council will protect all existing burial spaces and seek to re-use existing spaces for new burial spaces where appropriate. In determining any application for the provision of new burial spaces, applications should demonstrate the following:

1. the provision meets the burial requirements of the various ethnic and religious groups within the city;
2. the spaces are located within close proximity to the communities served by spaces to reduce the travelling distance to visit the deceased; and
3. any effect on the water table and the possibility of flooding or water logging caused by the new provision is minimised.

10.30 Within the city, a total of 49 sites have been identified with some form of cemetery or church function, many of which are of historic interest and include designated heritage assets. This includes 10 municipal cemeteries, which are located throughout the city area. Based on grave capacity at these 10 municipal cemeteries and current grave purchase rates, it is estimated that there are 42 years of capacity remaining.

10.31 In spatial terms, however, there is no municipal burial space remaining in Washington. There has already

been some initial site investigation regarding a new municipal cemetery to serve Washington. Ultimately however, the council must demonstrate an ability to provide for the disposal (by burial) for the dead and this is achieved through the spare capacity elsewhere across the city. If a new site is desired, consideration would also need to be given as to whether the new site should focus on the Washington area, or to provide a new central site aimed at serving the city as a whole. Further consideration will be given to this in the A&D Plan.

Policy

NE6 Green Belt

1. The Green Belt (as designated on the Policies Map) in Sunderland will serve the following purposes:
 - i. check the unrestricted sprawl of the built up areas of the city;
 - ii. assist in safeguarding the city's countryside from further encroachment;
 - iii. assist in the regeneration of the urban area of the city;
 - iv. preserve the setting and special character of Springwell Village and Newbottle Village; and
 - v. prevent the merging of Sunderland with Tyneside, Washington, Houghton-le-Spring and Seaham, and the merging of Shiney Row with Washington, Chester-le-Street and Bournmoor.
2. In assessing development proposals, development that is inappropriate in the Green Belt will not be approved except

in very special circumstances.

3. Development in the Green Belt ~~may~~ will be permitted where the proposals are consistent with the exception list in national policy subject to all other criteria being acceptable.
4. Proposals in the Green Belt for increased opportunities for access to the Open Countryside and which provide opportunities for beneficial use such as outdoor sport and recreation, appropriate to the Green Belt, will be encouraged where it will not harm the objectives of the Green Belt and recognise the important role of the Green Belt as a biodiversity resource.

10.32 Sunderland's Green Belt forms part of a much wider Tyne and Wear Green Belt to the north and north-west of the city, as well as adjoining County Durham Green Belt to the south and south-west of Sunderland.

10.33 The Green Belt purpose in relation to Sunderland is to check the unrestricted sprawl of the existing built-up area, which has been mapped to show such areas as Washington, Springwell Village, Houghton, Hetton and Shiney Row and the main built-up area of Sunderland (to the east of the A19).

10.34 Whilst most forms of development are considered inappropriate in the Green Belt, national planning policy lists certain exceptions which are not inappropriate. Very special circumstances are clarified in the NPPF.

NE7 Settlement Breaks

1. Settlement Breaks (as designated on the Policies Map) will serve the following purposes:
 - i. prevent the merging of settlements;
 - ii. assist in the regeneration of the urban area of the city; and
 - iii. maintain the Green Infrastructure Network.
2. Within Settlement Breaks, planning permission will not be granted for any form of development, including changes of use, unless:
 - i. it can be demonstrated that the development is not contrary or detrimental to the above functions and aims; or
 - ii. it is essential for the proposed development to be located within the Settlement Breaks, and the benefits of which override the potential impact on the Settlement Break.

10.35 Settlement Breaks consist of open areas around and between settlements which maintain the distinction between the countryside and built up areas.

10.36 Whilst the purpose of the Settlement Breaks policy is to protect them from development, it is not intended that they should operate as an absolute restriction on all development proposals. Certain types of development may be acceptable, so long as they are not detrimental to the character, role and function of the Settlement Breaks within which they are situated.

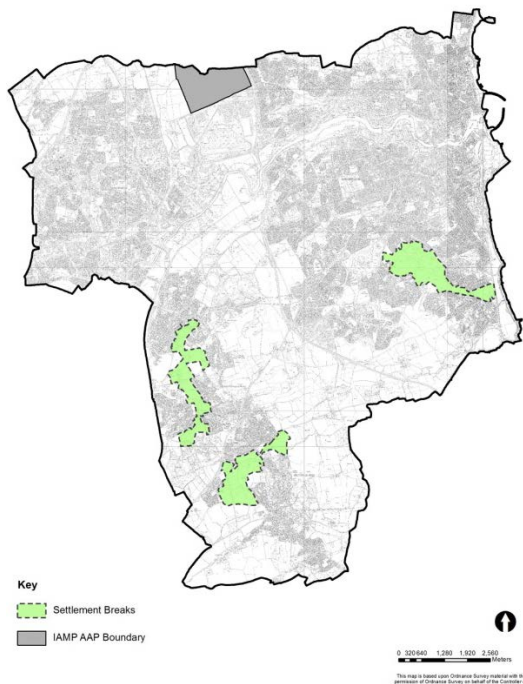


Figure 40 Settlement Breaks

Policy

NE8 Development in the Open Countryside

The Open Countryside (as designated on the Policies Map) will be protected and access enhanced. Limited development can help to sustain existing businesses, boost the rural economy and assist in rural diversification. The council will support:

1. development for agriculture, horticultural and forestry buildings; outdoor sport; outdoor recreation; cemeteries and rural business, provided that it can demonstrate that:
 - i. there is a clear need;
 - ii. the scale, nature, design, materials and siting of the development is compatible with the existing development and in close proximity to it;
 - iii. it will not result in a scale of activity that has a detrimental impact on the surrounding area; and

- iv. there are no existing on-site buildings suitable for the proposed use;
2. development for a new dwelling for agricultural, horticultural or forestry workers provided it can be demonstrated that there is a clear need;
3. housing development if rural exceptions in national policy can be met;
4. an isolated single dwelling if it is of exceptional quality and incorporates innovative design features and reflects the highest standards in architecture and sustainability;
5. development that is required to ensure the conservation and, where appropriate, enhancement of assets of historical significance;
6. the replacement of a building, where the development would not have a significantly greater impact on the rural environment than the original building it is proposed to replace, provided the new building:
 - i. would be in the same use;
 - ii. is not materially larger than the one it replaces; and
 - iii. is sited on or close to the position of the existing building;
7. extensions or alteration of a building provided that:
 - i. it would not result in disproportionate additions over and above the size of the original building;
 - ii. it would not adversely affect the form and character of existing buildings and are designed to reflect and complement them; and

iii. with regards residential, the creation of a residential curtilage will not have a harmful impact on the character of the countryside;

8. limited infilling in villages or hamlets, subject to criteria 1ii and 1iii above being met; and
9. the redevelopment of previously developed land, provided that the site is not of high environmental value or landscape quality, and if the development will contribute to local housing needs or provide new jobs.

10.37 Whilst a considerable part of the city's Open Countryside is protected through either Green Belt or Settlement Break designations, there are significant areas of Open Countryside (particularly within the southern Coalfield area).

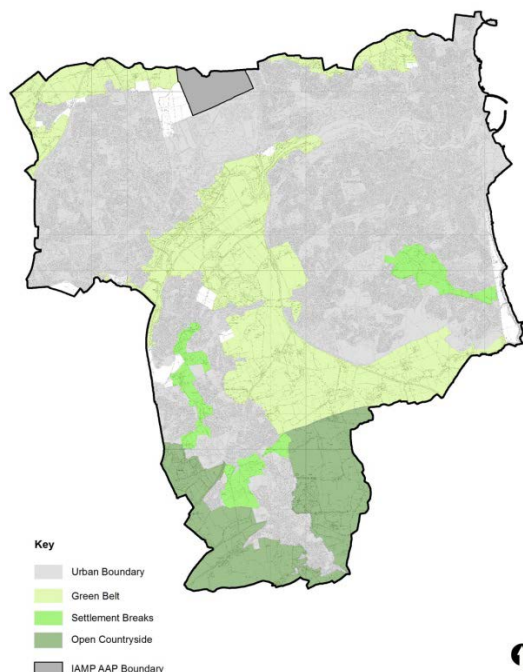


Figure 41 Open Countryside

10.38 Development in the Open Countryside can help sustain existing businesses and boost the rural

economy. It is recognised that diversification into non-agricultural activities is vital to the continuing viability of many rural enterprises and as such the council will be supportive of well-conceived schemes for business purposes that contribute to sustainable development, help to sustain the rural enterprise and are consistent in scale with their rural location. Proposals will need to be compatible with the existing area and are of a scale and nature which does not detract from the surrounding area. In respect of proposed new buildings, existing buildings on-site must be considered first.

10.39 To support sustainable (but isolated) development in rural areas, exceptional circumstances are supported that follow national policy relating to rural exception sites, including sites that provide exceptional innovative quality and support historic assets.

10.40 It is recognised that in some limited circumstances there may be a need generated for new dwellings to solely serve workers engaged in agriculture, forestry and other rural activities. In such circumstances, the council will tightly control who occupies such dwelling through the use of planning conditions.

10.41 Limited infilling in villages and hamlets may be supported in Open Countryside areas, provided that the scale, nature, design, materials and siting of the development is

compatible with the existing development and does not have a detrimental impact on the surrounding area.

- 10.42 Redevelopment of previously developed land will be considered against landscape quality, as outlined in the city's Landscape Character Assessment. The sites environmental value, whether the site is afforded biodiversity or geodiversity protection and/or its impact to wildlife corridors will also be considered.

Policy

NE9 Landscape Character

1. To protect, conserve and enhance the varied landscape character (including seascape development) proposals should:
 - i. demonstrate a high quality of landscape design, implementation and management as an integral part of the new development; and
 - ii. demonstrate how the following elements identified in the city's Landscape Character Assessment are taken into account:
 - a) the key characteristics, assets, sensitivities and vulnerabilities; and
 - b) measures to protect and/or enhance the landscape in the relevant locality.
2. Development that causes significant adverse impact on the distinctive landscape characteristics of an area will be not be supported unless the impacts are clearly and demonstrably outweighed by the benefits of the proposed development.

- 10.43 National policy provides strong support towards protecting and enhancing valued landscapes. It recognises the intrinsic character and beauty of the countryside as a core planning principle.

- 10.44 The UK Marine Policy Statement also recognises the importance of seascapes as part of any landscape consideration in the city. Seascapes are coastal landscapes which have views of the sea, and which have cultural, historical or perceptual associations with the marine environment. The city's Landscape Character Assessment identifies the relevance of seascape to key landscape types, and seascape issues are being further investigated along the Durham Heritage Coast.

- 10.45 Applicants will be expected to submit a Landscape and Visual Impact Assessment to demonstrate that they have met the requirements of Policy NE9.

- 10.46 The Landscape Character Assessment provides guidance and strategy for the entire city area, which is split into 8 rural landscape types and 3 urban landscape types. The assessment should be used to guide development proposals. Consideration should also be given to the Tyne & Wear Historic Landscape Characterisation Report.

NE10 Heritage Coast

1. The council and partners will seek to conserve, protect and enhance the natural and cultural integrity of the defined Heritage Coast, supporting the Magnesian Limestone landscape and seascape, biodiversity and quality of inshore waters, whilst accounting for the economic and social needs of adjacent coastal communities.
2. Development along or affecting the Heritage Coast will normally only be supported where it is aligned with all relevant key objectives within the adopted Heritage Coast Management Plan.

- 10.47 The Heritage Coast Partnership oversees management of the coastline by and for local communities, seeking to protect the natural and cultural integrity of the area whilst developing and meeting the area's social and economic needs. In line with the Partnerships' adopted Management Plan, the key objectives to guide management of the Heritage Coast are to:
- conserve, protect and enhance the natural beauty of the coast, its marine flora and fauna, and its heritage features;
 - facilitate and enhance its enjoyment, understanding and appreciation by the public;
 - maintain and improve the environmental health of inshore waters affecting the Heritage Coast and its beaches through appropriate environmental measures;

- take account of the needs of agriculture, forestry and fishing, and of the economic and social needs of the communities on the coast;
- to promote community participation in the stewardship of the coast; and
- to integrate fully with adjoining areas and within the region to actively promote Integrated Coastal Zone Management. In addition, the incorporation of estuary edge techniques to soften hard edges and create habitat to enhance coastal ecosystems will also be supported.

NE11 Creating and Protecting Views

1. All development should take account of views into, out of and within the development.
2. Development should be designed to preserve or enhance key local views and vistas (as identified in the Council's Landscape Character Assessment), and create new public views where possible.
3. Particular consideration should be given to views of significant buildings, including views to and from heritage assets, and views within landscapes which are more sensitive to change due to their open, exposed nature and extensive indivisibility from various viewpoints.

- 10.48 The topography of the city varies widely, often permitting notable long distance and panoramic views (e.g. of the River Wear from various points along its length, or of

Penshaw Monument). These views make a substantial contribution to a quality environment and thus should be protected from intrusive developments. The city's Landscape Character Assessment provides guidance and strategy on open and panoramic views where relevant to localities and the Green Infrastructure Strategy also provides background to key viewpoints within corridors and at key localities including city gateways.

- 10.49 New developments can have a significant impact on existing public views, and this can adversely affect the design quality, attractiveness and functionality of an area unless carefully managed. Wherever possible, developments should be designed to have a positive impact on public views by introducing attractive features into the townscape, providing new landmarks that help people orientate themselves within the city, and using buildings to frame existing views. The A&D Plan will identify key local views and vistas to deliver this policy.

Policy

NE12 Agricultural Land

Development which would result in the loss of best and most versatile agricultural land should be considered in the context of the agricultural land's contribution in terms of economic and other benefits.

- 10.50 The best and most versatile land is defined as Grades 1, 2 and 3a, and is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass, fibres and pharmaceuticals.

- 10.51 When considering applications for planning permission that affects agricultural land, the implications upon farming and quality of land is to be considered together with the environmental and economic implications and a statement detailing how the benefits would outweigh the loss of best and most versatile agricultural land should accompany the application. For major developments where land classification is not available, we may require the applicant to undertake work to determine land quality. In assessing such factors, the council will bear in mind that once agricultural land is developed, even for "soft" users such as golf courses, its return to best quality land is seldom practicable. The need to control the rate at which land is taken for development will also be a factor in any assessment.

11 Water, Waste and Energy

11.1 The policies in this chapter seek to meet strategic objectives 9 and 10 by:

- promoting decentralised, renewable and low carbon energy (Policy WWE1);
- reducing flood risk and implement appropriate coastal management (Policies WWE2 and WWE3);
- protecting the quantity and quality of surface water and groundwater bodies and quality of bathing water (Policies WWE3 and WWE4);
- ensuring that development utilises the drainage hierarchy (Policy WWE5);
- encouraging and supporting the minimisation of waste production and the re-use and recovery of waste materials (Policy WWE6);
- focusing the development of new waste facilities on previously developed employment land (Policy WWE7);
- safeguarding existing waste facilities (Policy WWE8); and
- ensuring energy from waste facilities would not have significant adverse impacts upon amenity (Policy WWE10).

Policy

WWE1 Decentralised, Renewable and Low Carbon Energy

1. The development of decentralised, renewable and low carbon energy will be supported subject to satisfactory resolution of all site specific constraints as follows:
 - i. decentralised, renewable and low-carbon energy development should be located and designed to avoid

unacceptable significant adverse impacts on landscape, wildlife, heritage assets and amenity;

- ii. appropriate steps should be taken to mitigate any unacceptable significant adverse impacts, such as noise nuisance, flood risk, shadow flicker, interference with telecommunications, air traffic operations, radar and air navigational installations through careful consideration of location, scale, design and other measures; and
 - iii. any adverse cumulative impacts of proposals.
2. Development that can provide combined heat and power must demonstrate that due consideration has been given to the provision of any heat produced as an energy source to any suitable adjacent potential heat customers.

11.2 Implementing renewable and low carbon energy is an important part of the response to the challenges of both climate change and security of energy supply. Renewable and low carbon energy sources are low or zero emission alternatives to fossil fuels as a source of energy. Renewable and low-carbon decentralised energy is an important component of meeting carbon reduction targets.

11.3 The purpose of the policy is to encourage the provision of renewable and low carbon energy through the planning system, but also to recognise

the role of planning in setting the framework to allow assessment of potential impacts and to influence decision-making based on assessment.

- 11.4 The development of most standalone renewable energy installations will require careful consideration due to their potential visual and landscape impacts, especially in areas of high landscape value. The size, location and design of renewable energy schemes should be informed by a landscape character assessment, alongside other key environmental issues.
- 11.5 The Sunderland Wind and Solar Landscape Sensitivity Assessment (2015) considers the sensitivity of different landscape character areas to potential wind turbine and solar development within the city and should form the basis of any assessments for these types of development. The impact of any other proposals for decentralised, renewable and low carbon energy development upon the landscape should be considered against the Sunderland Landscape Character Assessment (2015).
- 11.6 Significant weight is given to the wider environmental, social and economic benefits of renewable and low carbon energy generation and particularly, decentralised energy generation schemes. The impact on neighbouring residents and other sensitive receptors is also a significant consideration, but will vary, depending on the size, scale, location and type of technology

proposed. Any potential cumulative impact of schemes within the area, including within and outside the city, will also be considered.

- 11.7 The A&D Plan will identify locations suitable for wind energy development if appropriate.
- 11.8 Applications for wind turbine installations will need to include details of associated infrastructure and connectivity, such as new access roads and overhead power lines, so that the council can fully assess the proposal.

Policy

WWE2 Flood Risk and Coastal Management

1. To reduce flood risk and ensure appropriate coastal management, development:
 - i. should follow the sequential approach to determining the suitability of land for development, directing new development to areas at the lowest risk of flooding and where necessary applying the exception test, as outlined in national planning policy;
 - ii. will be required to demonstrate, where necessary, through an appropriate Flood Risk Assessment (FRA) that development will not increase flood risk on site or elsewhere, and if possible reduce the risk of flooding;
 - iii. will be required to include or contribute to flood mitigation, compensation and/or protection measures, where necessary, to manage flood risk associated with or caused by the development;

- iv. should comply with the Water Framework Directive by contributing to the Northumbria River Basin Management Plan;
- v. will maintain linear coastal flood defences north from Hendon Sea Wall to Seaburn, and managed coastal retreat on the Heritage Coast and north of Seaburn;
- vi. which would adversely affect the quantity of surface or groundwater flow or ability to abstract water must demonstrate that no significant adverse impact would occur, or mitigation can be put in place to minimise this impact; and
- vii. of additional river flood defences must demonstrate that the proposal represents the most sustainable response to a particular threat.

11.9 Flooding is a key factor in determining the scale and location of development in Sunderland. It is important that inappropriate development is avoided in areas currently at risk from flooding, or likely to be at risk as a result of climate change, or in areas where development is likely to increase flooding elsewhere. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where it is necessary, without increasing flood risk elsewhere. The National Planning Practice Guidance (NPPG), together with the council's latest Strategic Flood Risk Assessment (SFRA), Preliminary Flood Risk Assessment (PFRA) and latest Local

Flood Risk Management Strategy (LFRMS) provides guidance in this respect. The SFRA provides a framework for the overall appraisal and management of risk. It allows the identification of land with the lowest probability of flooding that would be appropriate to the type of development or land use proposed.

11.10 Development should be directed towards locations which are at lowest risk from flooding. Where necessary, the applicant will be required to demonstrate that they have followed the sequential test.

11.11 Developers must consider flood risk from all sources as part of a SFRA and ensure they are utilising the most appropriate and up-to-date information in assessing the risk of flooding from all sources to the development site. Discussions should be held with the Lead Local Flood Authority (LLFA) when considering measures to mitigate flooding from different flood sources within development proposals. Conditions or planning obligations will be used as appropriate to secure flood risk mitigation measures.

11.12 Sunderland falls within the Northumbria River Basin Management Plan (RBMP) which provides cross-boundary guidance on good practice and measures for improvement. Drawn up by the Environment Agency, RBMPs aim to provide integrated management of surface and groundwater bodies across individual regions.

11.13 Built development can lead to increased surface water run-off; therefore new development is encouraged to incorporate mitigation techniques in its design, such as source control (interception) Sustainable Drainage Systems (SuDS) and attenuation SuDS. Where appropriate, SuDS should be used as part of the linked Green Infrastructure Network to provide multiple functions and benefits to landscape quality, recreation and biodiversity. This can be achieved through habitat creation, new open spaces and good design. SuDS should be designed to help cope with intense rainfall events as well as day-to-day rainfall events and to overcome any deterioration in water quality status. In determining the suitability of SuDS for individual development sites, developers should seek advice from the ~~Lead Local~~ Flood Authority LLFA.

11.14 In line with the Sunderland Corporation Act 1972 and Shoreline Management Plan, coastal flood defences will be maintained (termed "holding the line") at Hendon Beach, the Port of Sunderland, Sunderland Harbour, Roker and Seaburn Beaches. 'Managed retreat' (which monitors the coastline's natural processes but with no active intervention) will be undertaken along the Heritage Coast to the south of Hendon as well as at South Bents and Whitburn Cliffs.

11.15 This policy should be read alongside the Marine Policy statement and the Marine Management Organisation's developing North East Inshore and Offshore Plans.

Policy

WWE3 Water Management

Development must consider the effect on flood risk, on-site and off-site, commensurate with the scale and impact. Development must:

1. be accompanied by a Flood Risk Assessment (where appropriate), to demonstrate that the development, including the access, will be safe, without increasing or exacerbating flood risk elsewhere and where possible will reduce flood risk overall;
2. demonstrate that they pass the Sequential Test and if necessary the Exceptions Test in flood Zones 2 and 3;
3. discharge at greenfield run-off rates for the 1 in 1 and 1 in 100 flood events plus the relevant climate change allowance for greenfield and brownfield sites in accordance with the latest Local Flood Risk Management Strategy;
4. incorporate a Sustainable Drainage System (SuDS) to manage surface water drainage. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance;
5. separate, minimise and control surface water run-off by discharging in the following order:
 - i. to an infiltration or soak away system;
 - ii. to a watercourse (open or closed);

- iii. to a surface water sewer.

However, if sites are within 250m of a tidal estuary or the sea, surface water can be discharged directly);

- 6. ensure adequate protection where sites may be susceptible to over land flood flows (as shown in the Strategic Flood Risk Assessment) or lie within a Surface Water Risk Area (as shown on the Environment Agency flood maps);
- 7. incorporate allowance for climate change in accordance with the latest Environment Agency Guidance;
- 8. make developer contributions, where needed, to ensure that the drainage infrastructure can cope with the capacity needed to support proposed new development;
- 9. demonstrate control of the quality of surface water run-off during construction and for the lifetime of the development. For all developments the management of water should be an intrinsic part of the overall development; and
- 10. not have a detrimental impact on the city's water resources, including the Magnesian Limestone Aquifer and its ground source protection zones. Development along the River Wear and coast should take account of the Northumbria River Basin Management Plan, to deliver continuing improvements in water quality.

- 11.16 Flooding from sewers is increasingly recognised as an issue in areas that are not necessarily at risk from fluvial flooding – whereby rainfall events, sometimes away from the area

concerned, cause major surface water run-off to enter the sewerage system.

- 11.17 This policy seeks to minimise the risk that future development locations could be flooded from sewers or add to an existing risk by ensuring that surface water run-off entering the sewer system is kept to an absolute minimum. Other benefits of such an approach will include a much reduced risk to water quality.
- 11.18 To help adapt to expected climate change, the policy provides the broad framework for addressing the increased risk of flooding including a requirement for sustainable drainage systems.
- 11.19 Where appropriate, SuDS should contribute to the provision of green infrastructure whilst retaining acceptable levels of useable amenity space.
- 11.20 In order to protect the Magnesian Limestone Aquifer and its ground source protection zones, the use of deep infiltration SUDS and other infiltration SuDS will not be supported where they are likely to have an adverse impact on drinking water supply. Ground investigations would need to be considered on a case by case basis and should be guided by the Environment Agency's approach to groundwater protection.

WWE4 Water Quality

The quantity and quality of surface and groundwater bodies and quality of bathing water shall be protected and where possible enhanced in accordance with the Northumbria River Basin Management Plan.

1. Water quality assessments will be required for:
 - i. any physical modifications to a watercourse; and
 - ii. any development which could indirectly, adversely affect water bodies.
2. Development that discharges water into a watercourse will be required to incorporate appropriate water pollution control measures.
3. Development that incorporates infiltration based SuDS will be required to incorporate appropriate water pollution control measures.
4. Development adjacent to, over or in, a main river or ordinary watercourse should consider opportunities to improve the river environment and water quality by:
 - i. naturalising watercourse channels;
 - ii. improving the biodiversity and ecological connectivity of watercourses;
 - iii. safeguarding and enlarging river buffers with appropriate habitat; and
 - iv. mitigating diffuse agricultural and urban pollution.

11.21 This policy seeks to minimise the impact of development on the quality of surface water and the Magnesian Limestone Aquifer and its ground source protection zones.

11.22 The potential to pollute our groundwater aquifers is significant. Intense rainfall can cause localised flooding and erosion, and storm sewage overflows are known to affect water quality, environmental quality and affect important wildlife sites. Furthermore, old mine workings within the city have the potential to release heavy metals into the groundwater aquifers, and in areas along the coast, over-pumping of the aquifer has resulted in saline intrusions. Increased use of fertilizers in the catchment by the agricultural industry is also resulting in increasing nitrite concentrations, and landfill sites also present a high risk to groundwater.

11.23 The Environment Agency and the Coal Authority recommend a hydrogeological risk assessment is provided on the impact of development on the existing minewater 'blocks' (in terms of flood risk and water quality) as identified by the Coal Authority. Further advice should be sought with the local planning authority.

11.24 The council, in conjunction with the Environment Agency and the sewerage undertaker, will seek to resist development that threatens water quality and quantity, and will generally encourage initiatives that

result in an improvement of water quality and the capacity of surface waters to support wildlife. The Water Framework Directive (WFD) became part of UK law in 2003 with the primary objectives of achieving good ecological status in water bodies, and providing protection for drinking water sources and protected sites (Habitats Directive Sites and Sites of Special Scientific Interest). These requirements are reflected in the Environment Agency's Northumbria River Basin Management Plan, which covers the city area.

11.25 Early engagement with the local planning authority, the LLFA, Environment Agency and relevant water and sewerage companies can help to establish if water quality is likely to be a significant planning concern and, if it is, to clarify what assessment will be needed to support the application. Applicants should provide sufficient information for the council to be able to identify the likely impacts on water quality. The information supplied should be proportionate to the nature and scale of the development proposed and the level of concern about water quality.

11.26 Water quality at the designated bathing water sites at Roker and Seaburn is assessed by the Environment Agency. From May to September, weekly assessments measure current water quality, and at a number of sites daily pollution risk forecasts are issued. Both

beaches have been rated as excellent for 2015, 2016 and 2017.

Policy

WWE5 Disposal of Foul Water

1. Development should utilise the following drainage hierarchy:
 - i. connection to a public sewer;
 - ii. package sewage treatment plant (which can be offered to the Sewerage Undertaker for adoption); then
 - iii. septic tank.
2. Development involving the use of non-main methods of drainage in areas where public sewerage exists or the use of Cess Pits will not be permitted.
3. Development of new or extensions/ improvements to existing waste water, sludge or sewage treatment works, will normally be supported unless the adverse impact of the development significantly outweighs the need for greater capacity.

11.27 For further information regarding the drainage hierarchy and use of non-main methods of drainage advice should be sought from Northumbria Water.

Policy

WWE6 Waste Management

Development that encourages and supports the minimisation of waste production, and the re-use and recovery of waste materials including, for example, re-cycling, composting and Energy from Waste will normally be supported. Proposals for waste management facilities to deal with

waste arisings will be encouraged based upon the following principles:

1. managing waste through the waste hierarchy in sequential order. Sites for the disposal of waste will only be permitted where it meets a need which cannot be met by treatment higher in the waste hierarchy;
2. promoting the opportunities for on-site management of waste where it arises and encouraging co-location of waste developments that can use each other's waste materials;
3. ensuring that sufficient capacity is located within the city to accommodate forecast waste arisings of all types during the Plan period, reducing the reliance on other authority areas;
4. supporting delivery of the South Tyne and Wear Joint Municipal Waste Management Strategy;
5. facilitating the development of recycling facilities across the city including civic amenity sites and small recycling 'bring' banks to ensure there is sufficient capacity and access for the deposit of municipal waste for re-use, recycling and disposal;
6. facilitating the development of a network of small scale local waste management facilities in accessible locations, and effective methods of waste management such as suitable facilities to separate or store different types of waste, including materials that are required to be separated for kerbside collection schemes;
7. ensuring new waste developments are located and designed to avoid unacceptable adverse impacts on landscape, wildlife, heritage assets and amenity;

8. working collaboratively with neighbouring local authorities with responsibilities for waste and other local authorities where waste import/export relationships exist. This will ensure a co-operative cross boundary approach to waste management is established and maintained; and
9. addressing to an acceptable standard the potential cumulative impacts of any waste development and the way it relates to existing developments.



Figure 42 Waste Hierarchy

- 11.28 In line with Government guidance the Plan will, where necessary, make provision for the sustainable management of: non-hazardous waste; which consists of Local Authority Collected Waste (LACW) and Commercial and Industrial Waste; construction, demolition and excavation waste (CDEW); hazardous waste such as asbestos or batteries; low level radioactive waste; agricultural waste and waste water produced from water treatment.

- 11.29 The council's aim for waste management is to recycle 50% of waste from households by 2020, under the EU Waste Framework Directive and to recover 70% of construction and demolition waste by 2020. Therefore an adequate range of waste management facilities should be provided to ensure that waste is treated and disposed of in a sustainable and environmentally acceptable way, balancing the social and environmental needs of the city. Waste management facilities will need to have the potential to meet the Government's waste management targets whilst taking into account potential spare capacity in adjacent local authority areas.
- 11.30 Sunderland has progressed a joint approach to the procurement of waste services, along with the councils of South Tyneside and Gateshead, known as the "South Tyne and Wear Waste Management Partnership" (STWWMP). Guided by the joint waste strategy, the partnership has developed a longer-term strategic solution for the treatment and disposal of residual municipal waste. A contract has been secured for the city's residual municipal waste to be treated at a new Energy from Waste Facility at Haverton Hill in Teesside.
- 11.31 The contract involved building an Energy from Waste facility which will burn the waste to create electricity. A new waste transfer facility station has also been granted consent and has been developed at Jack Crawford House depot, in Hendon. Both sites are now operational.
- 11.32 The contract commenced April 2014 and will run for 23 years. It provides for three waste transfer stations, with some limited front end recycling of bulky waste with the majority of residual household waste transferred by bulk road haulage to a dedicated EFW facility at the Haverton Hill waste complex. The plant will be able to deal with up to 256,000 tonnes of waste each year and is capable of exporting 18.84MW of electricity to the national grid. The facility is supported by a Visitor and Education Centre at Gateshead's waste transfer facility, which is located within Sunderland's boundary at the Campground site in Springwell.
- 11.33 Policy WWE6 puts in place the principles of identifying appropriate locations for waste management facilities. These principles are key to ensuring much needed waste management infrastructure is delivered in the most sustainable and effective way for the treatment of waste and the avoidance of potential negative impacts.
- 11.34 Applicants will be expected to submit a supporting statement to demonstrate that the proposals would not have any unacceptable adverse impacts upon the landscape, wildlife, heritage assets and amenity.
- 11.35 When considering the potential impacts of a scheme, applicants will

also be expected to consider cumulative impacts and how the proposals may impact upon existing nearby land uses and/or other committed development proposals. Each application will be considered on a site by site basis.

11.36 The A&D Plan will identify land to deliver this policy, where necessary.

Policy

WWE7 Waste Facilities

Development for new built waste facilities should be focused on previously developed employment land (excluding land within Primary Employment Sites) and will be required to meet the following criteria:

1. demonstrate the need for the facility, if there is a clear conflict with other policies of the Development Plan;
2. all waste processes and operations must be contained, processed and managed within buildings unless there are acceptable operational reasons why these processes cannot be contained within buildings;
3. proposals must accord with all other policies in relation to the protection of the environment and public amenity or demonstrate that other material considerations outweigh any policy conflict;
4. consideration will be given to the potential impacts of waste management proposals from:
 - i. harmful materials entering the public highway;
 - ii. generation of odours, litter, light, dusts, flies, rodents, birds and other infestation;
 - iii. noise, excessive traffic and

vibration;

- iv. risk of serious fires through combustion of accumulated wastes;
- v. harm to water quality and resources and flood risk management;
- vi. land instability;
- vii. land use conflict; and
- viii. where necessary, mitigation measures should be identified to ameliorate any negative impacts to an acceptable level.

11.37 A Waste Needs Assessment (WNA) has been undertaken to review the existing operating capacity of waste infrastructure across Sunderland and to assess future requirements over the Plan period. However, because the LACW contract is in place, this assessment has not sought to assess this waste stream as there are no anticipated requirements for managing residual waste.

11.38 Applicants will be expected to demonstrate the need for the facility in terms of the type of facility and taking account of the capacity findings. To ensure waste management sites operate without detriment to amenity, public safety and without having a significant adverse effect on the environment and appearance of the proposed development site, it is expected that proposals will be located within buildings, unless there are specific operational reasons why this is not

possible. In such circumstances, the applicant will be expected to specify the activities which would take place outside of the building structure, quantify the impact of this activity on nearby sensitive receptors and provide a scheme of.

11.39 When considering amenity issues, careful consideration should be given to potential cumulative impacts.

11.40 Specific allocations where required to meet identified requirements, will be made within the A&D Plan.

Policy

WWE8 Safeguarding Waste Facilities

The council will safeguard all existing waste management sites within Sunderland from inappropriate development in order to maintain existing levels of waste management capacity and to aid delivery of the Joint Municipal Waste Strategy, including those sites identified within Table 2, as well as planned future replacement facilities for existing Household Waste Recycling Centre's and commercial facilities required for the management of LACW or other waste streams, unless it can be demonstrated that:

1. there is no longer a need for the facility; and
2. capacity can be met elsewhere; or
3. appropriate compensatory provision is made in appropriate locations elsewhere in the city; or
4. the site is required to facilitate the strategic objectives of the city.

11.41 There are a number of existing waste management facilities which help to

manage all waste arisings within the city which remain an important function for the processing of waste materials. Table 2 identifies the existing strategically important waste facilities for LACW only which are present within the city and are required to help deliver the Joint Municipal Waste Strategy.

Facility Name	Facility Type
Campground Near Springwell Village	Waste Transfer Station
Jack Crawford House, Hendon	Waste Transfer Station
Campground Near Springwell Village – HWRC	HWRC
Beach Street, Deptford - HWRC	HWRC
Parsons Depot, Parsons Road, Washington	Council Waste Collection Depot
Jack Crawford House, Commercial Road, Hendon	Council Waste Collection Depot
South Hylton House Depot, Hylton Bank, Sunderland (under review)	Council Waste Collection Depot
Market Lane Depot, Houghton-le-Spring (under review)	Council Waste Collection Depot

Table 2 Safeguarded Waste Facilities

11.42 When determining applications for non-waste development within a distance that could affect the potential for waste use on a site, regard will be had to any potential adverse impact the proposed development might have on the future of the site as a location for waste management. If a development is likely to have an unacceptable impact on the future of

the site as a location for waste management it will be refused, unless it is demonstrated by the applicant that there is no longer a need for the allocated site as a location for waste management or there is an overriding need for the non-waste development in that location.

11.43 In addition to the sites listed in Table 2, the following sites are also considered of importance to the management of LACW in Sunderland and for the delivery of the Joint Municipal Waste Strategy:

- H W Martens Waste Transfer Station, Teal Farm, Washington;
- G O'Brien and son Waste Transfer Station, Wilden Road, Pattinson, Washington;
- Timberpark waste timber processing/transfer station, Pattinson; and
- JBT Waste Services Waste Transfer Station – Westline Industrial Estate (located within County Durham).

11.44 In order to ensure that there is sufficient capacity within the city to deal with waste arisings, other than those which are to be sent to the EFW plant at Haverton Hill, Policy WWE8 seeks to protect these facilities. However, it is recognised that in some circumstances there may no longer be a need for the facility. In such circumstances, the loss of waste management sites will be supported where the capacity can be met elsewhere, appropriate compensatory provision is made in

appropriate locations elsewhere, or the site is required to facilitate the strategic objectives of the city.

11.45 The purpose of this policy is to safeguard those sites required for the delivery of the Joint Municipal Waste Management Strategy and other strategically important sites to protect them against potential future conflict with incompatible uses, as well as protecting existing waste management infrastructure in Sunderland to ensure sufficient capacity is maintained to manage expected levels of waste over the Plan period. This is important because the predicted future need for additional waste management capacity assumes existing capacity is available (except where known closure has been identified within the Plan period). Should the continuation or potential expansion of sites be affected by non-waste development this would impact on the ability of Sunderland to manage its waste. Policy HS1 of this Plan sets out the material planning considerations in this regard.

11.46 It is also important to note that Household Waste Recycling Centre's are often located relatively near to residential areas to ensure they are accessible to the public for whom they are intended. NPPW states that the need to ensure that 'waste management is considered alongside other spatial planning concerns, such as housing and transport, recognising the positive contribution that waste management can make to

the development of sustainable communities'. This statement is clear that waste development needs should be considered alongside other development and the importance of the future need for waste facilities should be considered when determining non-waste applications.

Policy

WWE9 Open Waste Facilities

1. Development for new open waste management facilities will be permitted where:
 - i. the waste site allocations and existing waste facilities are shown to be unsuitable and/or unavailable for the proposed development;
 - ii. a need for the capacity of the proposed development has been demonstrated to manage waste arising from within the administrative area of Sunderland; and
 - iii. it is demonstrated that the site is at least as suitable for such development as Site Allocations, with reference to the overall spatial strategy and site assessment methodology associated with the Development Plan.
2. Where acceptable, proposals should be located at or on:
 - i. redundant farm land (in the case of green waste and/or biological waste); or
 - ii. demolition and construction sites, where the inert waste materials are to be used on the construction project on that site; or
 - iii. existing permitted waste

management sites or co-located with other waste management development; or

- iv. the curtilages of Waste Water Treatment Works (in the case of biological waste); or
 - v. mineral and landfill sites where waste material is used in conjunction with restoration or proposed waste operations are temporary and linked to the completion of the mineral/landfill operation; or
 - vi. areas of previously developed land; or
 - vii. employment areas that are existing or allocated in the Development Plan for general industry (B2) and storage and distribution (B8), with the exception of Primary Employment Areas, the Port of Sunderland or the IAMP, where waste development will not be supported.
3. Any proposals that come forward on land use types not identified above will be assessed on their merits, based on the other policies in the Development Plan. Such locations will be considered less favourably than those set out within this Policy.
- 11.47 Open waste management facilities are those that deal with waste in the open air. Open waste operations also include aggregate recycling facilities and open window composting. Open waste facilities can give rise to specific impacts such as noise, dust and odour which can influence where such development should take place. Therefore careful consideration needs to be taken

when dealing with planning applications for such developments.

- 11.48 Applicants will be expected to demonstrate the need for the facility and proposals should only be supported where existing waste management facilities are incapable of dealing with the proposed waste streams. Development should be focused on previously developed sites and those in previous compatible uses, as set out in Policy WWE9 above.

olicy

WWE10 Energy from Waste

1. Energy from waste development, together with any ancillary buildings and infrastructure must demonstrate that they will have no unacceptable significant adverse impacts that cannot be mitigated for, particularly with regard to the protection of the environment, public health and public amenity.
2. Energy from Waste development will be required to provide combined heat and power unless it can be demonstrated that this would prevent the

development of waste management facilities that have the potential to deliver important waste infrastructure.

- 11.49 Energy from waste developments has the potential to have significant adverse impacts upon the environment, public health and/or public amenity, if not directed to appropriate locations. The applicant will be expected to submit supporting evidence to demonstrate that proposals for energy from waste developments would not have unacceptable significant adverse impacts. Where significant adverse impacts are recognised, appropriate mitigation must be identified and implemented to ensure that proposals are acceptable.
- 11.50 Energy from waste developments have the opportunity to provide combined heat and power to other nearby users. Applicants will be expected to generate and distribute combined heat and power, unless a clear justification is provided to explain why this is not possible.

12. Sustainable Transport

12.1 A strategic priority is to improve public transport and accessibility across our area, while reducing the adverse impact of road traffic and traffic congestion. The level of population and employment growth proposed over the next 18 years will necessitate increased investment in public transport to improve transport accessibility for all users, and the council will work with partners, transport operators and developers to ensure that this takes place. Focusing on sustainable transport development will not only improve accessibility but will also help to support other crucial initiatives in Sunderland such as helping to improve traffic congestion, air quality, road safety and supporting increased levels of physical activity and overall health.

12.2 The council will also seek to ensure that major new development is located in areas with high levels of public transport accessibility, thereby reducing the need to travel by private car, to minimise energy use and to increase opportunities for walking and cycling.

12.3 This chapter seeks to address Strategic Priority 11 and to improve transportation provision, accessibility and air quality by:

- ensuring development has no severe adverse impact on the local road network; is close to public transport links (or where new links could be

provided); and, enhances opportunities for walking and cycling (Policies ST1, ST2 and ST3);

- enhancing the transport network to improve connectivity from homes to employment areas, designated centres, and to other key trip generators (Policies SP10 and ST1);
- utilising traffic management measures in order to manage congestion and mitigate against the environmental and health impacts of traffic (Policies SP10 and HS1);
- ensuring that transport initiatives support the development of safer, cleaner and more inclusive centres and neighbourhoods (Policy ST1); and
- working with the North East Combined Authority (NECA), neighbouring councils and other partners to promote cross-boundary transport initiatives.

12.4 Sustainable transport will be guided by the Local Transport Plan and NECA including development of cross boundary transport initiatives.

Strategic Policy

SP10 Connectivity and Transport Network

To improve connectivity and enhance the city's transport network, the council, working with its partners and utilising developer contributions will seek to:

1. deliver the following new highways schemes and initiatives:
 - i. Sunderland Strategic Transport Corridor (remaining phases);

- ii. Ryhope to Doxford Park Link Road;
 - iii. Central Route section of Coalfield Regeneration Route; and
 - iv. Improvements to key junctions on the A19, including providing access to the IAMP;
2. improve the following transport routes and bus corridors to encourage walking and cycling and to reduce congestion:
 - i. A183 Chester Road;
 - ii. A690 Durham Road;
 - iii. A1231 Sunderland Highway (west of the A19);
 - iv. A1018 Newcastle Road;
 - v. B1522 Ryhope Road;
 - vi. Washington Road/North Hylton Road (east of A19); and
 - vii. A182 Houghton/Hetton Road.
 3. improve the operating conditions for buses, in particular through securing improvements to the major bus corridors identified above; and exploring park and ride opportunities;
 4. support improvements to the Metro and rail network including new stations and routes where deliverable;
 5. safeguard the following disused railway alignments for future use:
 - i) Leamside line; and
 - ii) South Hylton to Penshaw;
 6. improve and extend the cycle network.

12.5 Improving connectivity and the transport network is a key principle which will support the growth of the

city. In order to facilitate this growth there will need to be improvements to the road network, public transport network and cycle network.

12.6 A number of specific new highway schemes and initiatives have been identified to deliver this plan.

Including:

- the Sunderland Strategic Transport Corridor (SSTC) which will provide a high-quality route between the A19 and the Port, taking in the Urban Core as well as improving accessibility to development sites along the river corridor. Both the initial section of this road (St Mary's Boulevard) and Phase 2 including the Northern Spire Bridge are complete. Further phases to follow include:
 - Phase 3 (South Bridgehead to St Michael's Way); and
 - Phase 4 and 5 Commercial Links (Wessington Way and Port Access improvements);
- the council is proposing a major area of housing growth, known as the SSGA (Policy SS6). The key transport infrastructure requirement needed to support the development of SSGA is the Ryhope-Doxford link road;
- the Central Route in the Coalfield will link the A182 at Biddick Woods via Sedgeleth and Dubmire South to Rainton Bridge Industrial Estate. The road will support housing and employment regeneration and improve connectivity in the Coalfield. Developer contributions will be sought to fund completion of this road; and

- key junctions on the A19 at Downhill, Ferryboat and A690 including. The IAMP AAP Infrastructure Delivery Plan contains the road improvements works that are required to specifically support the IAMP.

12.7 The existing highway network will continue to fulfil an important role in the future prosperity of Sunderland. Traffic congestion on several strategic roads and junctions is a cause of delays, with consequent lost time for employees and other travellers and additional costs for bus operators. Initial schemes include, for example, major improvements to the A183 Chester Road corridor. Other major road corridors, as set out within Policy SP10 will be improved as finances and circumstances permit. Improvements to these corridors will include provision to improve public transport, walking, cycling and disabled access.

12.8 The vast majority of public transport trips in Sunderland are made by bus and it is likely that this will continue into the future. The council will work with the bus operators and Nexus to improve operating conditions for buses on the bus corridors within the city as outlined in Policy SP10.

12.9 The Metro (and the wider local rail system) is a significant public transport asset for the city but the network will need to be expanded and updated to meet future needs. The council will work with Nexus and other stakeholders to secure improvements to the Metro and local rail network. Future expansion plans for the Metro

and the local rail network are not known at this point and new route possibilities will also depend on the flexibility of the new rolling stock chosen for the Metro.

12.10 The former Leamside railway line provides opportunities for a range of railway uses including improving connectivity between Washington and Sunderland (by taking in the former Penshaw-Pallion line) and southwards into the Coalfield area. The council will continue to work with its sub-regional partners and transport infrastructure stakeholders to investigate the potential of this line and will support proposals that benefit the city. The council will ensure that the location and design of new development does not conflict with the potential for the Leamside Line's re-instatement.

12.11 Increasing the opportunities for accessible and safe walking and cycling in Sunderland will have a number of benefits, ranging from improving people's health, improving air quality and reducing traffic congestion. As well as strategic walking and cycling routes, the council will seek local improvements, including convenient and safe walking routes.

12.12 The city is crossed by a network of footpaths, national cycle ways and equestrian routes, partly as a result of former railway lines that have been successfully reclaimed in recent years. These ensure sustainable off-road networks providing access to

many parts of the city and a variety of destinations. Further routes will be pursued that will help to form a grid pattern that enable longer or shorter circuits to be used for commuting or recreational purposes.

Policy

ST1 Urban Core Accessibility and Movement

Accessibility to and movement through the Urban Core will be enhanced by:

1. discouraging the use of streets by through-vehicular traffic;
2. increasing priority for pedestrians and cyclists in the Primary Shopping Area;
3. improving the cycle network;
4. improving 'legibility' and signage for pedestrians;
5. providing for operational access for businesses;
6. improving the provision of car parks around the ring road;
7. reducing the 'barrier' effect of the ring road in relation to adjacent areas;
8. improving the attractiveness of Park Lane Interchange; and
9. working with rail industry partners to:
 - i. improve the connectivity of Sunderland to other major centres; and
 - ii. supporting redevelopment and improvement of Sunderland Station.

12.13 In accordance with the NECA Transport Manifesto and emerging Transport Plan, the council is committed to improving accessibility to and movement within the Urban Core.

12.14 Key improvements will involve avoiding conflicts between pedestrians and vehicular traffic, making improvements to the physical infrastructure within the Urban Core such as Park Lane Station and the southern concourse of Sunderland Station and improving connectivity between the Urban Core and other major centres within the UK.

12.15 The A&D Plan will identify land to deliver this policy, where necessary.

Policy

ST2 Local Road Network

1. The Local Road Network will be protected for safe and efficient movement in accordance with the following road hierarchy:
 - i. Distributor Roads;
 - ii. Category 1 Roads;
 - iii. Category 2A Roads; and
 - iv. Category 3 Roads.
2. To ensure that development has no unacceptable adverse impact on the Local Road Network, proposals must ensure that:
 - i. where a new vehicular access is accepted in principle, the number of access points will be kept to a minimum and new access points will be designed and constructed

in accordance with the current highway design standards;

- ii. they have safe and adequate means of access, egress and internal circulation/turning arrangements for all modes of transport relevant to the proposal;
- iii. where an existing access is to be used, substandard accesses will be improved and/or upgraded in accordance with the current standards for the category of road;
- iv. they are assessed and determined against current standards for the category of road having regard to the capacity, safety and geometry of the highway network;
- v. they have safe and convenient access for sustainable transport modes relevant to its location; and
- vi. they will not create a severe impact on the safe operation of the highway network; resulting in potential risk to all highway users with specific consideration given to vulnerable road users.

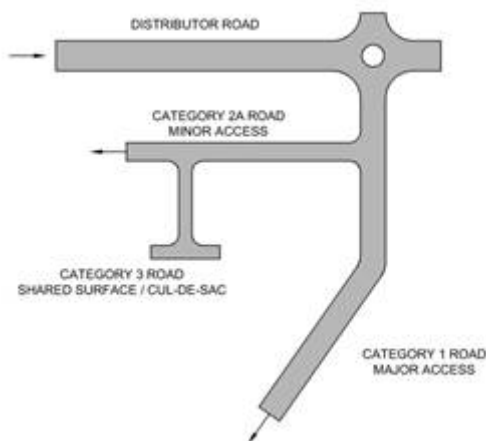


Figure 43 Local Road Hierarchy

12.16 Whilst the strategic road network is important in providing connections between Sunderland and the wider area, the vast majority of roads within Sunderland form part of the Local Road Network. Policy ST2 sets out the local road network hierarchy, which will be used when considering development. It will be ensured that the function of all roads within the Local Road Network are to be protected in accordance with their position within the road hierarchy to ensure the safe and efficient movement of traffic for all.

12.17 Developers must demonstrate that proposals will not have a severe impact on the safe operation and management of the Local Road Network for all highway users. This will be subject to scoping and agreement with the Local Highway Authority.

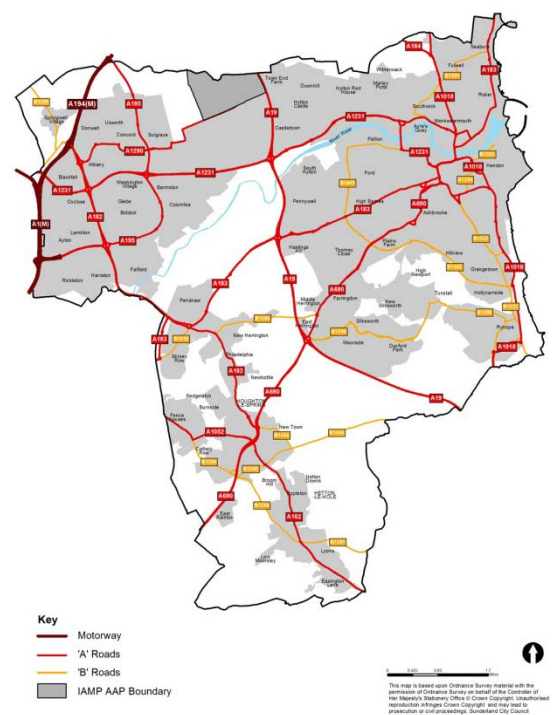


Figure 44 Local Road Network

12.18 Development must be designed and constructed in accordance with Sunderland City Council Adoptable Highway Standards. Highway access and road layouts will need to be agreed with the Local Highway Authority to ensure a development does not cause significant congestion or road safety issues.

Policy

ST3 Development and Transport

Development should:

1. provide safe and convenient access for all road users, in a way which would not:
 - i. compromise the free flow of traffic on the public highway, pedestrians or any other transport mode, including public transport and cycling; or
 - ii. exacerbate traffic congestion on the existing highway network or increase the risk of accidents or endanger the safety of road users including pedestrians, cyclists and other vulnerable road users;
2. incorporate pedestrian and cycle routes within and through the site, linking to the wider sustainable transport network;
3. submit an appropriate Transport Assessment/Transport Statement and a Travel Plan. This must demonstrate that appropriate mitigation measures can be delivered to ensure that there is no detrimental impact to the existing highway;
4. include a level of vehicle parking and cycle storage for residential and non-residential development, in accordance with the council's parking standards;

5. provide an appropriate level of electric vehicle parking and charging infrastructure for commercial and non-residential development to suit site specific requirements, and make provision for the installation of home charging apparatus on major residential schemes; and
6. safeguard the existing network of Definitive Public Rights of Way. If this cannot be accommodated, then a diversion and/or alternative route shall be provided.

12.19 Development proposals impact upon the transport network as a result of additional trips being generated. It is therefore important that the potential impacts of development are understood and that any necessary improvements are identified prior to the development taking place and implemented at an appropriate time during the proposals development.. The scope of transport evidence will need to be discussed and agreed with the Local Highway Authority, with specific requirements based on the scale of development.

12.20 New developments must comply with the above requirements. Any variations to the above requirements or development-specific needs will be determined through pre-application discussions with the council. This should be agreed on a site by site basis unless forming part of a wider Masterplan with cumulative traffic and transport implications. With respect to any development which could impact on the Strategic Road Network,

Highways England would be required to be consulted.

12.21 Transport Assessments/Transport Statements and Travel Plans will be required to support most planning applications, which is clarified in the council's validation of planning applications checklist. Development proposals will be expected to provide any necessary mitigation works identified through the Transport Assessment or Transport Statement. The development proposals will need to comply with the council's guidance on parking standards for residential and non-residential development.

12.22 Development will also need to provide an appropriate level of electric vehicle parking and charging infrastructure to suit development requirements. These are to be determined on a site by site basis and agreed with the council. Major residential schemes of 50 dwellings or more will be expected to make provision for the installation of home charging apparatus.

12.23 The existing network of Definitive Public Rights of Way must be safeguarded where affected by development, ensuring that it remains protected and open for use by the public. Where Definitive Public Rights of way exist through a development site, it should be retained on its existing alignment and the development designed and laid out to accommodate it. In the event that there is no alternative and the development cannot

accommodate the existing Definitive Public Right of Way, a diversion and/or alternative route shall be provided. Any such diversion and/or alternative must be approved as convenient and suitable in all respects by the council and will be constructed in accordance with current standards.

12.24 A travel plan is a long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through an action plan that is regularly reviewed. The travel plan should set targets, objectives and monitoring requirements. The travel plan should include a series of measures, management and funding details that aim to deliver the stated objectives and targets. The travel plan should be secured by a planning obligation and have regular ongoing management. A Transport Assessment will be required for any development where the council anticipates that the development will generate a level of trips that impact on the existing highways arrangement. In line with the PPG, the need for a Transport Assessment will be assessed on a case-by-case basis and will be at the discretion of the council.

12.25 The council will require developer support for upgrades and improvements to capacity on public transport services and the associated infrastructure and facilities, through financial contributions, where these improvements are necessary to

enable the development to take place. The council will also expect that appropriate mitigation is provided by the developer for any impacts expected on the public highway or local network.

of developments. Parking space is often an inefficient and unattractive use of land and its impact on local environmental quality should be minimised where car parking is provided in new developments.

12.26 Sufficient car parking will need to be provided to meet the essential needs

13. Minerals

13.1 Minerals are an important resource and are an essential requirement to support economic, sustainable growth. It is necessary that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy, and goods that an area needs. Where materials are not available locally, Sunderland will work with neighbouring authorities and other Mineral Planning Authorities to ensure that the continued need for aggregates can be met. Minerals are a finite resource and can only be worked where they are found, and therefore it is important to make the best use of them and to secure their long-term conservation. This chapter includes policies to meet Strategic Priority 12 and will support proposals for mineral development by:

- supporting minerals extraction, where the impacts of doing so would not be unacceptable (Policy SP11);
- protecting Mineral Safeguarding Areas and minerals infrastructure from non-mineral development (Policy M1);
- carefully controlling any proposals for surface coal extraction (Policy M2);
- ensuring development gives consideration to any land instability and minerals legacy issues (Policy M3); and
- requiring restoration and aftercare to improve the quality of the environment to at least the same standard as before

mineral extraction took place (Policy M4).

Strategic Policy

SP11 Mineral Extraction

1. Development for mineral extraction must demonstrate the extent, quality, significance and need for the resources to be extracted and must ensure that:
 - i. the natural and historic environment, highway safety and human health is conserved, managed and enhanced as appropriate;
 - ii. residential amenity and human health is protected from issues such as noise, vibration and air quality;
 - iii. workings will not increase the potential of flood risks or surface water flooding;
 - iv. essential infrastructure is protected; and
 - v. the transportation of minerals makes use of sustainable modes of transport wherever possible.
2. Where the above cannot be ensured, the benefits of mineral extraction must outweigh any likely harm and significant justification and mitigation must be provided.

13.2 Policy SP11 sets out the approach for dealing with planning applications for mineral extraction, which should be considered in line with other relevant policies in this Plan. The policy

focuses on the key criteria that will be used to judge applications. Proposals for mineral extraction (including extensions to existing sites), will be required to robustly justify the requirement for extraction, specifically in relation to the need for the site to maintain supply in line with the latest Local Aggregate Assessment, sub-regional apportionment figure and the maintenance of a landbank of at least 7 years for sand and gravel and at least 10 years for crushed rock.~~the aggregates landbank.~~ In order to protect against the potential risks of ground water flooding and protect water quality proposals which involve dewatering will require a Water Management Plan. Any site specific allocations will be made through the Allocations and Designations Plan.

- 13.3 The possibility of significant environmental and social effects associated must be fully understood before consideration can be given as to whether the development is acceptable. The applicant will be expected to provide detailed information of the likely significant effect of the development on human beings, flora, fauna, soil, water, air, climate, landscape, material assets and cultural and historical heritage. Potential cumulative impacts must also be considered. The Council encourage applicants to engage with local communities at an early stage when preparing development proposals and where appropriate, consider establishing liaison committees with representatives from the local communities.

- 13.4 There is currently no evidenced demand for the extraction of hydrocarbons such as the hydraulic fracturing of shale rocks for oil and gas within the city and no Petroleum Exploration and Development Licenses (PEDL) have been granted. It is therefore not considered necessary to provide specific policy coverage for this within the plan. Any proposals will be determined in accordance with the relevant national policy and guidance.

Policy

M1 Mineral Safeguarding Areas and Infrastructure

1. Planning permission will only be granted for incompatible non-mineral development within a Minerals Safeguarding Area, as defined on the Policies Map (Appendix 3), where it is demonstrated that either:
 - i. the mineral is not of economic value or potential value, or does not exist; or
 - ii. that extraction of the mineral would not be physically viable or practicable; or
 - iii. the mineral can be extracted satisfactorily, having regard to Policy SP11, prior to the non-minerals development taking place without adversely affecting the viability or deliverability of the non-minerals development; or
 - iv. the incompatible development is of a temporary nature that can be completed and the site returned to a condition that would not prevent future mineral

extraction; or

- v. material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction; or
- vi. it constitutes development that is exempt from the mineral safeguarding policy (see the list of exempt criteria in Appendix 4).

2. Planning permission will only be granted for development that is incompatible with safeguarded minerals management, transportation or waste management facilities, where it is demonstrated that either:

- i. it constitutes exempt development as set out in Appendix 4; or
- ii. replacement Capacity, of the similar type, is available at a suitable alternative site, which is at least equivalent or better than that offered by the facility that it is replacing; or
- iii. it is for a temporary period and will not compromise its potential in the future for minerals transportation; or
- iv. material considerations indicate that the need for development overrides the presumption for safeguarding; or
- v. it has been demonstrated that the Capacity of the facility to be lost, is not required.

3. Planning applications for development within 100m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites

would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be constrained by the development proposed.

13.5 Sunderland has a limited supply of mineral resources; therefore it is necessary to safeguard known minerals resources from other development that could sterilise their eventual extraction. However, it is a Government requirement that proven resources are not needlessly sterilised by non-mineral development, and that there should be prior extraction of the mineral if it is necessary for such development to take place.

13.6 Sunderland's Minerals Safeguarding Areas (MSAs) have been developed in accordance with guidance published by the British Geological Survey and by using mineral resource information provided by the British Geological Survey and the Coal Authority. It is also a requirement to safeguard existing, planned and potential mineral infrastructure such as rail heads, wharfs, depots, coating and batching plants. The MSAs are shown on the Policies Map.

13.7 With regard to development proposals within Coal MSAs, where it can be accommodated in an environmentally acceptable manner, and provided that the proposed development is not prejudiced or delayed significantly, coal resources should be extracted prior to development commencing. In order to avoid potential problems of delay, any potential surface coal

working should be included in an overall programme for the development.

Policy

M2 Surface Coal Extraction

The extraction of surface coal will only be acceptable where:

1. the proposal is environmentally acceptable, or can be made so through agreed mitigation or through planning conditions or legal obligations; or
2. the proposal can provide national, local or community benefits which clearly outweigh the likely adverse impacts to justify the granting of planning permission; and
3. the applicant can satisfy the criteria set out within Policy SP11.

13.8 Surface coal extraction is a particularly intrusive method for accessing and utilising it as a resource. The council will therefore carefully consider the potential adverse impacts associated with surface coal extraction, when considering any such planning application.

13.9 Applicants will be expected to submit detailed supporting evidence as part of any application for surface coal extraction to clearly demonstrate that the policy requirements have been satisfied.

Policy

M3 Land Instability and Minerals Legacy

1. Development should give consideration to hazards arising from past coal mining, in particular land instability and mine

gas.

2. Where a development is located within an area with a mining legacy, an applicant will be required to prepare and submit a Coal Mining Risk Assessment and/or carry out site investigations, as necessary.

13.10 Mineral extraction has been one of the most significant activities shaping the development of the city over the past two centuries. Consequently, there are approximately 290 recorded mine entries listed in the city, potentially resulting in land instability.

13.11 Whilst land instability is not a complete constraint on development, careful consideration needs to be given to its potential impacts as part of the determination of planning applications in areas with a mining legacy.

13.12 For development sites within the Coal Authority's most up-to-date 'Development High Risk Areas', developers will be required to prepare a Coal Mining Risk Assessment and/or carry out site investigations and submit this alongside the planning application, unless the planning application type or nature of proposed development is included within the Coal Authority's most up-to-date list of exemptions.

Policy

M4 Restoration and Aftercare

1. Development for minerals extraction and temporary waste management facilities will be granted where satisfactory

provision has been made for high standards of restoration and aftercare such that the intended after-use of the site is achieved in a timely manner, including where necessary for its long-term management, including the management, treatment and monitoring of surface water, leachates, ground waste landfill gases, engineering containment systems below and above ground in compliance with the relevant waste permit to deposit waste.

2. Restoration plans should be submitted with the planning application which reflect the proposed after-use.

13.13 The nature of restoration activity depends on the choice of after-use, which is influenced by a variety of factors including the aspirations of the landowner(s) and the local community, the present characteristics of the site and its environs, any strategies for the area (e.g. biodiversity priorities), the nature, scale and duration of the proposed development and the availability and quality of soil resources.

13.14 Where the development is to restore the site to agricultural use at existing ground levels, ensuring the availability of clean inert fill material is important to the deliverability of the scheme, as is the availability of suitable topsoil. Quarries have been restored through importation of non-hazardous and/or hazardous waste and the acceptability of this in principle would be considered against Policy M4. It may be appropriate to retain some industrial archaeological

features, geological exposures or landscapes within a quarry.

13.15 Restoration, aftercare and after-use will usually seek to assure that the land is restored back to a quality that is at a level at least equivalent to that which it was prior to development commencing and wherever possible, provide for the enhancement of the quality of the landscape, local environment or the setting of historic assets to the benefit of the local or wider community. Wherever possible, restoration schemes should include measures to improve biodiversity interests whatever the proposed after-use of the site. Restoration, aftercare and after-use may be secured through planning conditions.

13.16 Appendix 5 sets out the issues which should be addressed through restoration. ~~what should be included in a Restoration Plan.~~

Implementation



14. Infrastructure and Delivery

14.1 Having set out a clear direction how Sunderland will develop and the planning policies and proposals that will help achieve this, it will be important that there are tools in place to help implement these policies and ensure the successful delivery of the overall vision for this Plan. This chapter will seek to deliver Strategic Priority 13 by:

- Ensuring that development contributes to the timely delivery of any necessary infrastructure (Policy ID1); and
- Securing Section 106 planning obligations to fund any necessary infrastructure (Policy ID2)

14.2 While the council has a key role to play in delivering the policies and proposals, responsibility does not rest solely with the council and it will require the combined efforts and investment of a range of partners. The successful implementation will require a wide range of organisations to work together. The council will have a vital role in coordinating the actions and activities of these partners.

14.3 Appendix 6 includes a table which provides a summary of the key mechanisms that will be used to support each policy's implementation.

14.4 Over the lifetime of this Plan it is likely that new initiatives, partnerships and sources of funding will emerge that

will play a new role in helping to implement proposals and deliver growth.

14.5 Sunderland's future growth and environmental sustainability cannot be achieved without a wide array of essential infrastructure. The council will work with its partners to ensure that much needed infrastructure, including community facilities and services are provided for local communities.

14.6 The term infrastructure can be taken to include roads and other transport facilities, flood defences, schools and other educational facilities, health facilities, sporting and recreational facilities and open spaces. This is not an exhaustive list and there may be a range of other services and facilities that could constitute infrastructure, which will be required to deliver this Plan.

14.7 This Plan is supported by an Infrastructure Delivery Plan (IDP) which provides detail of the infrastructure that is essentially necessary to enable growth to occur and delivery issues in relation to key proposals. The IDP also includes a number of infrastructure projects, which although not essential to the delivery of this Plan, are desirable. Their inclusion within the IDP will assist the council in its attempts to secure funding for these projects. The council will keep these documents

under review to measure progress. It should be noted that the IDP principally identifies high level strategic infrastructure and does not include site specific infrastructure requirements, which will be dealt with through individual planning applications.

- 14.8 This Plan has been developed alongside continued consultation with the bodies responsible for infrastructure delivery in order to ensure that essential infrastructure will be delivered in a timely manner, where appropriate. The views of these bodies have been used in testing and underpinning the strategy, although there remain some areas, which will require on-going consultation with the responsible bodies and agencies to identify future, unforeseen needs.

Policy

ID1 Delivering Infrastructure

1. Development will be expected to provide, or contribute towards the provision of:
 - i. measures to directly mitigate the impacts of the development and make it acceptable in planning terms; and
 - ii. contribute towards the delivery of essential infrastructure identified in the IDP.
2. The timing and prioritisation in the delivery of essential infrastructure will accord with the priority needs established through the IDP.

- 14.9 Where necessary, the timing of provision of infrastructure will be linked directly to the phasing of development, taking account of viability. This will be secured either through planning conditions, or where this is not appropriate, by planning obligations or other similar infrastructure tariffs in accordance with the planning obligation tests set out in paragraph 14.11, to ensure that the planned and necessary infrastructure is available to serve the development when it is first required. The cumulative impact of developments will be taken into account.

Policy

ID2 Planning Obligation

1. Section 106 planning obligations will be sought to facilitate the delivery of:
 - i. affordable housing (see Policy H2); and
 - ii. local improvements to mitigate the direct or cumulative impact of development and/or additional facilities and requirements made necessary by the development, in accordance with the Planning Obligations SPD.
2. To facilitate the delivery of the mitigation measures the council will seek maintenance, management, monitoring and such related fees.
3. Where there are site specific viability concerns, development must be accompanied by a Viability Assessment.

14.10 Where it is not possible to address any unacceptable impacts of development through planning conditions, the use of planning obligations will be considered to mitigate and/or compensate these impacts.

14.11 Planning obligations must be;

- necessary to make the development acceptable in planning terms,
- directly related to the development and
- fairly and reasonably related in scale and kind to the development.

14.12 The council will seek to secure fair and reasonable developer contributions that are proportionate to the development proposed, without adversely affecting the viability of development. Examples of requirements which may be needed to make a development acceptable include:

- provision of physical infrastructure; whether; transport, education, health, sport and leisure, waste collection and recycling and cultural and community provision;
- local public realm improvements including streetscape, local public open space, green infrastructure, play facilities and community safety;
- sustainable mitigation and/or compensation and enhancements for priority species and habitats;
- mitigation of impacts on and/or enhancement of heritage assets

or to compensate for their loss; and

- transport improvement including highways and traffic works; local walking and cycling improvements and public transport provision.

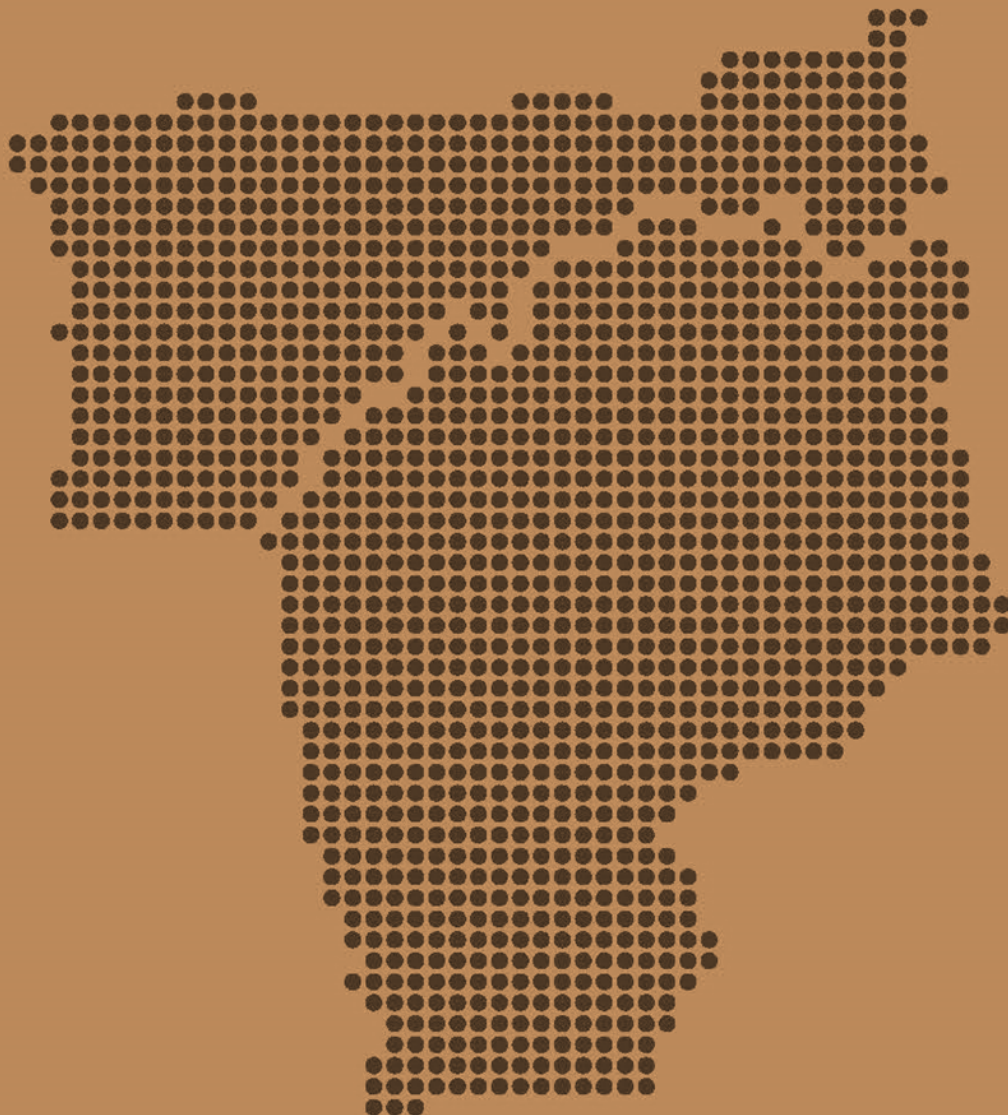
14.13 It is recognised that some development proposals may be unable to meet all of the relevant policy and planning obligation requirements while remaining economically viable and deliverable, either in whole or in part.

14.14 In such circumstances the council will consider requests to reduce the level of planning obligations to a level which ensures that a scheme remains viable. The Council will, where possible, work with applicants to prevent plan developments stalling.

14.15 In these instances, preference will be given to the needs and priorities of an area and the wider benefits of development, such as, for example, regeneration and meeting housing need.

14.16 The Planning Obligations SPD provides greater detail on when planning obligations will be sought, how this will be calculated and give further details on viability.

Appendices



Appendix 1 – Saved UDP Policies

Policy	Subject
H5A	Sunderland Central Area: Housing Allocations
L7	Protection of Recreational and Amenity Land
SA4	New Employment Sites
SA5	Existing Mixed Use Sites
SA6	New and Mixed Use Sites
SA7	Tourism Facilities
SA9	Land for Housing
SA10	Sites in Inner Area
SA11	Council Housing
SA12	Private Housing
SA13	East End
SA16	Education
SA17	Thornhill Urban Nature Reserve
SA18	Royal Hospital
SA19	Cherry Knowle Hospital
SA20	Community Facilities
SA21	Silksworth Branch Library
SA22	Cemeteries
SA23	Regional Recreational and Cultural Facilities
SA24	Sport and Recreation
SA25	Sport and Recreation
SA26	Sport and Recreation
SA27	Amenity Open Space
SA28	Tunstall Hills
SA29	Urban Country Park
SA30	Children's Playspace
SA31	Allotments and Leisure Gardens
SA32	Access to Riverside
SA33	Coastal Zone
SA34	Improvements in Transport Corridors
SA35	New Conservation Areas
SA36	Historic Park
SA37	Green Belt
SA38	Views
SA39	Trees and Woodlands
SA40	Tunstall Hills (LNR)
SA42	Metro Extension
SA43	Railways
SA45	South Dock Railway
SA46	Bus Facilities
SA47	Cyclists
SA48	Multi-user Routes
SA49	Strategic Footpaths
SA50	Road Proposals
SA51	Junction Improvement
SA52	Safeguarding Road Routes
SA52A	Sunderland Central Area: New Routes
SA53	Parking around Royal Hospital
SA54	Sites for Development
SA55	City Opportunity Site
SA55A.1	Sunderland Central Area: Comprehensive Development Sites – Holmeside Triangle
SA55B.1	Sunderland Central Area: Strategic Locations for Change – Sunnyside
SA55B.2	Sunderland Central Area: Strategic Locations for Change – City Centre West
SA55B.3	Sunderland Central Area: Strategic Locations for Change – University – Chester Road Campus
SA62	Office Properties

SA63	Upper Floor Conversions
SA64	Office Development
SA65	Tourism
SA66	Housing City Centre
SA67A	Sunderland Central Area: Residential Development – Conversion and Change of Use
SA68	Older Housing Improvement
SA71	Non-retail Uses
SA74A	Sunderland Central Area: Evening Economy Development Within the City Centre
SA75	Leisure and Recreation
SA77	Wear Dockyard
SA78	Environment
SA79	Environment – Floorspace
SA80	Environment – Amenity Open Space
SA81	Environment – Street Furniture
SA82	Environment – Weather Protection
SA83	Environment – Older Properties
SA84	Street Improvement
SA85	Shop Notices
SA86	Vacant Sites
SA88	Safeguarding Hendon – Pallion Railway Corridor
SA89	City Centre Bus Corridor
SA90	City Centre Bus Corridors
SA92	Pedestrian Improvements
SA93	Footpaths/Multi-user Routes
SA94	Cyclists
SA95	Road Proposals
SA96	Saturday Car Parking
SA97A	Sunderland Central Area: Public Parking
SA98	Retaining Car Parks
SA99	On-street Car Parking
SA100	Dual Use Car Parking
NA3A.1	Sunderland Central Area: Comprehensive Development Sites – Stadium Park
NA3A.2	Sunderland Central Area: Comprehensive Development Sites – Sheepfolds
NA3B.1	Sunderland Central Area: Strategic Locations for Change – Bonnersfield /St Peters University Campus
NA4	Mixed Use Sites
NA5	Tourism
NA6	Seafront
NA7	Land for Housing North
NA8	Land for Housing North
NA9	Council Housing North
NA10	Private Housing North
NA13	Fulwell Infant School
NA14	Redcar Road Campus
NA16	Community Centre
NA17	Swan Street College
NA18	Fulwell Junior School
NA19	Other Community Facilities
NA20	Regional Recreational Facilities
NA21	Sport and Recreation
NA22	Amenity Open Space
NA23	Children's Playspace
NA24	Allotments and Leisure Gardens
NA25	Riverside
NA26	Coastal Zone
NA27	Improvement in Transport Corridors
NA28	Historic Park
NA28A	Sunderland Central Area: Candidate World Heritage Site
NA29	Green Belt
NA30	Views
NA31	Tree Planting

NA32	Local Nature Reserves
NA34	Park and Ride
NA35	Multi-user Routes
NA36	Strategic Footpaths
NA37	Access across Wessington Way
NA38	Cyclists
NA39	Road Proposals
NA40	Seafront traffic Management
NA42	Car Parking
NA43	Monkwearmouth: Economic Development
NA44	Monkwearmouth: Economic Development
NA45	Monkwearmouth: Tourism
NA46	Monkwearmouth: Housing
NA47	Monkwearmouth: Environment
NA48	Monkwearmouth: Environmental Improvements
NA49	Monkwearmouth: Metro Station
NA50	Monkwearmouth: Newcastle Road Cycle Route
NA51	Monkwearmouth: Link road and Footpath
WA2	New Employment Sites
WA3	Tourism
WA5	Council Housing Washington
WA6	Private Housing Washington
WA8	Armstrong Retail
WA9	Education
WA11	Washington Arts Centre
WA12	Regional Recreational and Cultural Facilities
WA13	Sport and Recreation
WA14	Amenity Open Space
WA15	Children's Playspace
WA16	Allotments and Leisure Gardens
WA17	Environmental Identity
WA18	Conservation Areas
WA19	Green Belt
WA20	Views
WA21	Tree Planting
WA22	Nature Conservation
WA23	Springwell Quarry
WA24	Minerals
WA25	Bus Facilities
WA26	Multi-user Routes
WA27	Strategic Footpaths
WA28	Perimeter Footpaths
WA29	Cyclists
WA30	Road Proposals
WA31	Washington Village Traffic Management
WA32	Nissan Rail Link
WA33	Washington Town Centre Improvement
WA34	Washington Town Centre Development Sites
WA35	Community and Leisure Development
WA36	Bus Priority Measures
WA37	Car Parking
HA2	New Sites
HA3	Tourism and Visitor Facilities
HA4	Land for Housing
HA5	Council Housing
HA6	Private Housing
HA8	Educational Facilities
HA9	Regional Recreational and Cultural Facilities
HA10	New Leisure Recreational and Visitor Facilities
HA11	Sport and Recreation

HA12	New leisure Recreational and Visitor Facilities
HA13	Children's Playspace
HA14	Allotments and Leisure Gardens
HA15	Transport Corridor
HA16	Conservation Areas
HA17	Green Belt
HA18	Major Development Site Within the Green Belt
HA19	Views
HA20	Trees and Woodland
HA21	Nature Conservation
HA22	Non-energy Minerals
HA23	Waste Disposal
HA24	Bus Facilities
HA25	Multi-user Routes
HA26	Strategic Footpaths
HA27	Cyclists
HA28	Road Proposals
HA29	Junction Improvements
HA31	Houghton Town Centre: Allocations
HA32	Recreation
HA33	Built Heritage

Appendix 2 – Evidence Base

Habitats Regulation Assessment (2018)

Sustainability Appraisal (2018)

Sustainability Appraisal Non-Technical Summary (2018)

Health Impact Assessment (2017)

Health Impact Note (2018)

Equality Analysis for Core Strategy and Development Plan (2018)

Sunderland Updating the Demographic Evidence (2016)

Core Strategy and Development Plan Compliance Statement (2018)

Statement of Representation Procedure (2018)

Sunderland Local Plan Consultation Statement (2018)

Green Belt Review Stage 1 – Core Strategy Growth Options Stage (2016)

Green Belt Assessment Stage 1 – Updated and Stage 2 (2017)

Stage 3 Green Belt Site Selection Report (2017)

Green Belt Exceptional Circumstances Paper (2018)

Green Belt Boundary Paper (2018)

Green Belt Assessment Addendum (2018)

Indicative Layout and Capacity Study of Proposed Housing Release Sites (2017)

Development Frameworks (2018)

Sunderland Strategic Housing Market Assessment Update (2017)

Sunderland Strategic Housing Market Assessment Addendum (2018)

Strategic Housing Land Availability Assessment (2018)

Strategic Housing Land Availability Assessment Appendices (2018)

A Housing Strategy for Sunderland 2017 – 2022 (2017)

Gypsy's and Traveller's Site Assessment Report (2017)

Gypsy and Traveller Needs Assessment (2017)

Gypsy and Traveller Needs Assessment Addendum (2018)

Sunderland Employment Land Review (2016)

Sunderland Employment Land Review Maps (2016)

Employment Land Review: Post EU Referendum Forecasting Analysis (2017)

Sunderland Retail Needs Assessment (2016)

Sunderland Retail Needs Assessment – Volume 1 (2016)

Sunderland Retail Needs Assessment – Volume 2 (2016)

Sunderland Retail Needs Assessment – Volume 3 (2016)

Sunderland Retail Needs Assessment Executive Summary and Recommendations (2016)

Sunderland Leisure Needs Study (2016)

Sunderland Economic Masterplan

Sunderland Economic Update (2012)

Sunderland City Council – Playing Pitch Plan (2018)

Sunderland City Council Indoor Sports Facilities Assessment Report (2015)

Green Infrastructure Strategy Framework (2018)

Sunderland Greenspace Audit and Report (2018)

Settlement Break Review Addendum (2018)

Sunderland Landscape Character Assessment (2015)

Local Flood Risk Management Strategy (2016)

Sunderland Wind and Solar Landscape Sensitivity Assessment (2015)

Sunderland City Council – Level 1 – Strategic Flood Risk Assessment (2018)

Sunderland City Council – Level 2 – Strategic Flood Risk Assessment (2018)

Transport Assessment (2017)

Sunderland Local Plan – Assessment of Transport Impacts – Addendum One (2018)

Sunderland Local Plan – Assessment of Transport Impacts – Addendum Two (2018)

Publication Draft Infrastructure Delivery Plan (2018)

Sunderland Viability Assessment (2017)

Sunderland Viability Note (2018)

Education Report (2018)

Mineral Safeguarding Areas in Sunderland - MSA Topic Paper (2017)

Sunderland City Council - Waste Arisings and Capacity Requirements (2017)

Joint Local Aggregates Assessment (2018)

Maintaining Levels of Minerals Supply Topic Paper (2018)

Core Strategy Growth Options Consultation Responses Report (2017)

Core Strategy and Development Plan 2015-2033 – Draft Plan (2017)

Schedule of Representations to Draft Plan Core Strategy and Development Plan (2018)

Core Strategy and Development Plan Monitoring Framework (2018)

Draft Planning Obligations Supplementary Planning Document (2018)

Local Development Scheme (2018)

Statement of Community Involvement (2015)

Draft South Sunderland Growth Area SPD (2017)

Draft South Sunderland Growth Area SPD - HRA Appropriate Assessment (2017)

South Sunderland Growth Area – Infrastructure Delivery Study (2017)

SSGA Ecological Assessment (2017)

SSGA Draft Supplementary Planning Document Sustainability Appraisal (2017)

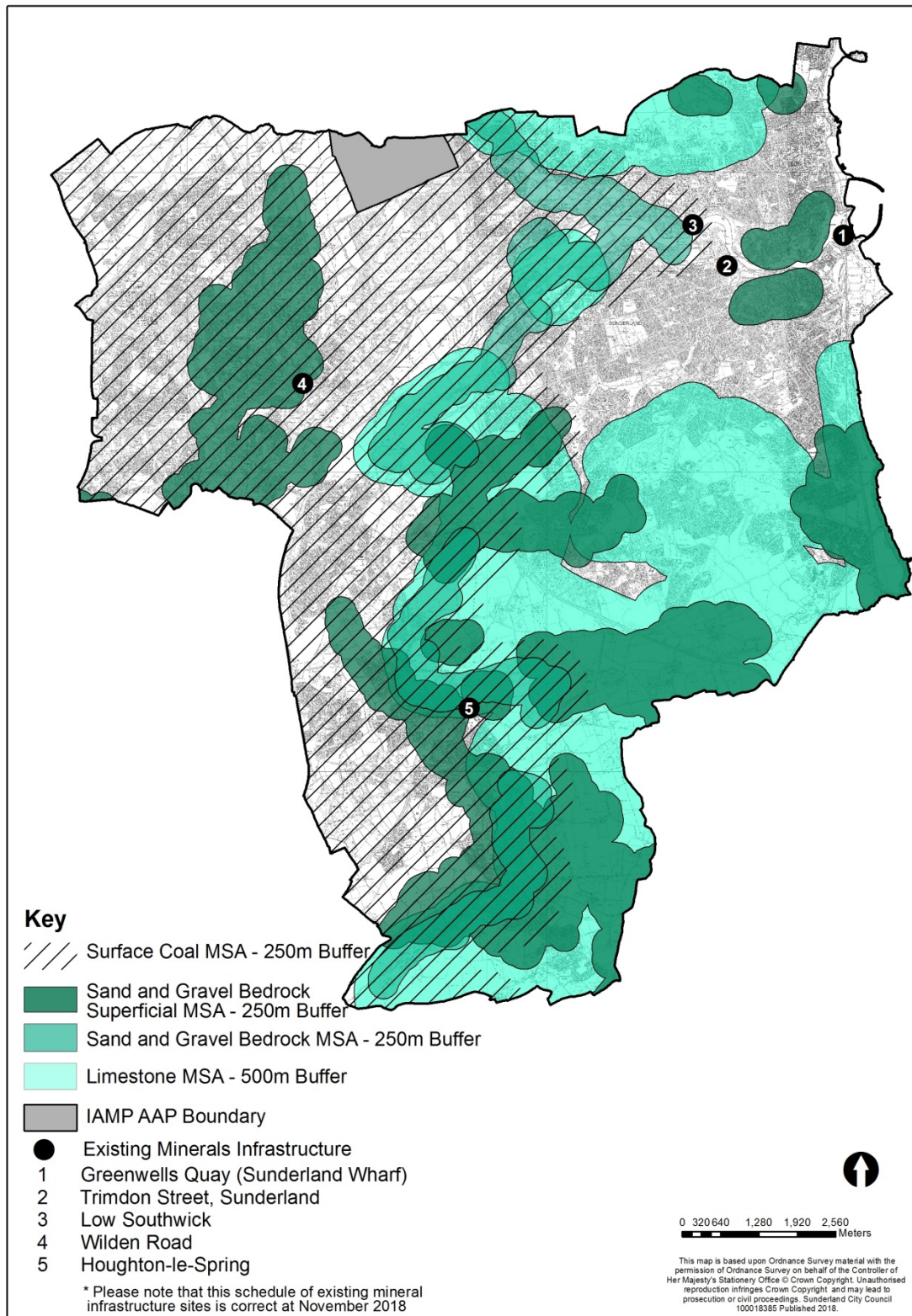
SSGA Transport Model (2017)

SSGA Landscape Character Assessment (2017)

Public Health - evidence in relation to the use of the planning system to control hot food takeaways (2018)

Sunderland Climate Change Action Plan (2016)

Appendix 3 – Mineral Safeguarding Areas



Appendix 4 – Mineral Safeguarding Exceptions

Safeguarding Exception

List of Exemption Criteria

1. Applications for Householder development.
2. Applications for extensions or alterations to existing buildings and for change of use of existing development which do not fundamentally change the scale and character of the building/use.
3. Applications that are in accordance with the local plan where the plan took account of prevention of unnecessary mineral sterilisation and determined that prior extraction should not be considered when development applications in a Mineral Safeguarding Area came forward.
4. Applications for Advertisement Consent.
5. Applications for reserved matters including subsequent applications after outline consent has been granted.
6. Prior notifications (telecommunications; forestry; agriculture and demolition).
7. Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CXLOPUDs).
8. Applications for works to trees.
9. Applications for temporary planning permission.
10. Relevant Demolition in a Conservation Area.
11. Applications for Listed Buildings Consent.

Appendix 5 – Restoration Plan Issues to be addressed through restoration

Restoration Plan

~~A restoration Plan should include:-~~ The following issues should be addressed through restoration

1. a site-based landscape strategy for the restoration scheme;
2. the key landscape and biodiversity opportunities and constraints ensuring connectivity with surrounding landscape and habitats;
3. the geological, archaeological and historic heritage and landscape features and their settings;
4. the site boundaries and areas identified for soil and overburden storage;
5. an assessment of soil resources and their removal, handling and storage;
6. an assessment of the overburden to be removed and stored;
7. the type and depth of workings and information relating to the water table;
8. storage locations and quantities of waste/fill materials and quantities and types of waste/fill involved;
9. proposed infilling operations, sources and types of fill material;
10. the arrangements for monitoring and the control and management of landfill gas;
11. consideration of land stability after restoration;
12. directions and phasing of working and restoration and how they are integrated into the working scheme;
13. the need for an provision of additional screening taking account of degrees of visual exposure;
14. details of the proposed final landform including pre and post settlement levels;
15. types, quantities and source of soils or soil making materials to be used;
16. a methodology for management of soils to ensure that the pre-development soil quality is maintained;
17. proposals for meeting targets of biodiversity gain and make contributions towards achieving specific targets set out in the Durham Biodiversity Action Plan;
18. removal of all buildings, plant, structures, accesses and hardstanding not required for long term management of the site;
19. planting of new native woodlands;
20. installation of drainage to enable high quality resodiation and after-use;

21. measures to incorporate flood risk mitigation opportunities;
22. details of the seeding of grass or other crops and planting of trees, shrubs and hedges;
23. a programme of aftercare to include details of vegetation establishment,
- vegetation management, biodiversity habitat management, field drainage, irrigation and watering facilities; and
24. the restoration of the majority of the site back to agriculture, if the site consists of the best and most versatile agricultural land.

Appendix 6 – Implementation Table

Policy	Government and Local Funding	Planning Obligations	Statutory Delivery Agencies	Developers and Landowners	Other Local Plan Documents	Compulsory Purchase Powers	Planning Applications	Enterprise Zone Funding	Development Tariffs (e.g. CIL)	Council Assets	Duty to Co-operate
Spatial Strategy											
SP1 Spatial Strategy	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
SP2 Urban Core	▪			▪	▪	▪	▪			▪	
SS1 The Vaux	▪	▪		▪	▪		▪			▪	
SP3 Washington	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
SS2 Washington Housing Growth Area		▪		▪	▪		▪			▪	
SS3 Safeguarded Land					▪						▪
SP4 North Sunderland	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
SS4 North Sunderland Housing Growth Area		▪		▪	▪		▪			▪	
SP5 South Sunderland		▪		▪	▪		▪			▪	
SS5 The Port of Sunderland			▪				▪				
SS6 South Sunderland Housing Growth Area		▪		▪	▪		▪			▪	
SS7 The Coalfield Housing Growth Area		▪		▪	▪		▪			▪	
Healthy and Safe Communities											
SP7 Healthy and Safe Communities	▪	▪	▪	▪	▪		▪		▪	▪	
HS1 Quality and Life and Amenity							▪				
HS2 Noise Sensitive Developments							▪				
HS3 Contaminated Land					▪		▪				
HS4 Health and Safety Executive Areas and Hazardous Substances			▪				▪				
Homes											
SP8 Housing Supply Delivery			▪	▪	▪		▪			▪	
H1 Housing Mix		▪	▪	▪	▪		▪				
H2 Affordable Housing		▪	▪	▪	▪		▪			▪	

H3 Student Accommodation				▪	▪		▪				
H4 Travelling Showpeople, Gypsies and Travellers		▪		▪	▪		▪			▪	
H5 Existing Homes and Loss of Homes				▪			▪			▪	
H6 Homes in Multiple Occupation Orders				▪	▪		▪				
H7 Backland and Tandem Development							▪				
Economic Growth											
EG1 Primary Employment Areas	▪		▪	▪	▪		▪	▪			
EG2 Key Employment Areas					▪		▪				
EG3 Other Employment Sites					▪		▪				
EG4 New Employment Areas			▪	▪	▪		▪				
EG5 Offices							▪				
EG6 Trade Counters							▪				
Vitality of Centres											
VC1 Main Town Centre Uses and Retail Hierarchy	▪	▪	▪	▪	▪	▪	▪		▪	▪	
SP9 Comparison Retail				▪	▪		▪				
VC2 Retail Impact Assessments							▪				
VC3 Primary Shopping Areas and Frontages					▪		▪				
VC4 Hot Food Takeaways					▪		▪				
VC5 Protection and Delivery of Community Facilities and Local Services	▪	▪	▪	▪	▪		▪		▪	▪	
VC6 Culture, Leisure and Tourism	▪	▪	▪	▪	▪		▪		▪	▪	
Built and Historic Environment											
BH1 Design Quality		▪			▪		▪				
BH2 Sustainable Design and Construction							▪				
BH3 Public Realm					▪		▪				
BH4 Advertisements							▪				
BH5 Shop Fronts							▪				
BH6 High Quality Communications		▪					▪				
BH7 Historic Environment	▪	▪	▪	▪	▪		▪			▪	
BH8 Heritage Assets	▪	▪	▪	▪	▪		▪			▪	
BH9 Archaeology and Recording of Heritage Assets	▪	▪	▪	▪	▪		▪			▪	

Natural Environment											
NE1 Green Infrastructure	■	■	■	■	■		■		■	■	■
NE2 Biodiversity and Geodiversity	■	■	■	■	■		■		■	■	■
NE3 Woodland/Hedgerows and Trees		■		■	■		■				
NE4 Greenspace	■	■	■		■		■		■	■	
NE5 Burial Space	■				■					■	
NE6 Green Belt				■	■		■				■
NE7 Settlement Breaks							■				
NE8 Development in the Open Countryside		■		■			■				■
NE9 Landscape Character					■		■				■
NE10 Heritage Coast			■	■	■		■				
NE11 Creating and Protecting Views							■				
NE12 Agricultural Land				■			■				■
Water, Waste and Energy											
WWE1 Decentralised, Renewable and Low Carbon Energy	■	■	■		■		■		■		■
WWE2 Flood Risk and Coastal Management		■	■		■		■		■		■
WWE3 Water Management		■	■		■		■				
WWE4 Water Quality					■		■				
WWE5 Disposal of Foul Water		■					■				
WWE6 Waste Management	■	■	■		■		■				■
WWE7 Waste Facilities							■		■		
WWE8 Safeguarding Waste Facilities							■				■
WWE9 Open Waste Facilities				■			■				
WWE10 Energy from Waste			■		■		■				
Sustainable Transport											
SP10 Connectivity and Transport Network	■	■	■	■	■	■	■	■	■		■
ST1 Urban Core Accessibility and Movement	■	■	■	■	■		■		■		
ST2 Local Road Network		■			■		■		■		
ST3 Development and Transport		■	■		■		■		■		
Minerals											
SP11 Mineral Extraction		■	■	■			■				■
M1 Mineral Safeguarding Areas and Infrastructure							■				■
M2 Surface Coal Extraction							■				

M3 Land Instability and Minerals Legacy			▪				▪				
M4 Restoration and Aftercare							▪				
Infrastructure and Delivery											
ID1 Delivering Infrastructure	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
ID2 Planning Obligation		▪			▪		▪		▪		

Glossary

Accessibility

The ability to access services by a range of transport methods, including public transport.

Accessible Location

A location which, is relatively easy for people to get to by a choice of means of transport.

Accessible Natural Greenspace Standards (ANGST)

A measure created by Natural England to measure how close people live to accessible greenspaces. The standards identify different standards depending on the scale of the greenspace.

Affordable Housing

Affordable housing is social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices.

Affordable Rent

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).

Agricultural Land Classification

The Agricultural Land Classification system forms part of the planning system in England and Wales. It classifies agricultural land in five categories according to versatility and suitability for growing crops. The top three grades, Grade 1, 2 and 3a, are referred to as 'Best and Most Versatile' land, and enjoy significant protection from development. Grades 3b, 4 and 5 are

described as poor quality agricultural land and very poor quality agricultural land.

Agricultural Waste

Waste which has been created as a result of agricultural or farming practices.

Allocated Site

Sites which are identified for a specific use e.g. housing or Green Belt on the Local Plan Policies Map.

Annual Monitoring Report (AMR)

A report produced each year that assesses progress against targets in the Local Development Scheme and how well policies in the Local Plan are being implemented.

Arboriculture Report

A report which is prepared to assess the quantity and quality of trees and identify any mitigation works which may be required to protect them from development.

Article 4 Direction

An article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area. Where an article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development. Article 4 directions are used to control works that could threaten the character of an area of acknowledged importance, such as a Conservation Area.

Backland Development

A potential development site which is located to the rear of existing development and has little or no frontage to an existing street.

Best and Most Versatile Agricultural Land

Best and most versatile agricultural land is that land which falls into Grades 1, 2 and 3a of the Agricultural Land Classification. See Agricultural Land Classification.

Biodiversity

Biodiversity is the variability among living organisms from all sources, including terrestrial, marine, and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species, and of eco systems.

Bluespace

Bluespace refers to visible water within open spaces and includes beaches, rivers, streams, ponds, lakes, canals and fountains.

Brownfield Land

Land that has previously been developed.

Building for Life 12 (BfL 12)

Design criteria established by the Design Council to try and improve the design quality of new residential development.

Building Regulations

Building regulations are statutory instruments that seek to ensure that the policies set out in the relevant legislation are carried out. Building regulations approval is required for most building work in the UK.

Built Environment

The term built environment refers to the man-made surroundings that provide the setting for human activity, ranging in scale from buildings to parks.

Category 1 Constraint

A very significant constraint which would restrict development taking place on a site.

Central Business District

A term used to define the main business and commercial area of a town or city.

Circular Economy

A circular economy is a regenerative system in which resource input and waste, emission and energy leakage are minimised by slowing, closing and narrowing material and energy loops. This can be achieved through long-lasting design, maintenance, repair, reuse, remanufacturing, refurbishing and recycling.

City Centre

The main administrative area of the city, which is the main location for retail, offices, cultural and other community facilities.

Click and Collect

A new form of retail where a purchase is made online, however the goods are collected from an arranged location, such as a retail outlet.

Climate Change

A large-scale, long-term shift in the planet's weather patterns or average temperatures.

Coal Mining Risk Assessment

An assessment to consider the risk that former coal mining works may have upon development proposals. Coal mining development risk plans are only required to support planning applications in areas that are considered to be at high risk.

Coalescing

The merging of two distinct built up areas.

Code for Sustainable Homes

The Code for Sustainable Homes measures the sustainability of a new home against nine categories of sustainable design, rating the 'whole home' as a complete package. The Code for Sustainable Homes is no longer in use, with the Government committed to driving up the sustainability of new homes through changes to the Building Regulations.

Commercial and Industrial Waste (C&I)

Waste which is generated as a result of commercial and/or industrial processes.

Community Facilities

A facility in which health care, childcare, educational, cultural or social services are provided e.g. community centre, libraries, leisure centres.

Conservation Area

Parts of the city that are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Conservation area designation introduces a general control over the demolition of unListed Buildings and provides a basis for planning policies whose objective is to conserve all aspects of character or appearance, including landscape and public spaces, that define an area's special interest.

Conservation Area Management Strategy

A strategy which has been prepared to identify what contributes positively or contributes to the character and appearance of Conservation Area and identifies actions to improve and enhance its character and appearance.

Construction, Demolition and Excavation Waste (CD&E)

Waste materials generated from construction, demolition and waste operations including a wide range of surplus waste construction materials generated by the demolition of old buildings and soils and sub-soils from excavation.

Critical Drainage Areas (CDAs)

Areas that the Environment Agency (EA) has identified as having notable flood risk and drainage problems.

Cumulative Impact

An area within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency.

Curtilage

A term often used to define the boundaries of a house or dwelling and refers to the land immediately surrounding it, including any closely associated buildings and structures but excluding any associated 'open fields beyond'.

Decentralised Energy

Energy that is produced close to where it will be used, rather than at a large plant elsewhere and sent through the national grid.

Definitive Public Rights of Way

Footpaths and bridleways on which the public have a legally protected right to pass and re-pass.

Deliverable

The ability for a development proposal to take place taking into account development costs and constraints. For housing, in order to be considered deliverable sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

Demographic Forecasts

Forecasts which have been prepared to predict future population change, including changes to the age and gender profile of the population.

Density

The amount of development which takes place on a development plot. Density is commonly used for residential development and is generally measured in the number of dwellings built per hectare.

Design and Access Statement

Design and Access Statements are documents that explain the design thinking behind a planning application. For example, they should show that the person applying for permission (the applicant) has thought carefully about how everyone, including disabled people, older people and very young children, will be able to use the places they want to build.

Designated Centres

A general term which refers to any main administrative centres identified within the retail hierarchy.

Designated Heritage Assets

Buildings or other features which have been designated for protection as a result of their architectural quality or historic significance. Examples of designated heritage assets include Listed Buildings, Scheduled monuments and registered parks and gardens.

Developer Contributions

Payments which are made to the local authority to deliver infrastructure, which is required to make a development acceptable in planning terms.

Development

The carrying out of building, engineering, mining or other operations in, on, over or under land, or the marking of any material change in the use of any buildings or other land.

Development Plan

This includes adopted Local Plans, neighbourhood plans and the London Plan, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.

(Regional strategies remain part of the development plan until they are abolished by Order using powers taken in the Localism Act. It is the government's clear policy intention to revoke the regional strategies outside of London, subject to the outcome of the environmental assessments that are currently being undertaken).

District Centre

Groups of shops, separate from the town centre, usually containing at least one food supermarket or superstore and non-retail service uses such as banks, building societies and restaurants.

Duty to Cooperate

The duty to cooperate is a legal test that requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans.

Economic Development

Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).

Edge of Centre

For shopping retail purposes, a location that is well connected to and up to 300 metres of the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside of the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances. Is considered to be a location within easy walking distance (i.e. 200 - 300 metres) of the town centre.

Energy from Waste

The process of generating energy in the form of electricity and/or heat from the primary treatment of waste.

Enterprise Zone

Enterprise zones are designated areas across England that provide tax breaks and Government support to support economic growth.

Equalities Impact Assessment

A process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.

Ethnic Diversity

The range and diversity of different ethnic groups within a particular area.

EU Birds and Habitats Directive

A legal framework under which member states of the European Union must protect all wild birds within the EU, including their habitats.

European Landscape Convention

Convention aimed at the protection, management and planning of all landscapes and raising awareness of the value of a living landscape across all EU Member states.

Exceptions Test (Flood Risk)

A test that must be undertaken when development is proposed in areas at high risk of flooding. The test must consider the vulnerability of a particular development to flooding and demonstrate that the sustainability benefits of the development to the community would outweigh the flood risk.

Fauna

The collective term for all of the animals within a particular area.

Flood Risk

A term to define the risk that particular areas are at from flooding.

Flood Risk Assessment

An assessment of flood risk within a particular area. Flood risk assessments can be prepared at a range of different levels, for example a strategic flood risk assessment of the whole city, or at a more local level to assess the flood risk within a particular development site.

Flood Zone 1

Areas which are at lowest risk from flooding and have less than a 0.1% chance of flooding in any given year.

Flood Zone 2

Areas which have been shown to have between 0.1% - 1% chance of flooding from rivers in any given year.

Flood Zone 3

Flood zone 3 is split into 2 separate zones; 3a and 3b. Areas within flood zone 3a have been shown to be at a 1% or greater probability of flooding from rivers or 0.5% flooding from the sea in any given year. Flood zone 3b is classified as functional floodplain and is deemed to be the most at risk from flooding from rivers or the sea.

Flora

A collective term for all of the plants within a particular area.

Fluvial Flooding

Flooding as a result of a river bursting its banks.

Geodiversity

The range of rocks, minerals, fossils, soils and landforms.

Green Belt

A policy designation which aims to prevent urban sprawl by keeping land permanently open and restricting inappropriate development.

Green Infrastructure

A network of multi-functional greenspace, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Green Roofs

A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane.

Greenfield Land

Land which has not previously been developed.

Greenspace

A collective term for green and open space, which may or may not be publicly accessible. This includes parks and gardens, outdoor sports facilities, allotments, playing fields, cemeteries and churchyards.

Gross

The total area of a development.

Gross External Area

The total area of building when measured externally, including the structure of a building.

Groundwater Source Protection Zones

An area from which groundwater is sourced for public drinking water supply and therefore careful consideration needs to be given to ensure that development does not contaminate the groundwater. These areas are identified by the Environment Agency.

Gypsies and Travellers ("Travellers")

Defined by DCLG Planning policy for traveller sites (August 2015) as "Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an

organised group of Travelling Showpeople or circus people travelling together as such". The planning policy goes on to state that, "In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters: a) whether they previously led a nomadic habit of life b) the reasons for ceasing their nomadic habit of life c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances".

Gypsies and Traveller Pitches

A pitch is an area of land which is occupied by a single gypsy or traveller household.

Habitat Regulations Assessment

An assessment which must be undertaken to assess the potential impacts of plans or projects upon European designated habitats and species.

Hazardous Substance Consent

A consent which is required where it is proposed to hold certain quantities of hazardous substances at or above defined limits.

Health Impact Assessment

An assessment of the potential impacts of a plan or project upon the health of a population and the distribution of those effects within the population.

Heritage Assets

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Heritage Statement

A statement submitted in support of a planning application which outlines the significance of the heritage assets which

would be affected by a development and how the proposals have been designed taking account of their potential impact upon these heritage assets.

Heritage-at-Risk

Heritage assets which are at risk of damage or loss. Historic England publishes an annual Heritage at Risk Register which lists the most important heritage assets at risk.

Houses in Multiple Occupation (HMO)

Housing where at least 3 tenants live there, forming more than 1 household and where they share toilet, bathroom or kitchen facilities with other tenants.

Health and Safety Executive Consultation Area (HSE Areas)

Areas identified around major hazardous installations and pipelines, which require the Health and Safety Executive to be consulted on some planning applications.

Historic Environment Record

Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

Inclusive Design

Designing the built environment, including buildings and their surrounding spaces, to ensure that they can be accessed and used by everyone.

Infrastructure

A collective term for services such as roads and railways, underground utilities such as electricity, sewerage and water, children's services, health facilities, recycling and refuse facilities.

Infrastructure Delivery Plan

Identifies the infrastructure projects required to deliver the Plan and its policies including, physical, social and green infrastructure outlining how and when it is

anticipated that infrastructure will be funded.

Interim Planning Guidance (IPG)

Planning guidance prepared to give advice on development areas or sites pending approval of statutory policy.

Intermediate Housing

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

International Advanced Manufacturing Park (IAMP)

The IAMP Area Action Plan (AAP) will form a statutory part of our new Local Plan, which will set out how Sunderland will develop and grow over the next 15-20 years and form the basis for the assessment of all planning applications and other development proposals.

Joint Strategic Needs Assessment (JSNA)

A Joint Strategic Needs Assessment (JSNA) looks at the current and future health and care needs of local populations to inform and guide the planning and commissioning (buying) of health, well-being and social care services within a local authority area.

Key Diagram

A diagrammatic interpretation of the vision and policies within a Local Development Document.

Landscape Character Assessment (LCA)

Grouping landscape into areas with similar character, based on physical and human influences. The assessment describes the physical, cultural and perceptual character of the landscape and identifies important or sensitive features. LCAs often identify

objectives in respect of landscape planning, design and management of the areas.

Lifetime Homes

The Lifetime Homes design criteria are widely recognised by local authorities, developers and partners and provide a mechanism to ensure that new housing development is suitable for the changing needs of individuals and families over the course of a lifetime. The Lifetime Homes standard is awarded to schemes which meet all sixteen of the Lifetime Homes design criteria.

Lifetime Neighbourhoods

Places where you can live regardless of age. They contain a range of houses from your first home to supported housing for your latter years and the services, facilities and transport options that you need day to day for each and every stage of your life.

Listed Buildings

A building that has been placed on the Statutory List of Buildings of Special Architectural or Historic Interest. A Listed Building may not be demolished, extended or altered without consent from the Local Planning Authority.

Local Aggregates Assessment

An annual report by local planning authorities assessing the historic sales with the planned requirement for aggregates in a Local Plan.

Local Centre

A small group of shops and perhaps limited service outlets of a local nature (for example, a suburban housing estate) serving a small catchment.

Local Biodiversity Action Plan (LBAP)

National term used to describe county or district/borough/unitary biodiversity action plans.

Local Development Order

An order made by a local planning authority (under the Town and Country Planning Act

1990) that grants planning permission for a specific development proposal or classes of development.

Local Development Scheme

The Local Development Scheme sets out the Council's three year project plan, including timetables, for the preparation of Local Development Documents.

Local Enterprise Partnership

A body, designated by the Secretary of State for Communities and Local Government, established for the purpose of creating or improving the conditions for economic growth in an area.

Local Nature Partnership

A body, designated by the Secretary of State for Environment, Food and Rural Affairs, established for the purpose of protecting and improving the natural environment in an area and the benefits derived from it.

Local Plan

The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

Local Planning Authority

The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority apply to the district council, London Borough Council, County Council, Broads Authority, National Park Authority and the Greater London Authority, to the extent appropriate to their responsibilities.

Local Services

A facility that provides a valuable local service to the community such as a small convenience store, post office or public house.

Local Wildlife Sites

Locally important sites of nature conservation adopted by local authorities for planning purposes. These were formerly called Sites of Nature Conservation Importance (SNCI).

Magnesium ~~Magnesian~~ Limestone Aquifer

The eastern part of the city is built on Magnesium Limestone. This contains an aquifer (or underground layer of water-bearing permeable rock). This aquifer is extensively exploited for public water supply and is to be protected from contamination and pollution.

Main Town Centre Uses

Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Market Housing

Housing to rent or buy on the open market.

Minerals Safeguarding Areas (MSAs)

An area designated by Minerals Planning Authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.

Mitigation

Efforts to reduce or prevent the impact of an action.

Mitigation Hierarchy

Involves doing everything possible to first avoid and then minimise impacts of development on biodiversity. Only as a last resort and in agreement with the Council, compensate for losses that cannot be avoided. If compensating for losses within the development footprint is not possible or does not generate the most benefits for nature conservation, then offset biodiversity losses by gains elsewhere.

National Planning Policy Framework

The framework acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications.

N2K or Natura 2000 Sites

Natura 2000 is a network of marine and land-based areas of international importance designed to conserve natural habitats and species of plants and animals. These include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

Neighbourhood Plans

A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

Net

Net refers to the amount remaining after certain adjustments have been made for debts, deductions or expenses.

Non-designated Heritage Assets

These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance that merit consideration in planning decisions but which are not formally designated heritage assets.

North East Local Enterprise Partnership

The North East Local Enterprise Partnership (LEP) is a public, private, and education sector partnership that covers Durham, Gateshead, Newcastle, Northumberland, North Tyneside, South Tyneside and Sunderland local authority areas.

Notifiable Installation

Sites and installations which have quantities of hazardous substances present on site are designated as notifiable installations by the Health and Safety Executive (HSE).

Objectively Assessed Needs

Relates to the objective assessment of need for future housing and associated infrastructure. For a full definition, see Paragraph 159 of the NPPF.

Older People

People over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs.

Opencast

A form of surface mining to win minerals, where the overburden (see definition below) is literally 'cast' from the working face to the rear as the mineral is exposed.

Open Countryside

Open countryside relates to all land beyond the urban area, including Green Belt, Settlement Break and non- designated land.

Open Waste Facilities

Open waste management facilities are those that deal with waste in the open air.

Out of Centre

A location which is not in or on the edge of a centre but not necessarily outside the urban area.

Out of Town Centre

A location out of centre that is outside the existing urban area.

Out-migration

The process of people permanently leaving a place in order to live in another place.

Pepper Potting

The term 'pepper-potting' is a form mixed tenure development. It relates to a strategy in which poorer and more affluent residents live in a mixed community through the 'sprinkling' of social housing amongst privately-owned housing.

Photovoltaic (PV) Panels

Conversion of solar radiation (the sun's rays) to electricity by the effect of photons (tiny packets of light) on the electrons in a solar cell. For example, a solar-powered car or a calculator.

Pitch/Plot

Area of land on a Gypsy/Traveller site occupied by one resident family; sometimes referred to as a plot, especially when referring to Travelling Showpeople. DCLG Planning policy for traveller sites (August 2015) states that "For the purposes of this planning policy, "pitch" means a pitch on a "gypsy and traveller" site and "plot" means a pitch on a "Travelling Showpeople" site (often called a "yard"). This terminology differentiates between residential pitches for "gypsies and travellers" and mixed-use plots for "Travelling Showpeople", which may/will need to incorporate space or to be split to allow for the storage of equipment".

Planning Conditions

A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning Obligations

A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Planning Practice Guidance (PPG)

The National Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place.

Policies Map

An Ordnance Survey based map, which geographically explains the key policies including designations and allocations.

Previously Developed Land

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Primary Frontage

Primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods.

Primary Shopping Area

Defined area where retail development is concentrated (generally comprising the primary and those Secondary Frontages which are adjoining and closely related to the primary shopping frontage).

Public Realm

Those parts of a village, town or city (whether publicly or privately owned) available, for everyone to use. This includes streets, squares and parks.

Ramsar Sites

Wetlands of international importance, designated under the 1971 Ramsar Convention.

Renewable and Low Carbon Energy

Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Remediation

The work needed to raise the quality of land to an acceptable level before it is used or developed. For example, contaminated land may need pollutants removing.

Restoration

Steps to return land to its original or former condition following mineral working by using subsoil, topsoil or soil-making material.

Retail Hierarchy

Relates to a hierarchy of centres in Sunderland, with the city centre at the top of the hierarchy, followed by town centres, district centres, local centres, and finally neighbourhood shops, services and communities.

Retail Impact Assessment

An assessment undertaken for an application for retail use (normally on developments over 2,500 square metres gross floorspace, but they may occasionally be necessary for smaller developments, such as those likely to have a significant impact on smaller centres) on the impact of

the proposal on the vitality and viability of existing centres within the catchment area of the proposed development. The assessment includes the likely cumulative effect of recent permissions, developments under construction and completed developments.

River Basin Management Plan (RBMP)

Sunderland falls within the Northumbria River Basin Management Plan (RBMP) which provides cross-boundary guidance on good practice and measures for improvement. Drawn up by the Environment Agency and updated every 6 years, RBMPs aim to provide integrated management of surface and groundwater bodies across individual regions.

Rural Exception Sites

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Scheduled Ancient Monuments

Scheduled monument means any monument which is for the time being included in the schedule (compiled and maintained by the Secretary of State for Culture, Media and Sport).

Secondary Frontage

Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.

Self-Build and Custom-Build

Housing built by an individual, a group of individuals, or persons with or for them, to be occupied by that individual. Such

housing can be either market or affordable housing

Sequential Assessment Approach

A planning principle that seeks to identify, allocate or develop certain types or locations of land before others.

Sequential Test (Flooding)

A proposed development site may require a sequential test. The sequential test compares a site proposed for development with other available sites to find out which has the lowest flood risk.

Settlement Breaks

Settlement Breaks consist of open areas around and between parts of a settlement or settlements which maintain the distinction between the countryside and built up area. Their function is to: prevent the merging of settlements; assist in the regeneration of the urban area of the city, and maintain the Green Infrastructure Network.

Shadow Flicker

Shadow flicker (caused by wind turbines) is defined as alternating changes in light intensity caused by the moving turbine blade casting shadows on the ground and stationary objects, such as a window at a dwelling.

Significant Trees

Trees that of significant size and quality and that could potentially be protected by a Tree Preservation Order.

Sites of Special Scientific Interest (SSSI)

Sites designated by Natural England under the Wildlife and Countryside Act 1981.

Social Rented Housing

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the

national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

South Tyneside and Tyne and Wear Waste Management Partnership

In April 2011, SITA UK signed a 25-year contract with the South Tyne and Wear Waste Management Partnership to manage household waste from Gateshead, South Tyneside and Sunderland. The three councils have a priority to reduce, reuse and recycle as much of their residents' waste as possible.

Special Areas of Conservation

A Special Area of Conservation (or SAC) is a site designated under the Habitats Directive. These sites, together with Special Protection Areas (or SPAs), are called Natura sites and they are internationally important for threatened habitats and species.

Special Protection Areas

A Special Protection Area (or SPA) is a site designated under the Birds Directive. These sites, together with Special Areas of Conservation (or SACs), are called Natura sites and they are internationally important for threatened habitats and species.

Stop Over Site

An authorised area of land with basic facilities that can be accessed by Gypsies and Travellers on a temporary basis with a limit on the length of stay.

Strategic Environmental Assessment

A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Strategic Flood Risk Assessment (SFRA)

A document which is normally produced by a Local Planning Authority in consultation with the Environment Agency and which forms the basis for preparing appropriate policies for flood risk management at the local level.

Strategic Housing Land Availability Assessment (SHLAA)

Assessments of land available for housing development, the potential of these sites and the likely timeframe for their development. This assists with demonstrating a sufficient supply of land for housing to meet the identified need.

Strategic Housing Market Assessment (SHMA)

Assesses the housing needs and demands by type (including affordable housing) for the plan area and informs the housing mix required over the plan period.

Strategic Land Review (SLR)

An assessment to identify the most appropriate sites to meet our future housing need.

Student Accommodation

En-suite single rooms in self-catered halls are now the most common form of purpose built student accommodation.

Sunderland Economic Leadership Board

The Economic Leadership Board (ELB) was set up to lead the city's Economic Masterplan work and to ensure a joined-up approach in both the decision making and the delivery.

Supplementary Planning Documents

Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material

consideration in planning decisions but are not part of the development plan.

Surface Water Flooding

Flooding which occurs when heavy rainfall exceeds the drainage capacity of the local area.

Surface Water Risk Area

Areas that are susceptible to surface water flooding, as shown on the Environment Agency flood maps.

Surface Water Run-off

Surface water run-off (also known as overland flow) is the flow of water that occurs when excess storm-water, meltwater, or other sources flows over the landscape.

Sustainability Appraisal (SA)

The sustainability appraisal considers the social, environmental and economic effects of a plan from the outset, to help ensure that decisions are made that contribute to achieving sustainable development.

Sustainability Statement

A Sustainability Statement should demonstrate the environmental benefits/impacts of any proposal.

Sustainable Development

Sustainable development is defined by the NPPF as: *“living within the planet’s environmental limits, ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly”*.

Sustainable Drainage Systems

These water management systems are designed to control the quantity and improve the quality of run-off water from developments through the use of rills, swales, porous membranes/surfaces, gravel filters, water bodies, balancing ponds and reedbeds. Positive benefits include improved flood control and enhancements for wildlife,

landscape and amenity value of developments.

Sustainable Transport Modes

Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.

Tandem Development

Consists of one house immediately behind another and sharing the same access.

Town Centre

Area defined on the proposal map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.

Transport Assessment

A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

Transport Statement

A simplified version of a transport assessment where it is agreed the transport issues arising out of development proposals are limited and a full transport assessment is not required.

Travelling Showpeople

Defined by DCLG Planning policy for traveller sites (August 2015) as “Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This

includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above".

Travel Plan

A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.

Traffic Impact Assessment (TIA)

An assessment of the effects upon the surrounding area by traffic as a result of a development, such as increased traffic flows that may require highway improvements.

Tree Preservation Order (TPO)

A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority.

Unitary Development Plan (UDP)

Pre-dating this Local Plan, Sunderland's UDP was adopted in 1998 that brought together structure plan and local policies into one document.

Viability

Viability in terms of retailing, a centre that is capable of commercial success.

Vitality

Vitality in terms of retailing, the capacity of a centre to grow or develop its likeliness and level of activity.

Waste Data Interrogator

All operators of regulated waste management facilities have to provide the Environment Agency with details of the quantities and types of waste they deal with. This data is used to monitor compliance but has historically been used

by government authorities to assist in planning for new waste facilities and for monitoring against statutory targets.

Waste Hierarchy

A framework that has become a cornerstone of sustainable waste management, setting out the order in which options for waste management should be considered based on environmental impact.

Water Framework Directive (WFD)

The Water Framework Directive (WFD) became part of UK law in 2003 with the primary objectives of achieving good ecological status in water bodies and providing protection for drinking water sources and protected sites (Habitats Directive Sites and Sites of Specific Scientific Interest).

White Land

A general expression used to mean land (and buildings) without any specific proposal for allocation in a development plan, where it is intended that for the most part, existing uses shall remain undisturbed and unaltered.

Wildlife Corridors

Areas of habitat connecting wildlife populations.

Windfall Sites

Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

Workforce Jobs

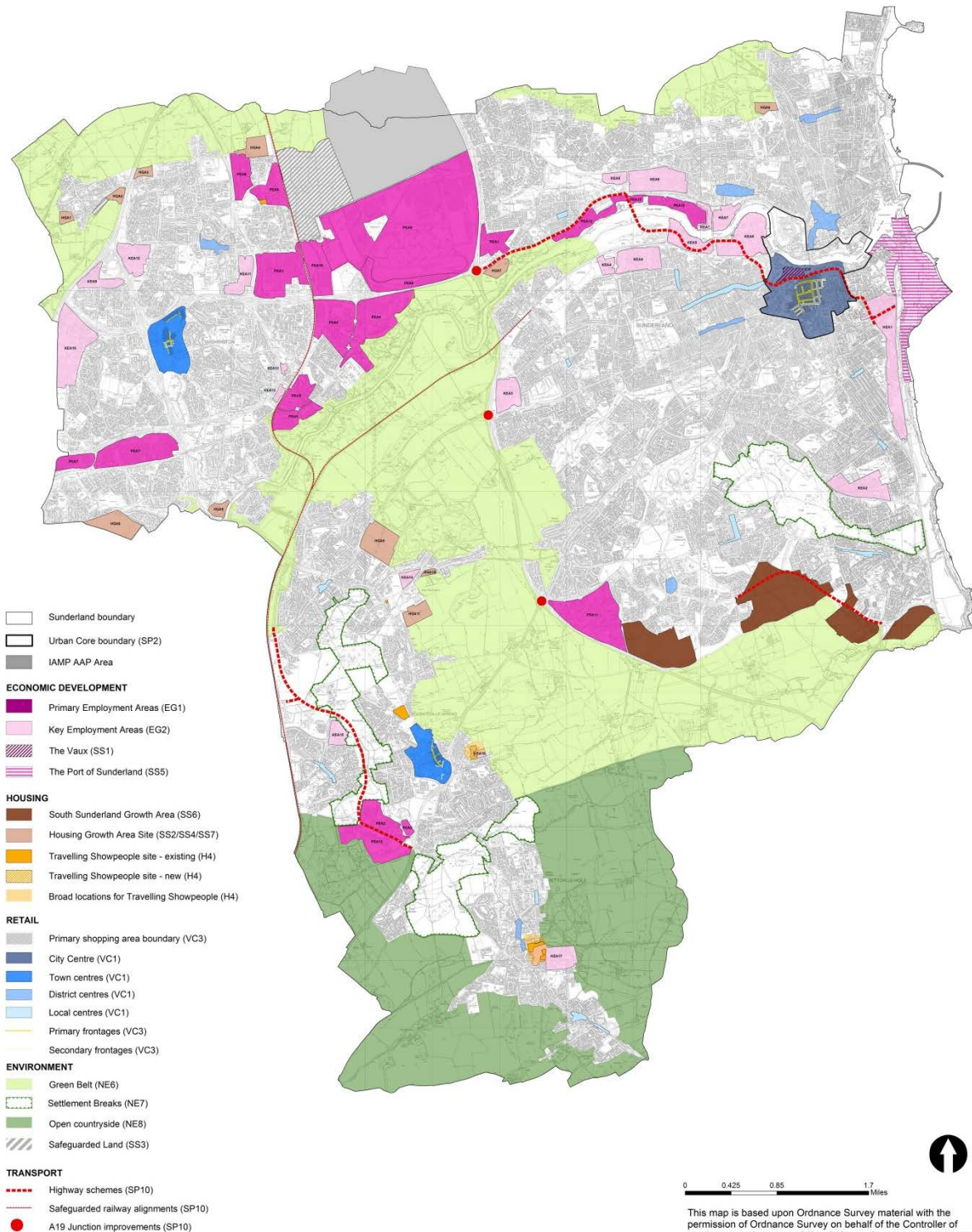
The number of jobs is measured by Workforce Jobs and is the sum of employee jobs from employer surveys, self-employment jobs (identified from the Labour Force Survey), those in HM Forces and Government-Supported Trainees.

Working Age Population

The working age population is defined as those aged 15 to 64. The basic indicator for employment is the proportion of the working age population aged 15-64 who are employed.

Publication Draft Core Strategy and Development Plan 2015 - 2033

Policies Map





Appendix B: Schedule of Modifications

The Councils consider that the Core Strategy and Development Plan Publication Draft is sound as it meets the requirements of section 20(5) (a-c) of the 2004 Act, associated regulations and complies with the requirements of the National Planning Policy Framework ('the Framework'). Under section 20(7C) of the 2004 Act, the Council will be requesting that the appointed Inspector recommend any main modifications to the plan that are necessary to make it sound and legally compliant.

There are two types of modifications;

- **Main Modifications** - are those that materially affect the submitted Plan, which are required to ensure that the plan is sound and legally compliant.
- **Additional Modifications** - are those where they will not impact upon the intent or interpretation of the Plan, or go to the heart of whether the plan is 'sound' or not. The minor changes outlined are changes such as typographical errors and factual updates.

The Councils are proposing Additional Modifications to the Publication Draft (July 2018). These proposed additional modifications are contained in this schedule. These do not materially affect the substance of the plan, its overall soundness or the submitted sustainability appraisal.

The modifications are set out in plan order. Where it has not been possible to show information (such as tables, diagrams and maps) within the table, these are provided in Appendix 1. This is a living document that will be updated during the examination process.

The following format has been used to denote modifications:

- Underlined text = new text suggested
- ~~Strikethrough text~~ = text proposed for removal

Modification Reference	Stage modification proposed	Major or Additional	Page Ref (Publication Draft 2018)	Policy/Para/Figure	Proposed Change	Justification
M1	Submission	Additional	16	2.26	It is estimated that Sunderland has a population of 277,962 ¹ <u>(as shown in Figure 3)</u> . Following decades of population decline, population is growing and it is expected to continue to grow over the Plan period (as shown in Figure 3) .	To address representations submitted by Sunderland Civic Society (PD624).
M2	Submission	Additional	18	2.43	<p><u>Student numbers may rise over the plan period due to demographic shift and the University's intention to target students in its key growth areas and those of the region, namely health sciences and wellbeing, advanced manufacturing, engineering and computing software and big data.</u></p> <p><u>The expectations of some students for better quality, self-contained accommodation has seen an increase in new, purpose-built student accommodation within the city over recent years. It is recognised however that there is not always a linear relationship between increasing student numbers and demand for student residential accommodation given the local demographic of students attending the University of Sunderland.</u></p> <p>Whilst it is not anticipated that student numbers are expected to grow significantly over the Plan period, some students are increasingly demanding better quality self-contained accommodation, which has seen an increase in new purpose built student accommodation within the city over recent years.</p>	To address representations submitted by Sunderland University (PD182). The Council have also signed a Statement of Common Ground <i>(Insert ref)</i> .
M3	Submission	Additional	19	Figure 8	Replace the graph (see Appendix 1)	Typographical error
M4	Submission	Additional	28	3.2	Offers a mix of good quality housing, <u>both market and affordable</u> of the types, sizes and tenures...	To address representations submitted by Karbon Homes (PD3380).
M5	Submission	Additional	28	3.2	Of the types, sizes and tenures that meet the needs <u>and demands</u> of existing and future communities;	To address representations submitted by Persimmon (PD3901).
M6	Submission	Additional	28	3.2	Is resilient to climate change, has maximised the opportunities for renewable energy, embraced sustainable design principles and has reduced the impacts of flooding on homes and businesses; and has excellent transport links and sustainable access for visitors, businesses and residents; and	For clarity
M7	Submission	Additional	29	3.3	SP1, SP2, SS1, SP3, SS2, SS3, SP4, SS4, SP5, SS6, SP6, SS7, SP7, SP8, H1, H2, H3, H4, H5, H6, H7, <u>SP11</u> .	To address representations submitted by the Mineral Products Association (PD4386).
M8	Submission	Additional	29	3.3	SP1, SP2, SS1, SP3, SP4, SS5, SP5, SP6, EG1, EG2, EG3, EG4, EG5, EG6, <u>SP11</u> .	To address representations submitted by the Mineral Products Association (PD4386).
M9	Submission	Additional	29	3.3	To <u>improve support</u> the vitality and economic performance of the Urban Core and designated centres.	To address representations submitted by M&G Retail (PD3597).
M10	Submission	Additional	29	3.3	Built <u>and Historic</u> Environment	To address representations submitted by Historic England (PD90). The Council have also signed a Statement of

¹ ONS 2016 Mid-Year Population Estimate

						Common Ground <i>(Insert ref)</i> .
M11	Submission	Additional	29	3.3	WWE6, WWE7, WWE8, WWE9, SP11, M1, M2, M3.	To address representations submitted by the Mineral Products Association (PD4237).
M12	Submission	Additional	32	SP1	emphasising the need to develop in sustainable locations in close proximity to transport hubs. Higher densities close to transport hubs will be encouraged.	Typographical error
M13	Submission	Additional	33	4.22	As set out in the Housing Trajectory (Figure 34), 18% of the housing requirement has already been delivered, 22 26% has planning permission or is under construction, and a further 18% is on Strategic Sites...	Typographical error
M14	Submission	Additional	34	4.24	Any further Future development within the Settlement Breaks and the Open Countryside in the southern part of the city will <u>could</u> have major impacts on both infrastructure and the environment and this approach is becoming more and more unsustainable.	To address representations submitted by Hellens (PD4664).
M15	Submission	Additional	36	4.33	It is the focus for a wide range of civic, retail, <u>cultural</u> and leisure functions and is also home to both campuses of the University of Sunderland.	For clarity
M16	Submission	Additional	36	4.35	The Urban Core should be a focus for main town centre uses, especially retail and office use. Within the Urban Core the council has identified a number of Areas of Change. <u>These are identified on Figure 13, and also include the Heritage Action Zone (HAZ), which is a five-year initiative encompassing the Old Sunderland conservation area, the Old Sunderland Riverside conservation area and part of the Sunnyside conservation area and focusses on reconnecting Fawcett Street, Church Street, High Street East and High Street West with the modern city centre.</u> These areas offer opportunities to transform the Urban Core. Policy SP2 seeks to direct different forms of development to the most appropriate locations to consolidate and improve these distinct areas within the Urban Core.	To address representations submitted by Historic England (PD91). The Council have also signed a Statement of Common Ground <i>(Insert ref)</i> .
M17	Submission	Additional	41	Figure 20	Replace map (Appendix x)	To address representations submitted by Mineral Products Association (PD4350).
M18	Submission	Additional	41	SS2: HGA6	An additional bullet point to be added to the end of the policy: <u>Development of the site can only take place subject to an up-to-date Playing Pitch needs assessment, prepared in consultation with Sport England, identifying the pitches as being surplus to requirement or where the pitches can be re-provided in accordance with Sport England's playing field policy exception E4.</u>	To address representations submitted by Sport England (PD4475). The Council have also signed a Statement of Common Ground (Insert ref).
M19	Submission	Additional	44	SS4: HGA8	Be of high architectural quality and designed to respect the local vernacular and to key views, including the setting of the WW1 Acoustic Mirror Scheduled Ancient Monument and <u>Grade II listed buildings</u> , Grade II* listed Fulwell Mill and <u>Grade II listed</u> Lime Kilns;	To address representations submitted by Historic England (PD95). The Council have also signed a Statement of Common Ground <i>(Insert ref)</i> .
M20	Submission	Additional	44	SS4: HGA8	An additional bullet point to be added to the end of the	To address representations submitted by Sport England

					<p>policy:</p> <p><u>Development of the site can only take place subject to an up-to-date Playing Pitch needs assessment, prepared in consultation with Sport England, identifying the pitches as being surplus to requirement or where the pitches can be re-provided in accordance with Sport England's playing field policy exception E4.</u></p>	(PD4499). The Council have also signed a Statement of Common Ground (Insert ref).
M21	Submission	Additional	50	SS7: HGA11	Provide sensitive design that relates to the development of the Philadelphia Complex by providing a buffer to the west between the residential development and the proposed commercial development and incorporates design that relates to the area's historic past <u>including Newbottle Village Conservation Area, and Listed Building in the locality.</u>	To address representations submitted by Historic England (PD97). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M22	Submission	Additional	53	5.5	For clarity, major development within the context of this policy are <u>is</u> considered to be residential schemes for 100 dwellings or more...	Typographical error
M23	Submission	Additional	54	5.5	Residential schemes for 100 dwellings or more, <u>student accommodation schemes for 100 bed spaces or more</u> , or any other form of development for which an Environmental Impact Assessment would be required.	To address representations submitted by NHS Sunderland Clinical Commissioning Group (PD69). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M24	Submission	Additional	54	HS1	Development must ensure that the cumulative impact would not result in significant <u>unacceptable</u> adverse impacts on the local community	To ensure the Policy is consistent with the NPPF (2012) as highlighted by several representations (including PD3973, PD2325 and PD5312).
M25	Submission	Additional	54	5.6	Where a site is affected by land stability issues (<u>including mineral legacy issues as set out in Policy M3</u>), the responsibility for securing a safe development rests with the developer and/or landowner.	To cross reference to land stability issues identified in Policy M3, as raised by the Mineral Products Association (PD4471).
M26	Submission	Additional	54	5.6	Cumulative impacts should also be considered. <u>Any new developments will be expected to follow the "agent of change" principles (i.e. person or business responsible for the change must also be responsible for managing the impact of the change).</u>	To address representations submitted by the Mineral product association (PD4378).
M27	Submission	Additional	58	6.9	Review of the Plan and , appropriate evidence <u>and consideration of the release of safeguarded land.</u>	To address representations submitted by Barratt David Wilson Homes and Bellway Homes (PD1888 and PD5382).
M28	Submission	Additional	59	6.12	(2) Category 2 – accessible and adaptable dwellings. However, low-rise non-lifted serviced flats will be excluded due to not being able to achieve step-free access. <u>The council does recognise that in some instances, it may not be possible to deliver the accessible and adaptable dwellings requirement in full. In this instance the applicant will be expected to submit a detailed viability assessment to clearly demonstrate how the requirement set out within Policy H1 (iv) would make the scheme unviable.</u>	To address representations submitted by Karbon Homes (PD3386).
M29	Submission	Additional	59	6.12	<p>It is proposed to begin a new paragraph after the above addition, which would be as follows:</p> <p><u>6.13 In order to ensure choice in the housing stock for the city's ageing population developments should consider</u></p>	To address representations submitted by Bellway Homes (PD1937) and Persimmon Homes (PD4004).

					alternative designs and layouts to provide for those older people who may want to stay in their own <u>home and take on board appropriate evidence to ensure suitable accommodation for older people and those with special housing needs is provided, where a need is demonstrated.</u>	
M30	Submission	Additional	59	6.13	To assist people who want to build their own home, the council will <u>support appropriate self-build developments as well as</u> seek to identify appropriate small sites to assist in the delivery of self-build/custom house building plots.	To address representations submitted by Ray Delaney and Wynyard Homes (PD33 and PPD4698).
M31	Submission	Additional	60	6.16	Policy H2 sets out the council's approach for the delivery of affordable housing when developments propose more than 10 dwellings. <u>Refer to Policy SS6 for affordable housing requirements within the South Sunderland Growth Area (SSGA).</u>	To address representations submitted by Burdon Lane Consortium (PD2506).
M32	Submission	Additional	60	6.21	In order to create balanced, mixed and sustainable communities, the provision of affordable housing on-site should be dispersed amongst the market housing in clusters <u>of a size proportionate to the scale of the development (3 or 4 dwellings per cluster).</u>	To address representations submitted by Story Homes (PD982), Esh Developments (PD1922), Burdon Lane Consortium (PD2506), Siglion (PD3026), Taylor-Wimpey (PD3722), and Hellens (PD5047).
M33	Submission	Additional	61	6.26	Should a proposal come forward that is not located within the Urban Core, the developer will need to demonstrate there are no suitable and available sites to accommodate the proposed development within the Urban Core <u>and that the proposal will not result in an over concentration of student or shared accommodation.</u>	To address representations submitted by University of Sunderland (PD185).
M34	Submission	Additional	61	6.28	Notwithstanding the above, student accommodation numbers need to be managed in line with projected student numbers to ensure the city does not end up with an oversupply of accommodation, which cannot be easily converted to other uses. <u>Further information on need is set out in detail within the Student Accommodation SPD.</u>	To address representations submitted by University of Sunderland (PD184).
M35	Submission	Additional	72	VC3	Where proposals for non-A1 use within primary shopping areas cannot demonstrate that they have satisfied the above, they will be normally be resisted if they would result in...	Typographical error
M36	Submission	Additional	75	8.32	Community facilities and local services (as defined in the glossary) provide opportunities for residents to meet and share their interests and access essential services such as education, health care <u>(SP7)</u> and family support. It is therefore important that these facilities are protected where possible.	To address representations submitted by NHS Sunderland Clinical Commissioning Group (PD72).
M37	Submission	Additional	77	9.2	It expects all new development to embrace the principles of sustainable design, positively respond to the character and setting, as well as avoiding harmful <u>and/or cumulative</u> impacts to the amenity of neighbouring buildings, local character and heritage assets.	To address representations submitted by Historic England (PD103). The Council have also signed a Statement of Common Ground <i>(Insert ref).</i>
M38	Submission	Additional	80	9.19	There are particularly sensitive areas of Sunderland where careful extra care should be taken over the design and materials	Typographical error
M39	Submission	Additional	80	9.19	Proposals in such areas would therefore be required to	To address representations submitted by Historic England

					sustain and enhance the significance of designated Heritage Assets and take account of any other appropriate planning guidance such as relevant Character Appraisal and Management Strategies (CAMS).	(PD105). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M40	Submission	Additional	81	9.23	Sunderland benefits from a rich, diverse and distinctive cultural and built heritage <u>historic environment</u> that makes a fundamental contribution to the quality of the environment and providing a sense of place and belonging for its local communities.	To address representations submitted by Historic England (PD107). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M41	Submission	Additional	82	BH8.1	Development affecting heritage assets (both designated and non-designated) or their settings should recognise and respond to their significance and demonstrate how they conserve and enhance the significance and character of the asset(s), including <u>any contribution made by</u> its setting where appropriate.	To address representations submitted by Historic England (PD108). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M42	Submission	Additional	82	BH8.8	Development affecting non-designated heritage assets should conserve heritage assets, <u>take account of their significance,</u> their features and setting, and make a positive contribution to local character and distinctiveness.	To address representations submitted by several consultees (PD2574, PD4113, PD5329).
M43	Submission	Additional	83	BH9.1	Development which adversely affects the archaeological interest or setting of a Scheduled Ancient Monument (<u>or non-designated heritage asset of equivalent significance</u>) will be refused planning permission unless...	To address representations submitted by Historic England (PD109). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M44	Submission	Additional	83	BH9.1	...will be refused planning permission unless wholly exceptional circumstances exist that satisfy the requirements of the NPPF.	To address representations submitted by Historic England (PD109). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M45	Submission	Additional	85	NE1	NE1 Green <u>and Blue</u> Infrastructure	To address representations submitted by the Environment Agency (PD213). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M46	Submission	Additional	86	10.2	It includes landscapes, historic environments, natural habitats, biodiversity and geological features, greenspaces and woodland, linear corridors, and in the case of bluespaces it also includes waterways, lakes, <u>water dependent habitats</u> and the sea.	To address representations submitted by the Environment Agency (PD212). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M47	Submission	Additional	86-87	NE2	<p>1. Biodiversity and geodiversity will be protected, created, enhanced and managed by requiring development to <u>Where appropriate, development must demonstrate</u> how it will:</p> <p>i. provide net gains in biodiversity; and</p> <p>ii. avoid (through locating on an alternative site with less harmful impacts) or minimise adverse impacts on biodiversity and geodiversity in accordance with the mitigation hierarchy;</p> <p>2. proposals <u>development</u> that <u>would</u> have an impact on the integrity of European designated sites that cannot be avoided or adequately mitigated will not be permitted other than in exceptional circumstances. These circumstances will only apply where there are:</p>	For clarity and consistency and to reflect the duty to cooperate with Gateshead and STMBC. Also, in response to representations from the Church Commissioners of England (PD1795 and PD5249), Northumbrian Water (PD2656), Taylor Wimpey (PD3784), and Hellens (PD5080).

					<p>i. no suitable alternatives;</p> <p>ii. imperative reasons of overriding public interest;</p> <p>iii. necessary compensatory provision can be secured to ensure that the overall coherence of the Natura 2000 network of European sites is protected; and</p> <p>iv. development will only be permitted where the council is satisfied that any necessary mitigation is included such that, in combination with other development, there will be no significant effects on the integrity of European Nature Conservation Sites;</p> <p>3. <u>development</u> that would adversely affect a Site of Special Scientific Interest, either directly or indirectly, will be required to demonstrate that:</p> <p>i. there are no reasonable alternatives; and</p> <p>ii. the case for development clearly outweighs the nature conservation value of the site;</p> <p>4. <u>development</u> that would adversely affect a Local Wildlife Site or Local Geological Site, either directly or indirectly, will demonstrate that:</p> <p>i. there are no reasonable alternatives; and</p> <p>ii. the case for development clearly outweighs the need to safeguard the intrinsic value of the site;</p> <p>5. <u>development</u> that would adversely affect the ecological, recreational and/or educational value of a Local Nature Reserve that will demonstrate:</p> <p>i. that there are no reasonable alternatives; and</p> <p>ii. the case for development clearly outweighs the need to safeguard the ecological, recreational and/or educational value of the site;</p> <p>6. proposals <u>development</u> that would have a significant adverse impact on the value and integrity of a wildlife corridor will only be permitted where suitable replacement land or other mitigation is provided to retain the value and integrity of the corridor.</p>	
M48	Submission	Additional	87	10.8	Not identified as a conservation priority but which are considered locally important <u>including water-dependent, aquatic and marine habits and species.</u>	To address representations submitted by the Environment Agency (PD212). The Council have also signed a Statement of Common Ground <i>(Insert ref)</i> .
M49	Submission	Additional	87	10.9	Any proposal that is likely to have a significant effect on a	To address representations submitted by Natural England

					European site, either alone or in-combination with other plans or projects, will need to undertake a Habitats Regulations Assessment. <u>Where necessary, planning obligations will be secured to implement avoidance and mitigation measures for strategic sites HGA7 and HGA8. Mitigation measures will include the provision of Suitable Alternative Natural Greenspace (SANG) or Strategic Access and Monitoring (SAMM) or a combination of the two in accordance with the HRA for North Sunderland and the project HRA for site HGA7.</u> Proposals for development or land use that would adversely affect a European Site, either individually or in combination with other plans or projects, will only be permitted where the developer can demonstrate that there are imperative reasons of overriding public interest, including those of a social or economic nature, and there is no alternative solution. <u>Compensatory measures will be secured to ensure that the overall coherence of the network of European sites is maintained.</u>	(PD2751). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M50	Submission	Additional	88	10.16	The forthcoming Biodiversity and Geodiversity SPD will support the natural environment policies, <u>and this will include clarification regarding the types of development that require delivery of net gains in biodiversity.</u> The A&D Plan will identify land to deliver this policy.	For clarity of Policy NE2
M51	Submission	Additional	89	10.26	Three bedroom dwelling – 5 <u>4</u> bedspaces	To address representations submitted by Barratt David Wilson Homes (PD1628), Taylor Wimpey (PD3820), Persimmon (PD4149), and Story Homes (PD5367).
M52	Submission	Additional	90	NE6.3	Development in the Green Belt may <u>will</u> be permitted where the proposals are consistent with the exception list in national policy subject to all other criteria being acceptable.	To address representations made by Ray Delaney (PD34).
M53	Submission	Additional	92	NE8.9	The redevelopment of previously developed land, provided that the site is not of high environmental value or landscape quality, <u>and if the development will contribute to local housing needs or provide new jobs.</u>	Typographical error
M54	Submission	Additional	94	10.47	To integrate fully with adjoining areas and within the region to actively promote Integrated Coastal Zone Management. <u>In addition, the incorporation of estuary edge techniques to soften hard edges and create habitat to enhance coastal ecosystems will also be supported.</u>	To address representations submitted by the Environment Agency (PD209 and PD210). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M55	Submission	Additional	96	11.11	Discussions should be held with the Lead Local Flood Authority (LLFA) when considering measures to mitigate flooding from different flood sources within development proposals.	For clarity
M56	Submission	Additional	97	11.13	In determining the suitability of SuDS for individual development sites, developers should seek advice from the Lead Local Flood Authority <u>LLFA.</u>	For clarity
M57	Submission	Additional	97	11.15	This policy should be read alongside <u>the Marine Policy statement and the Marine Management Organisation's</u>	To reflect the Statement of Common Ground with the Marine Management Organisation (<i>Insert ref</i>).

					developing North East Inshore and Offshore Plans.	
M58	Submission	Additional	98	11.24	The <u>Water Framework Directive</u> (WFD) became part of UK law in 2003	For clarity
M59	Submission	Additional	106	12.6	Key junctions on the A19 at Downhill, Ferryboat and A690 <u>including</u> .	Typographical error
M60	Submission	Additional	109	12.19	It is therefore important that the potential impacts of development are understood and that any necessary improvements <u>are</u> identified prior to the development taking place <u>and implemented at an appropriate time during the proposals development</u> .	To address representations submitted by Burdon Lane Consortium and Persimmon (PD2760 and PD4159).
M61	Submission	Additional	111	13.1	<u>Where materials are not available locally, Sunderland will work with neighbouring authorities and other Mineral Planning Authorities to ensure that the continued need for aggregates can be met.</u>	For clarity
M62	Submission	Additional	111	13.2	Policy SP11 sets out the approach for dealing with planning applications for mineral extraction, <u>which should be considered in line with other relevant policies in this Plan.</u>	For clarity
M63	Submission	Additional	111	13.2	In relation to the need for the site to maintain supply in line with the latest Local Aggregate Assessment, sub-regional apportionment figure and the maintenance of <u>a landbank of at least 7 years for sand and gravel and at least 10 years for crushed rock. the aggregates landbank.</u> <u>In order to protect against the potential risks of ground water flooding and protect water quality proposals which involve dewatering will require a Water Management Plan.</u> <u>Any site specific allocations will be made through the Allocations and Designations Plan.</u>	To address representations submitted by the Mineral Products Association and the Environment Agency (PD218, PD4361 and PD4456). The Council have also signed a Statement of Common Ground with the Environment Agency (<i>Insert ref</i>).
M64	Submission	Additional	111	13.3	Potential cumulative impacts must also be considered. <u>The Council encourage applicants to engage with local communities at an early stage when preparing development proposals and where appropriate, consider establishing liaison committees with representatives from the local communities.</u>	To address representations submitted by CPRE (PD1379).
M65	Submission	Additional	114	13.16	Appendix 5 sets out <u>the issues which should be addressed through restoration</u> What should be included in a Restoration Plan.	To address representations submitted by the Mineral Products Association (PD4477).
M66	Submission	Additional	118	14.9	This will be secured either through planning conditions, or where this is not appropriate, by planning obligations or other similar infrastructure tariffs <u>in accordance with the planning obligation tests set out in paragraph 14.11</u> , to ensure that the planned and necessary infrastructure is available to serve the development when it is first required.	To address representations submitted by Burdon Lane Consortium (PD2779) and Story Homes (PD5386).
M67	Submission	Additional	118	14.11	Planning obligations must be; <ul style="list-style-type: none"> • <u>_____</u> necessary to make the development acceptable in planning terms, • <u>_____</u> directly related to the development and • <u>_____</u> fairly and reasonably related in scale and kind to 	For clarity

					the development.	
M68	Submission	Additional	118	14.14	In such circumstances the council will consider requests to reduce the level of planning obligations to a level which ensures that a scheme remains viable. <u>The Council will, where possible, work with applicants to prevent plan developments stalling.</u>	To address representations submitted by Story Homes and Burdon Lane Consortium (PD2760 and PD5386).
M69	Submission	Additional	125	Appendix 2	Replace list detailing evidence base (see Appendix 1)	To reflect the list of submission documents
M70	Submission	Additional	127	Appendix 3	Replaced map, adding more detailed key (see Appendix 1)	To address representations submitted by the Mineral Products Association (PD4288).
M71	Submission	Additional	129	Appendix 5	Appendix 5 – Restoration Plan <u>Issues to be addressed through restoration</u> Restoration Plan A restoration Plan should include: The following issues should be addressed through restoration:	To address representations submitted by the Mineral Products Association (PD4477).
M72	Submission	Additional	135	Glossary	Best and most versatile agricultural land is that <u>land</u> which falls into Grades 1, 2 and 3a of the Agricultural Land Classification. See Agricultural Land Classification.	For clarity
M73	Submission	Additional	136	Glossary	<u>Bluespace</u> <u>Bluespace refers to visible water within open spaces and includes beaches, rivers, streams, ponds, lakes, canals and fountains.</u>	To address representations submitted by the Environment Agency (PD212 and PD213). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M74	Submission	Additional	137	Glossary	<u>Development</u> <u>The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.</u>	For clarity
M75	Submission	Additional	137	Glossary	...subject to the outcome of the environmental assessments that are currently being undertaken).}	Typographical error
M76	Submission	Additional	141	Glossary	<u>Local Services</u> <u>A facility that provides a valuable local service to the community such as a small convenience store, post office or public house.</u>	To address representations submitted by NHS Sunderland Clinical Commissioning Group (PD 71 and PD72). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M77	Submission	Additional	142	Glossary	Magnesium <u>Magnesian</u> Limestone Aquifer	To address representations submitted by the Environment Agency (PD218). The Council have also signed a Statement of Common Ground (<i>Insert ref</i>).
M78	Submission	Additional	144	Glossary	...(compiled and maintained by the Secretary of State for <u>Digital</u> , Culture, Media and Sport).	For clarity
M79	Submission	Additional	144	Glossary	<u>Self-Build and Custom-Build</u> <u>Housing built by an individual, a group of individuals, or persons with or for them, to be occupied by that individual. Such housing can be either market or affordable housing.</u>	To address representations submitted by Ray Delaney (PD37).
M80	Submission	Additional	146	Glossary	"living within the planet's environmental limits, ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly".	For clarity

Appendix 1

Figure 8: Proportion of housing completions on previously developed land

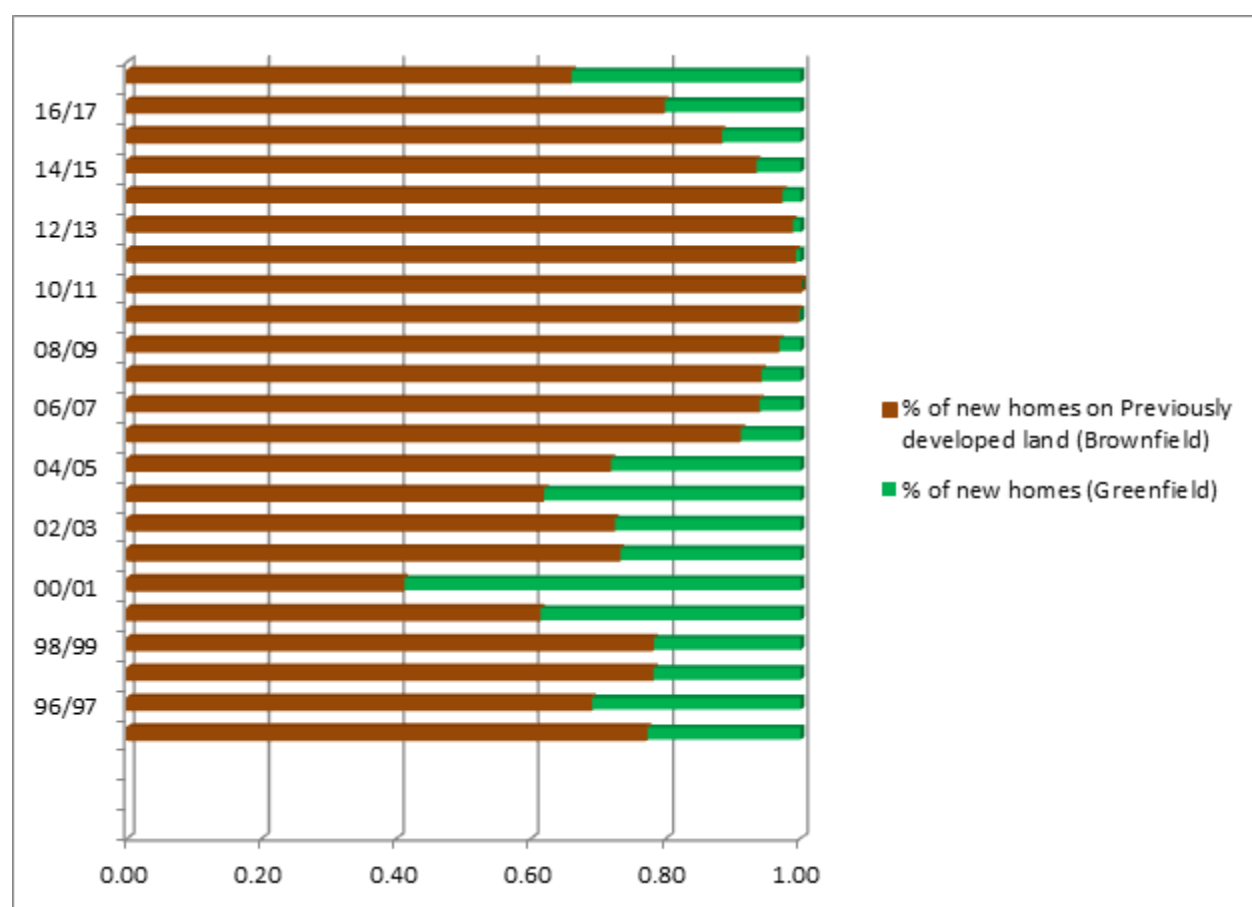
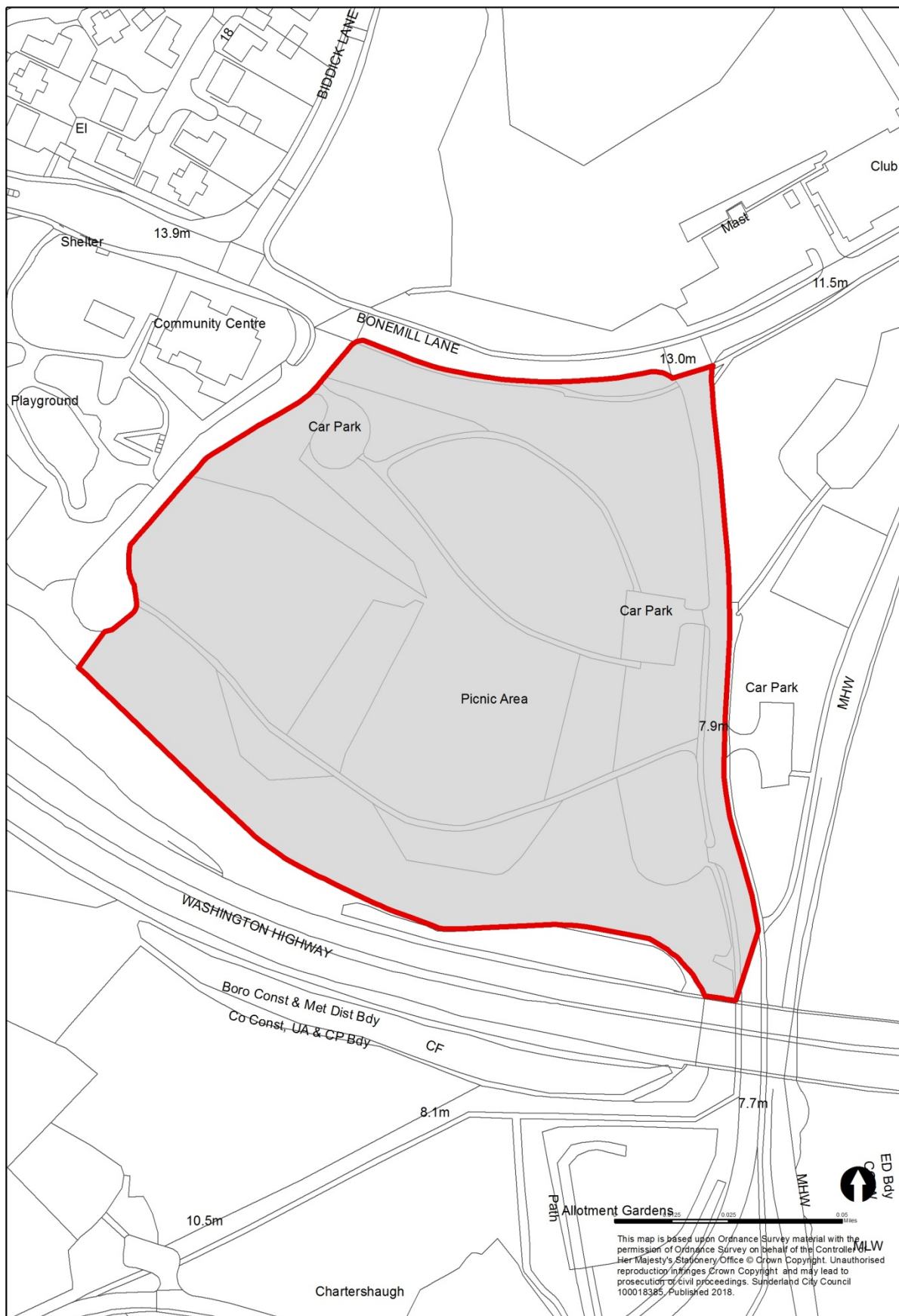


Figure 20: Fatfield



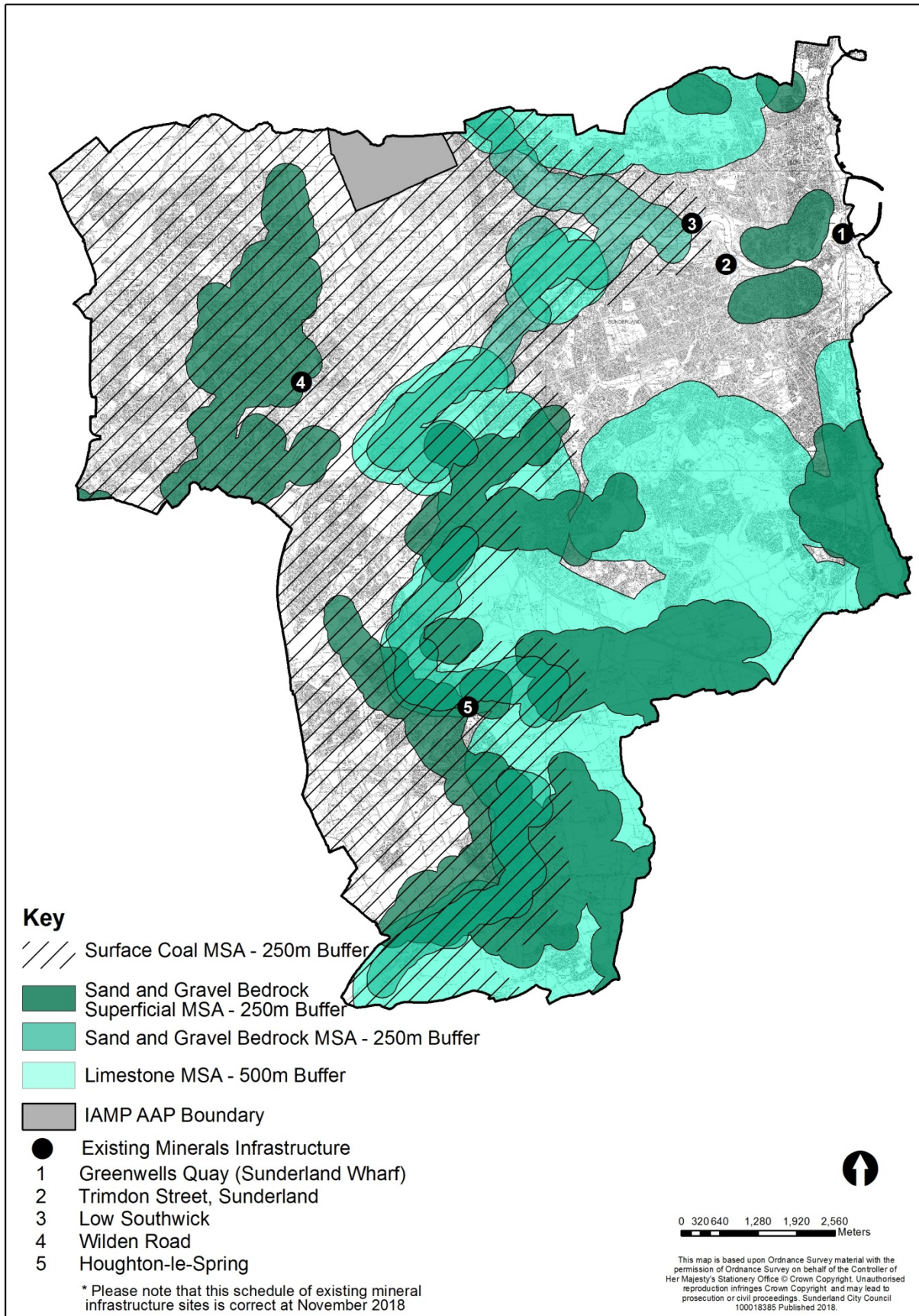
Submission Documents

Core Strategy and Development Plan 2015-33 Publication Draft	SD.1
Core Strategy and Development Plan Publication - Incorporated Minor Modifications - December 2018	SD.2
Schedule of Minor Modifications	SD.3
Core Strategy and Development Plan 2015-33 - Publication Draft Schedule of Representations	SD.4
Core Strategy and Development Plan Consultation Statement - November 2018	SD.5
Schedule of Representations to Draft Plan Core Strategy & Development Plan (2018)	SD.6
Core Strategy and Development Plan Compliance Statement (2018)	SD.7
Core Strategy and Development Plan Monitoring Framework (2018)	SD.8
Equality Analysis for Core Strategy and Development Plan (2018)	SD.9
Local Development Scheme	SD.10
Statement of Community Involvement	SD.11
Sustainability Appraisal (2018)	SD.12
Sustainability Appraisal Non-Technical Summary (2018)	SD.13
Habitats Regulation Assessment (2018)	SD.14
Public Health - evidence in relation to the use of the planning system to control hot food takeaways (April 2018)	SD.15
Health Impact Note (2018)	SD.16
Health Impact Assessment (2017)	SD.17
Sunderland Updating the Demographic Evidence (2016)	SD.18
Strategic Housing Land Availability Assessment (2018)	SD.19
Sunderland Strategic Housing Market Assessment Update (2017)	SD.20
Sunderland Strategic Housing Market Assessment Addendum (2018)	SD.21
Gypsy and Traveller Needs Assessment Addendum (2018)	SD.22
Gypsy's and Traveller's Site Assessment Report (2017)	SD.23
Green Belt Review Stage 1 – Core Strategy Growth Options Stage (2016)	SD.24
Green Belt Assessment Stage 1 Updated and Stage 2 (2017)	SD.25
Stage 3 Green Belt Site Selection Report (2017)	SD.26
Green Belt Exceptional Circumstances Paper (2018)	SD.27
Green Belt Boundary Paper (2018)	SD.28
Development Frameworks (2018)	SD.29
Draft South Sunderland Growth Area SPD (2017)	SD.30
Employment Land Review: Post EU Referendum Forecasting Analysis (2017)	SD.31
Sunderland Retail Needs Assessment Volume 1 (2016)	SD.32
Sunderland Retail Needs Assessment Volume 2 (2016)	SD.33
Sunderland Retail Needs Assessment Volume 3 (2016)	SD.34
Sunderland Retail Needs Assessment Executive Summary and Recommendations (2016)	SD.35
Sunderland Leisure Needs Study (2016)	SD.36
Sunderland City Council – Playing Pitch Plan (2018).	SD.37
Sunderland City Council	SD.38
Indoor Sports Facilities Assessment Report (2015)	SD.39

Green Infrastructure Strategy Framework (2018)	SD.40
Sunderland Greenspace Audit and Report (2018)	SD.41
Settlement Break Review Addendum (2018)	SD.42
Sunderland City Council Level 1 – Strategic Flood Risk Assessment (2018)	SD.43
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Transport Assessment (2017)	SD.45
Mineral Safeguarding Areas in Sunderland - MSA Topic Paper (2017)	SD.46
Sunderland City Council - Waste Arisings and Capacity Requirements (2017)	SD.47
Joint Local Aggregates Assessment (2018)	SD.48
Maintaining Levels of Minerals Supply Topic Paper (2018)	SD.49
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Sunderland Viability Assessment (2017)	SD.51
Sunderland Viability Note (2018)	SD.52
Education Report (2018)	SD.53
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Green Belt Assessment Addendum (2018)	SD.55
Strategic Housing Land Availability Assessment Appendices (2018)	SD.56
Sunderland Employment Review (2017)	SD.57
Sunderland Employment Land Review (2016) MAPS	SD.58
Sunderland Local Plan – Assessment of Transport Impacts – Addendum One (April 2018)	SD.59
Sunderland Local Plan – Assessment of Transport Impacts – Addendum Two (April 2018)	SD.60

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Core Strategy Growth Options Consultation Responses Report (2017)	SP.2
Housing Strategy for Sunderland 2017 – 2022 (2017)	SP.3
Gypsy and Traveller Needs Assessment (2017)	SP.4
Draft South Sunderland Growth Area SPD - HRA Appropriate Assessment (2017)	SP.5
South Sunderland Growth Area – Infrastructure Delivery Study (2017)	SP.6
SSGA Ecological Assessment (2017)	SP.7
SSGA Transport Model (2017)	SP.8
SSGA Landscape Character Assessment (2017)	SP.9
Indicative Layout and Capacity Study of Proposed Housing Release Sites	SP.10
Sunderland Economic Masterplan	SP.11
Sunderland Economic Update 2012	SP.12
Sunderland Landscape Character Assessment (2015)	SP.13
Sunderland Wind and Solar Landscape Sensitivity Assessment (2015)	SP.14
Local Flood Risk Management Strategy (2016)	SP.15
Sunderland Climate Change Action Plan	SP.16
SSGA Draft Supplementary Planning Document Sustainability Appraisal (2016)	SP.17



Appendix C List of associated documents (Submission Documents)

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Appendix D Summary of Consultation

Copy to be circulated separately.

Equality Analysis for Core Strategy and Development Plan (2018)



Section A - EQUALITY ANALYSIS TEMPLATE

You must complete this in conjunction with reading Equality Analysis Guidance

Name of Policy/Decision/Project/Activity:

Sunderland Local Plan : Core Strategy and Development Management Plan

Date: 30/05/2018

Version Number:

Equality Analysis completed by:

Name: Clive Greenwood

Job title: Senior Planning Policy Officer

Responsible Officer or Group:

Name: Louise Sloan

Is the Activity:

New/Proposed ()

Changing/Being Reviewed ()

Other ()

Part 1. Purpose and Scope

Purpose

In this section outline briefly:

- what the policy, decision or activity is and what the intended outcomes/benefits are (linked to the Corporate Outcomes Framework)
- over what period of time the outcomes will be achieved
- why it needs to be implemented or revised
- what populations are affected by the proposal
- who is expected to benefit and how, i.e. young people, older people, carers, BME groups, ward areas/communities, etc
- whether there are any overlaps with regional, sub-regional, national priorities.

[Further Guidance](#)

Purpose

This equality analysis considers the current version of the Core Strategy and Development Management Plan (CSDP) which has been under development since 2005. The CSDP is presently at publication stage and is scheduled for adoption in 2019. The Government requires all councils to produce a set of documents collectively known as the Local Plan which sets out the planning strategy and policies for an area. The CSDP is the main Local Plan document, and will replace a number of remaining saved policies of the Adopted Sunderland Unitary Development Plan. Overall, the Local Plan will comprise of three key documents: the CSDP, which will set out the overarching spatial strategy for development within the city over the plan period from 2015-2033, as well as containing more specific detailed Development Management policies; and a separate Allocations and Designations Plan which will make the site specific allocations necessary to deliver the Core Strategy. The adopted International Advanced Manufacturing Park Area Action Plan also forms part of the Local Plan.

It is a priority of the Local Plan to promote community cohesion, support regeneration, and tackle deprivation and inequalities to create cohesive and sustainable communities. It is intended that the policies set out in the CSDP will provide strategic policy direction which will in turn lead to positive outcomes for neighbourhoods and communities in Sunderland. However, by being strategic rather than site specific, it is difficult for the Core Strategy process to clearly demonstrate how key groups and stakeholders can directly influence policy direction. The forthcoming Allocations and Designations Plan will take the lead from these strategic policies and be site and people specific, enabling specific groups to directly influence policy and development.

The CSDP has been influenced by, and in turn informed the production of the Sunderland Strategy and Sunderland Economic Masterplan and will be the key mechanism in delivering their spatial objectives, as well as assisting many other council-wide plans and strategies.

Scope

The whole of Sunderland, including residents, businesses and visitors will benefit from this strategy. All of these stakeholders have been consulted on the CSDP thereby providing the opportunity for holistic involvement. The Council also has a 'duty to cooperate' with the neighbouring authorities of Durham, Gateshead and South Tyneside, and thereby cross-boundary cooperation and agreement on wider strategic matters is ongoing.

All consultation is carried out in accordance with the adopted Statement of Community Involvement (SCI) which is available online at <https://www.sunderland.gov.uk/media/17902/Statement-of-Community-Involvement-SCI-/pdf/SCI.pdf>

Intelligence and Analysis

Please describe:

- What sources of information have been used to inform this assessment/analysis (this should include but is not limited to consultations, resident/service user feedback and statistical data and intelligence)
- **What the information is telling you** – this should be broken down by each of the protected characteristics or other identified groups which could be disadvantaged. Each of the aims of the equality act should be considered in relation to each of the protected characteristics.

[Further Guidance](#)

This CSDP is the product of robust evidence, public consultation and a Sustainability Appraisal undertaken by the City Council and its partners. In addition, it has been informed by:-

- The Corporate Plan
- The Sunderland Economic Masterplan (2010) 3,6,9 Vision for Sunderland
- The National Planning Policy Framework and previous statements of national planning policies
- The results of a comprehensive evidence base such as the Strategic Housing Market Assessment and Strategic Housing Land Availability Studies, Employment Land Review, Retail Needs Assessment, Transport Assessment, Education Report, Greenspace Audit and Report, Health Impact Assessment, Demographic Analysis and Forecasts, Green Belt Review, Settlement Break Review, Strategic Land Review, Gypsy and Traveller Needs and Landscape Character Assessment.
- The findings of the accompanying Sustainability Appraisal and Habitats Regulations Assessment
- The outcome of extensive engagement activities with the public, local businesses and partners. Consultations began in late 2005 with the Issues and Options Draft, the Preferred Options Draft in 2007/08, the Alternative Approaches in 2009, the Core Strategy Revised Preferred Options in 2013, the Core Strategy Growth options Consultation 2016 and the Draft Core Strategy and Development Plan 2017. Consultation has involved voluntary and community groups, Independent Advisory Groups (IAGs), statutory and non-statutory consultees, local residents and neighbouring authorities (see Appendix 1).

This version of the Core Strategy is accompanied by three key supporting documents:

- **Sustainability Appraisal** report as required by the Planning and Compulsory Purchase Act 2004. This includes a Strategic Environmental Assessment of the plan as required by European directive.
- A **Habitats Regulations Assessment (HRA)** Report of the potential impact of the plan on Natura 2000 sites (these are international designations covering species and ecological habitats), again a legislative requirement, has also been prepared.
- The **Infrastructure Delivery Plan** which demonstrates what infrastructure is required to support planned growth and development, how much will it cost, where the money will come from to provide infrastructure and who will be responsible for its delivery.

Strategic Housing Market Assessment (SHMA) - Every local planning authority is required to demonstrate how it will meet an appropriate share of the housing need in its housing market area and to plan positively for the delivery of sufficient new homes to support future prosperity in its area. It supports the creation of sustainable housing sites and housing needs for all ages and specific needs such as for disabled people. It includes a specific section relating to household groups that have particular housing requirements, including: older persons accommodation-policy and strategic requirements including supporting independent living requirements and providing a range of housing options designed at older people such as extra care, sheltered accommodation and co-housing for rent or sale; providing property that is suitable for disabled needs; housing requirements for BAME households (including overcrowding and sharing accommodation), gypsy and travellers and showpeople needs for housing sites (although this is looked at in more detail via the Gypsy & Traveller and Travelling Showpeople Accommodation Assessment). CSDP Policy SP1, SP8, H1, H2, H4, H6.

SHLAA - A SHLAA is a technical exercise to assess the amount of land that could be made available for housing development. It is part of the evidence base that will inform the plan making process. As with SHMA it is influenced by the Plan requirement to promote sustainable development, therefore housing sites are promoted on urban sites as far as possible, alongside bus routes and/or beside local facilities. This supports all people having access to housing. CSDP Policy SP8.

Sunderland Housing Strategy 2017-22 – The purpose of the strategy is to set clear direction, over the next 5 years, to offer more choice in housing by developing new homes and improving existing homes and neighbourhoods. All residents can benefit by the strategy as it is aimed at improving housing, neighbourhoods and housing choice across the city. Older people's housing needs are addressed in the strategy as are those of homeless people and disabled people. Affordable housing is also proposed for those on lower incomes.

ELR - The Employment Land Review includes an assessment of the current supply of employment land, investigates future demand for employment land and premises, and identifies any deficiencies in current supply in meeting future needs. Sites are assessed against a scoring matrix – there is a strong focus on accessibility to the road network and to public transport network, as well as concentrations of population. Therefore the report is pitched at the macro scale, seeking to determine the most sustainable option for all of the city's residents, as opposed to focusing on specific and individual need. CSDP Policy SP1, EG1, EG2, EG3, EG4, EG5.

Retail Needs Assessment / Leisure Needs Assessment – review of the availability and variety of retail / leisure provision across the city. Seeks to focus retail / leisure provision on established centres and places with most public transport and walking accessibility. It recommends local thresholds for provision (via a sequential assessment) that help to reinforce protecting our centres. Maintaining our centres supports those people reliant on public transport and walking, indirectly supporting the need for quality transport services and good quality public realm, which

should support older persons, disabled persons, pregnant people. CSDP Policy SP2, VC1, VC2, VC3, VC6.

Transport Assessment – The purpose of the transportation assessment is to guide the emerging Local Plan and the supporting Infrastructure Delivery Plan (IDP). It assesses the suitability of the local highway network impacted by the Local Plan strategic sites and identifies potential network improvements to enable the delivery of Sunderland's Local Plan. Public transport and cycling improvements are recommended to improve accessibility in order to make strategic sites sustainable. Overall, the assessment is pitched at the macro scale, seeking to determine the most sustainable option for all of the city's residents, as opposed to focusing on specific and individual need. CSDP SP10, ST1, ST3.

Education Report – this report examines how much residential development is proposed across the city and identifies where school place gaps in provision will occur (primary and secondary school provision). The report identifies what would be required to rectify any shortfalls in provision. In general, this report focuses at a macro scale looking at need for all pupils to be able to access school provision, endeavouring to ensure that development does not take place that fails to address actual need, or requires excessively large distances for pupils to travel. CSDP Policy ID2.

Greenspace Audit and Report – this report assesses all of the city's different types of greenspace by quantity and quality and identifies spatial deficiencies in provision. The ultimate aim is to ensure that every household has access a range of quality greenspaces- this is a positive intervention because there is a strong correlation in Sunderland that greenspace quality is worse in deprived areas and better in less deprived areas. The audit considers disabled access as part of the individual site evaluations. CSDP Policy NE4.

Health Impact Assessment – this report has assessed the health impacts of the CSDP, to ensure that the CSDP is aligned to the Sunderland Health and Well Being Strategy and to make recommendations that positively address health issues for city residents. Specific recommendations include: the need to provide a policy on hot food takeaways in proximity to schools, in order to help take account of risks to the health of children and young people; promoting active travel and healthy lifestyles; measures to improve quality of life, and; exposure to different types of pollution. Recommendations are generally pitched at the macro scale, involving all of the city's residents. CSDP Policies VC4, SP7, HS1, HS2, HS4, BH1, NE1, NE4.

Infrastructure Delivery Plan - The plan identifies the physical, social, green infrastructure needed to support and underpin Sunderland's growth through to 2033. This assessment of infrastructure is pitched at the macro level, involving all of the city's residents, and is underpinned by sustainable principles. CSDP Policy ID1, ID2.

Green Belt Assessment Stage 1 Updated and Stage 2; Stage 3 Green Belt Site Selection Report – These reports form a city-wide assessment of the city's Green Belt land. Both reports acknowledge a city requirement to provide residential sites within the Green Belt in order to provide housing sites for the duration of the plan. The assessment of sites has been underpinned by sustainable principles, including an evaluation of a site's sustainable access to public transport services and local facilities, as well as environmental and physical site suitability. In equality terms, the impact relevance is at a macro scale, involving all of the city's residents. CSDP Policy NE6, SP3, SP4, SP5, SP6.

Settlement Break Review – this review examines all of the city's Settlement Breaks and considers whether all land parcels correlate to the 3 principles of Settlement Break. A small proportion of the land area has been proven to have limited Settlement Break purpose, and has

therefore been considered within the SHLAA for residential purposes. Once again, the assessment of these sites has been underpinned by sustainable principles, including sustainable access to public transport services and local facilities. CSDP Policy NE7.

Strategic Land Review – The 2016 SLR investigated all employment land, SHLAA, Settlement Break, Green Belt land and White Land, considering the suitability of land for development against a range of environmental and physical factors. As with GB and SB above the report is underpinned by sustainable principles- not specific to equality type/need. Contributed to CSDP Policy SP8, NE6, NE7, SP3, SP4, SP5, SP6.

Gypsy & Traveller and Travelling Showpeople Accommodation Assessment – assessment of housing need for gypsy and travelling showpeople across the city. Focuses on the specific BME grouping of gypsy and travelling showpeople. The report concludes that further site plots are required for travelling showpeople and gypsy travellers, and CSDP Policy H4 specifically addresses this.

Landscape Character Assessment / Wind & Solar Landscape Assessment – this report presents a description and assessment of the city's urban and rural landscape, making strategic recommendations for landscape enhancement or protection. This includes recommendations to improve area access, particularly when physical barriers such as roads or railways thwart access to the countryside in particular. Such accessibility would focus on the need to create multi-user routes which enable all-round access for walkers, cyclists, horse-riders and disabled access. One of the key intentions is to ensure that the rural and urban environment is enhanced to encourage all residents to be more physically active and appreciate the environment, and to support overall mental and physical health. CSDP Policy NE1, NE9, NE10, NE11.

Corporate Plan 2016-20– this is the Council's overarching strategic plan for the years 2016/2017 to 2019/2020. Promoting equality and reducing inequalities is fundamental to the Plan's approach and to meeting the Council's Public Sector Equality Duty. The Corporate Plan is subject to an Equalities Analysis, through the Service Plans supporting it. The policies in the CSDP support the ways of working in the Corporate Plan, using a detailed intelligence base that accounts for different needs in order to form the policies and inform decision-making.

Playing Pitch Strategy – this strategy provides a strategic framework for the maintenance and improvement of existing outdoor sports pitches and ancillary facilities between 2014 and 2019. The assessment of the quality of sports pitches incorporates criteria that includes access for disabled people, and encourages sports provision for 'all ages'. Otherwise, the strategy focuses at the macro level and seeks improvements across the city to ensure good quantity and quality of provision available to all residents. CSDP Policy NE4.

Local Flood Risk Management Strategy (LFRMS) - This report acts as a tool to deliver the benefits of well managed environments by reducing flood risk to people and properties. It identifies different types of flood risk and identifies localities at risk within the city. Intervention / specific schemes are proposed / undertaken to tackle these risk areas. These schemes are undertaken for the benefit of all city residents and not specific to an equality grouping. CSDP Policy WWE2, WWE3, WWE4, WWE5.

Strategic Flood Risk Assessment (SFRA) / Preliminary Flood Risk Assessment (PFRA) – Both reports provide a spatial assessment of flood risk across Sunderland and includes sources of flooding. The risks associated with flooding have been mapped. The reports provide key recommendations. As with the LFRMS above, these schemes are undertaken for the benefit of all city residents and not specific to an equality grouping. CSDP Policy WWE2, WWE3, WWE4, WWE5.

Gaps in intelligence and information

Having analysed the information available to you:

- are there any gaps in intelligence or areas where understanding needs to be improved? Please describe what these are and what actions you intend to take to obtain/improve the information. These actions should be covered in the action plan.
- are there any groups who should be expected to benefit who do not? Please describe why not and whether you will amend the decision to change this outcome. This should also be covered in the action plan.

[Further Guidance](#)

There are no gaps in intelligence and information identified regarding the Plan – though gaps could potentially be identified through the forthcoming plan consultation process, whereupon this assessment will be reviewed. All actions currently identified are classed as positive or neutral, with no negative impacts identified.

Additional Impacts

The policy or action may also have an impact on other groups or individuals which are not covered by statutory requirements. Please outline any additional individuals or groups which have not already been covered. This could include socio-economic groups, voluntary and community sector, carers or specific communities which face additional challenges (such as former coal mining areas or areas of high deprivation)

[Further Guidance](#)

Positive impacts are identified in relation to deprived groups, by virtue of the core plan principle being to promote sustainable forms of development, which in turn support health equality, equality of access to a range of jobs, housing, services and green infrastructure. Policies specifically focus upon addressing deficiency gaps, which are often focused on deprived neighbourhoods.

Part 2. Analysis of Impact on People

In this section you must **review the intelligence described above and summarise the intended and potential impact of the policy, decision or activity** on the people of Sunderland. This includes specific consideration of the impact on individuals, groups with protected characteristics and communities of interest within the city. Please briefly outline any positive, neutral or negative impacts on the specific groups below. Please note that any negative impacts should have a corresponding action in the action plan in the page below.

In this assessment it is important to remember the **Council is required to give due regard to:**

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Each of these aims must be summarised in turn in relation to the groups outlined below.

[Further Guidance](#)

Characteristic	List of Impacts		
	Positive	Neutral	Negative
Age	<p>Supported by the SHMA, housing policy has the potential to have a positive impact on residents of different age ranges by:</p> <ul style="list-style-type: none"> • Rebalancing the housing stock by providing a range of housing, including accommodation to meeting the needs of an ageing population (Policy H1, H5) • Supporting development proposals that provide a mix of housing types/design and tenures to meet current and future housing need, taking into account the ageing population (Policy H1). • Increasing the choice of suitable accommodation for the elderly population and those with special needs including bungalows and extra care housing (Policy H1). <p>Greater accessibility to services,</p>	<p>The CSDP contains policies that are generally relevant to all ages.</p> <ul style="list-style-type: none"> • Reduce health inequalities in the areas with the poorest health (Policy SP7) • Support and facilitate sustainable economic growth (Policy SP1) • Support designated centres to ensure they remain as thriving and viable destinations (Policy VC1, VC5) • Urban design- creating sustainable, mixed-use developments which support the function and vitality of the area in which they are located (Policy BH1) 	<p>No overall negative impacts of the CSDP policies have been identified associated with age.</p>

	<p>facilities and green infrastructure will positively support older people:</p> <ul style="list-style-type: none"> • Develop neighbourhoods and centres that are safe and attractive, encourage social interaction, accessible to public transport and local facilities (Policy SP7) • Creating attractive, safe, legible, functional and accessible public spaces (Policy BH3) • Ensure that all residents have access to a wide range of quality greenspace (Policy NE4) • Promoting sustainable travel and seek to enhance connectivity for all users (Policy SP10) • Improve accessibility in the City Centre, increasing priority for pedestrians and cyclists, improving legibility and signage, improving public realm and incorporating inclusive design principles (Policy ST1). <p>Ensuring that new development is age friendly (Policy SP7)</p>		
Disability	<p>Supported by the SHMA, housing policy has the potential to have a positive impact on residents of different age ranges by:</p> <ul style="list-style-type: none"> • Supporting development proposals that provide a mix of housing types/design and tenures to meet current and future housing need, taking into account the ageing population (Policy H1). • Increasing the choice of suitable accommodation for the elderly 	<p>Broad references are made to disabled needs within the supporting Retail Needs Assessment and Greenspace Audit. The CSDP provides policies that support sustainable development, and accessible, healthy living environments. These policies are generally relevant to people with disabilities:</p> <ul style="list-style-type: none"> • Rebalancing the housing stock by providing a range of housing, including accommodation to meeting the needs of an ageing population (Policy H1, H5) • Support and facilitate sustainable economic 	<p>No overall negative impacts of the Core Strategy policies have been identified associated with disability.</p>

	<p>population and those with special needs including bungalows and extra care housing (Policy H1).</p> <p>Reducing health inequalities will have a longer term positive impact for people with disabilities, especially if people are living with long term conditions:</p> <ul style="list-style-type: none"> • Reduce health inequalities in the areas with the poorest health (Policy SP71). <p>Greater accessibility to services, facilities and green infrastructure will positively support people with disabilities, supporting independent living and reducing social isolation:</p> <ul style="list-style-type: none"> • Develop neighbourhoods and centres that are safe and attractive, encourage social interaction, accessible to public transport and local facilities (Policy SP7) • Creating attractive, safe, legible, functional and accessible public spaces (Policy BH3) • Ensure that all residents have access to a wide range of quality greenspace (Policy NE4) • Promoting sustainable travel and seek to enhance connectivity for all users (Policy SP10) • Improve accessibility in the City Centre, increasing priority for pedestrians and cyclists, improving legibility and signage, improving public realm and incorporating inclusive design principles (Policy ST1). 	<p>growth (Policy SP1)</p> <ul style="list-style-type: none"> • Support designated centres to ensure they remain as thriving and viable destinations (Policy VC1, VC5) • Urban design- creating sustainable, mixed-use developments which support the function and vitality of the area in which they are located (Policy BH1) 	
Gender/Sex	There is evidence to suggest that more	The CSDP provides policies that support	No overall negative impacts of the

	<p>women use public transport, therefore policies in the plan that support greater accessibility to public transport services have a positive impact in this respect:</p> <ul style="list-style-type: none"> • Develop neighbourhoods and centres that are safe and attractive, encourage social interaction, accessible to public transport and local facilities (Policy SP7) • Creating attractive, safe, legible, functional and accessible public spaces (Policy BH3) • Promoting sustainable travel and seek to enhance connectivity for all users (Policy SP10) 	sustainable development for all persons.	Core Strategy policies have been identified associated with gender/sex.
Marriage & Civil Partnership		The CSDP provides policies that support sustainable development for all persons.	No overall negative impacts of the Core Strategy policies have been identified associated with marriage/civil partnerships.
Pregnancy and maternity	<p>Policies that improve accessibility via public transport and public realm in centres will improve accessibility for people using pushchairs and prams:</p> <ul style="list-style-type: none"> • Develop neighbourhoods and centres that are safe and attractive, encourage social interaction, accessible to public transport and local facilities (Policy SP7) • Creating attractive, safe, legible, functional and accessible public spaces (Policy BH3) • Promoting sustainable travel and seek to enhance connectivity for all users (Policy SP10) 	The CSDP provides policies that support sustainable development for all persons.	No overall negative impacts of the Core Strategy policies have been identified associated with pregnancy and maternity issues.
Race/Ethnicity	Supported by the SHMA, housing policy has the potential to have a positive impact on showpeople and gypsies and travellers by:	The CSDP provides policies that support sustainable development for all persons.	No overall negative impacts of the Core Strategy policies have been identified associated with race / ethnicity.

	<ul style="list-style-type: none"> Identifying additional land to accommodate travelling showpeople and gypsies and travellers (Policy H4). <p>Community, social and cultural facilities are positively protected in the plan:</p> <ul style="list-style-type: none"> The Council will protect existing and support the development of new social and community facilities including places of worship (Policy VC5). <p>In addition, the CSDP has a specific policy relating to future burial spaces across the city, including meeting the burial requirements of the various ethnic and religious groups within the city (Policy NE5).</p>		
Religion/belief	<p>Community, social and cultural facilities are positively protected in the plan:</p> <ul style="list-style-type: none"> The Council will protect existing and support the development of new social and community facilities including places of worship (Policy VC5). <p>The CSDP has a specific policy relating to future burial spaces across the city, including meeting the burial requirements of the various ethnic and religious groups within the city (Policy NE5).</p>	The CSDP provides policies that support sustainable development for all persons.	No overall negative impacts of the Core Strategy policies have been identified associated with religion / belief.
Sexual Orientation		The CSDP provides policies that support sustainable development for all persons.	No overall negative impacts of the Core Strategy policies have been identified associated with sexual orientation.
Gender identity		The CSDP provides policies that support sustainable development for all persons.	No overall negative impacts of the Core Strategy policies have been identified associated with trans-gender/gender identity.

Please add any additional groups mentioned in the “additional impacts” section above.

Part 3. Response to Analysis, Action Plan and Monitoring

In this section please outline what actions you propose to take to minimise the negative, and maximise the positive, impacts that have been identified through the analysis. By considering and implementing these actions the policy or action can be refined to make sure that the greatest benefits are achieved for the people of Sunderland. The performance monitoring process should also be set out to explain how ongoing progress is going to be followed to make sure that the aims are met.

From the analysis four broad approaches can be taken, (No major change; continue with the policy/action despite negative implications; adjust the policy/decision/action; or stop the policy/action). Please indicate, using the list below, which is proposed.

No Major Change (Yes)

Continue Despite Negative Implications ()

Adjust the Policy/Decision/Project/Activity ()

Stop ()

Action Plan

[Further Guidance](#)

ACTION	WHO	WHEN	MONITORING ARRANGEMENTS
This Action Plan will be completed following the public consultation exercise.			



CABINET – 21 NOVEMBER 2018**Enforcement of the Equality Act 2010 in relation to hackney carriages and private hire vehicles****Report of the Executive Director of Economy and Place****1. Purpose of the Report**

- 1.0 The purpose of this report is to request Cabinet to delegate to the Executive Director of Economy and Place the powers conferred upon the Authority by Part 12, Chapter 1 of the Equality Act 2010 (the “Act”) in relation to hackney carriages and private hire vehicles and their drivers.

2. Description of Decision (Recommendations)

- 2.1 To delegate to the Executive Director of Economy and Place the powers conferred upon the Authority by Part 12, Chapter 1 of the Equality Act 2010 (the “Act”) in relation to hackney carriages and private hire vehicles and their drivers including:
- (a) the maintenance of a list of accessible vehicles under section 167 of the Act;
 - (b) the issuing of exemption certificates under sections 166, 169 and 171 of the Act;
 - (c) the enforcement of the duties placed upon drivers and operators under sections 165 (duties in relation to passengers in wheelchairs), 168 (duties in respect of assistance dogs in hackney carriages) and 170 (duties in relation to assistance dogs in private hire vehicles) of the Act.
- 2.2 To recommend Council to authorise the Head of Law and Governance to amend the Constitution to reflect the delegation referred to above.

3. Introduction/Background

- 3.1 The Council presently licenses hackney carriages and their drivers and private hire vehicles and their drivers and operators. From time to time the Council receives complaints from disabled passengers of such vehicles who report that they have not been treated appropriately by our licensed drivers. Such matters are dealt with, where appropriate, by referral to the Council’s Regulatory Committee who may suspend or revoke a driver’s licence where they consider it necessary to do so.
- 3.2 The Equality Act 2010 provides a series of laws relating to the needs of disabled people. The relevant laws are being commenced in their effect over time. Part 12, Chapter 1 of the Act relates to the transport of disabled people in hackney carriages and private hire vehicles. Recently, parts of this chapter of the Act have been commenced so providing new powers to licensing authorities with the aim of ensuring that disabled people may access these methods of transport.
- 3.3 It is now considered appropriate to supplement our present method of requiring licensed drivers to treat disabled passengers appropriately with the powers available to us via the Act.

4. Current Position

- 4.1 The Act makes various provisions in relation to hackney carriages, private hire vehicles and their drivers. In particular, it empowers local authorities to maintain a list of hackney carriages and private hire vehicles which conform to such accessibility requirements as the local authority thinks fit. These are requirements for securing that it is possible for disabled passengers in wheelchairs to get in and out of vehicles in safety and travel in vehicles in safety and reasonable comfort. In maintaining a list, the local authority must have regard to any guidance issued by the Secretary of State.
- 4.2 The drivers of such designated vehicles then have duties imposed upon them by the Act, e.g. to carry wheelchair users at no extra charge and to provide assistance in enabling such passengers to access the vehicle. Failure to comply with such duties in certain circumstances constitutes an offence in respect of which a local authority may bring a prosecution and which carries a maximum penalty of a fine of £1,000.
- 4.3 The local authority may exempt a driver of a wheelchair accessible vehicle from these duties on medical grounds or due to that driver's physical condition.
- 4.4 The Act also requires licensed drivers and operators to allow disabled people to travel with their assistance dogs and allows the licensing authority to bring a prosecution where there is a failure to do so. Conviction of such an offence again carries a maximum penalty of a fine of up to £1,000.
- 4.5 The local authority may exempt a driver on medical grounds, but only after having particular regard to the physical characteristics of the vehicle the person drives, or any vehicle in respect of which the exemption certificate is required..
- 4.6 A person aggrieved by a refusal of an exemption or the inclusion of a vehicle in the list of designated vehicles may appeal against the decision to the Magistrates' Court.

5. Reasons for the Decision

- 5.1 To enable the Council to better facilitate the use of hackney carriages and private hire vehicles by disabled people.

6. Alternative Options

- 6.1 Use of these powers will better enable the Council to assist the travelling public and so no alternative options are suggested.

7. Impact Analysis

- (a) **Equalities** – These proposals will advance equality of opportunity between people who share a protected characteristic, i.e. disability, and those who do not.

- (b) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** – Breaches of the Act may, as described above, constitute the commission of criminal offences and so enforcing the Act will assist the Council in seeking to reduce crime.

8. Other Relevant Considerations / Consultations

- (a) **Financial Implications** – There are no additional financial implications arising as a result of this report.
- (b) **Legal Implications** – The Head of Law and Governance advises that these proposals are lawful and appropriate.

9. Glossary

9.1 None.

10. List of Appendices

10.1 None.

11. Background Papers

11.1 None.

GAMBLING ACT 2005 - APPROVAL OF THE COUNCIL'S STATEMENT OF PRINCIPLES**Report of the Executive Director of Economy and Place****1. Purpose of the Report**

- 1.1 To brief the Cabinet upon the responsibility of the Council with regard to the publishing of a statement of principles under the Gambling Act 2005 (the "Act").

2. Description of Decision (Recommendations)

- 2.1 To recommend the Council to approve the draft statement of principles (attached as Appendix 1) in accordance with the Act.

3. Introduction/Background

- 3.1 The Act requires the Council, as a Licensing Authority, to prepare and publish a statement of principles that we propose to apply in exercising our functions under the Act. These functions include the licensing of premises for the provision of gambling facilities.
- 3.2 The Act further requires that this statement is published before each successive period of three years. The current statement was agreed at a meeting of the Council in November 2015 and published on 31 December 2015. A reviewed statement is therefore required to be published before January 2019.
- 3.3 In reviewing the policy the Act requires the Council to consult specified persons including statutory agencies, representatives of the interests of persons carrying on gambling businesses in our area and persons who represent the interests of persons who are likely to be affected by the exercise of the our functions under the Act. This consultation exercise has been undertaken and has now concluded. The persons and organisations consulted are listed in Appendix 2.

4. Current Position

- 4.1 Comments on the proposed statement of principles were received from one respondent, Gosschalks Solicitors on behalf of the Association of British Bookmakers (ABB). Their response (attached as Appendix 3) suggests some amendments to the draft statement.

- 4.2 Consideration has been given to the points raised by the ABB and comments upon their views are contained in Appendix 4. These comments indicate that some of the points made by the ABB should be accepted by the Council and that commensurate amendments should be made to the draft statement.
- 4.3 A revised draft of the statement of principles, amended in line with the comments contained at Appendix 4, is attached as Appendix 1.
- 4.4 On 3 September 2018 the Council's Licensing Committee received a report upon the consultation response and the revised draft statement of principles. The Committee, subject to confirmation at their next meeting, resolved that the contents of the report be noted and that the draft statement of principles be submitted to Council for approval under the Gambling Act 2005.
- 4.5 On 6 November 2018 the Council's Economic Prosperity Scrutiny Committee also considered a report upon the consultation response and the revised draft statement of principles. The Committee resolved to recommend that the draft statement of principles be approved by the Council under the Gambling Act 2005.

5. Reasons for the Decision

- 5.1 To enable the Council to comply with the statutory obligation to publish a statement of principles under the Gambling Act 2005.

6. Alternative Options

- 6.1 As this is a statutory obligation no other options have been considered.

7. Impact Analysis

- (a) **Equalities** – No impact
- (b) **Privacy Impact Assessment (PIA)** – No impact
- (c) **Sustainability** – The statement of principles is intended to assist responsible businesses.
- (d) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** – One of the objectives of the Gambling Act 2005 is preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime and this is dealt with by the draft statement of principles.

8. Other Relevant Considerations / Consultations

- 8.1 (i) **Legal implications** – The Head of Law and Governance advises that the Council has a legal requirement to publish a statement of principles.
- (ii) **Financial implications** – There are no additional financial implications arising as a result of this report
- (iii) **The Public / External Bodies** – Statutory consultees have been consulted.

9. Glossary

- 9.1 None.

10. List of Appendices

- 10.1 Appendix 1 – Draft statement of principles
Appendix 2 – List of consultees
Appendix 3 – Consultation response
Appendix 4 – Comments on consultation response

11. Background Papers

- 11.1 None.

Appendix 1

Gambling Act 2005

Statement of Principles

Draft

Part A

1. The licensing objectives

1.1 Sunderland City Council is designated as a Licensing Authority under the Gambling Act 2005. In exercising most of its functions under that Act, the Council must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

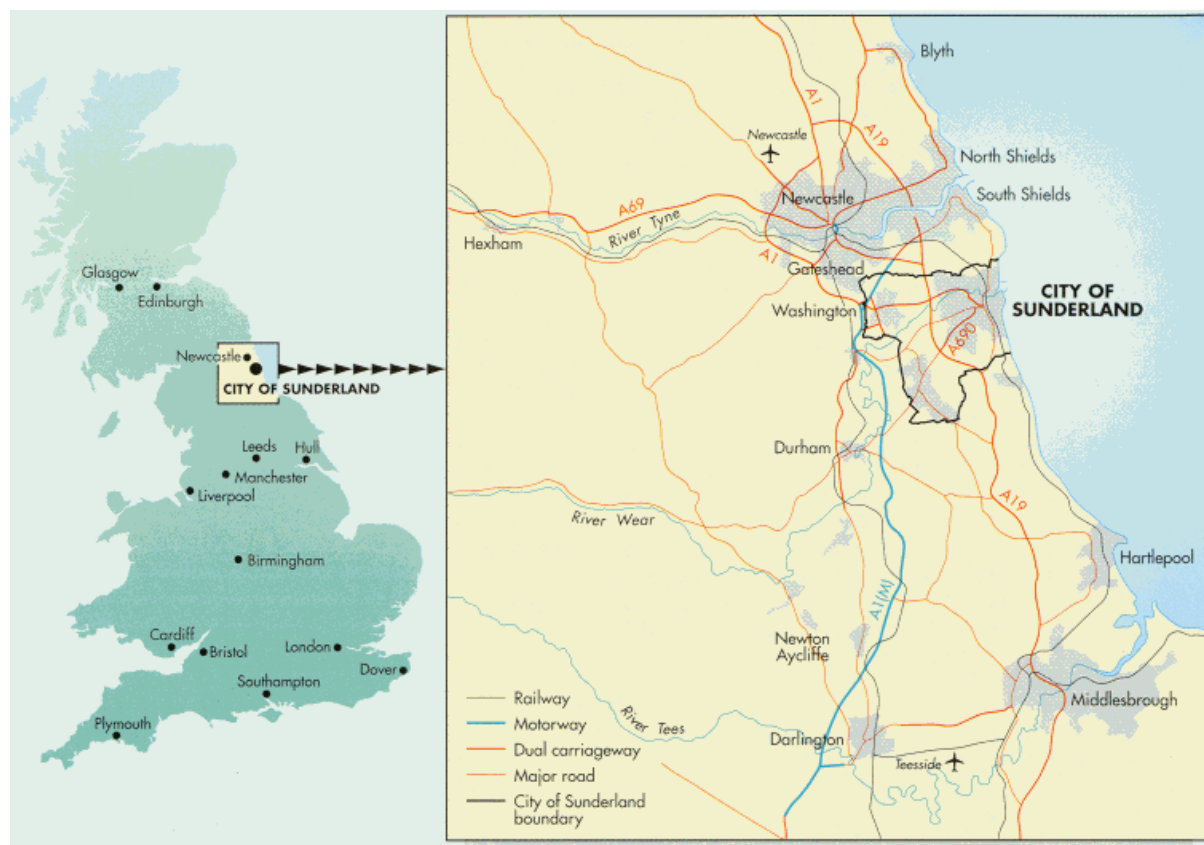
1.2 It should be noted that the Gambling Commission has stated: 'The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling'.

1.3 The Council is aware that, in accordance with Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Council's statement of principles.

2. Introduction

- 2.1 The City of Sunderland has a population of 277,962 according to the 2016 mid-year estimate and is situated on the north east coast of England. In terms of area, it covers approximately 137 square kilometres (13,700 hectares) and is mainly urban in character. Its location is shown in the map below.



- 2.2 The Council is required by the Gambling Act 2005 to publish a statement of the principles which it proposes to apply when exercising its functions under the Act. This statement is required to be published before each successive period of three years. The statement must also be reviewed from 'time to time' and any revision consulted upon. Any revised statement must be then published before it may have effect.
- 2.3 The Council consulted widely upon this statement before its publication. A list of those persons consulted is provided below.
- 2.4 The Gambling Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and

- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

2.5 In formulating this statement of principles, the Council has sought the views of:

- Northumbria Police;
- Tyne and Wear Fire and Rescue Service;
- Various representatives of the gambling trade and premises licensees in the City; and
- a local charity concerned with gambling misuse.

2.6 This statement of principles was approved at a meeting of the Council on XX and was published on XX. Copies are available by request to:

Sunderland City Council,
Public Protection and Regulatory Services,
Licensing Section,
Jack Crawford House,
Commercial Road,
Sunderland
SR2 8QR

or via e-mail: licensing@sunderland.gov.uk.

2.7 Should you have any comments with regard to this statement of principles please send them via letter to:

Sunderland City Council,
Public Protection and Regulatory Services,
Licensing Section,
Jack Crawford House,
Commercial Road,
Sunderland
SR2 8QR

or via e-mail: licensing@sunderland.gov.uk.

2.8 It should be noted that this statement of principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

2.9 This statement is in line with and will contribute to the Safer Sunderland Partnership's strategic priorities which are to:

1. Prevent crime and disorder, re-offending and maintain high levels of feelings of safety
2. Protect and support our most vulnerable people and places from harm

3. Declaration

3.1 In producing this statement of principles, Sunderland City Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission (the 'Gambling Commission's Guidance'), and any responses from those persons consulted on this statement of principles. If and when the Gambling Commission's guidance is revised the Council may consider it necessary to review this statement.

4. Responsible authorities

4.1 The Council is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Council about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the Council's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.2 In accordance with the Gambling Commission's Guidance the Council designates the Sunderland Safeguarding Children Board for this purpose.

4.3 The contact details of all the responsible authorities under the Gambling Act 2005 are available from the Licensing Section via e-mail at licensing@sunderland.gov.uk.

5. Interested parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in section 158 of the Gambling Act 2005 as follows:

‘For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)’

- 5.2 The Council is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance at paragraphs 8.11 to 8.17. It will also consider the Gambling Commission’s Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the Councillor or MP represents the ward likely to be affected. Likewise, Hetton Town Council, if its area is likely to be affected, will be considered to be an interested party. Other than these parties however, the Council will generally require written evidence that a person or body (e.g. an advocate or relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation will be sufficient.
- If individuals wish to approach Councillors to ask them to represent their views, care should be taken that the Councillors are not part of the Licensing Committee. Details of which Councillors sit on that Committee are available from the Licensing Section.

6. Exchange of information

- 6.1 The Council is required to include in its statement the principles it will apply in exercising its functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that the Council will apply is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General Data Protection Regulations will not be contravened. The Council will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

7. Enforcement

- 7.1 The Council is required by the Gambling Act 2005 to state the principles to be applied by the Council in exercising its functions under Part 15 of the Act with respect to the inspection of premises and its use of the powers available under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 The Council's principles are that:
- It will be guided by the Gambling Commission's Guidance and will endeavour to be:
 - **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs minimised;
 - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
 - **Consistent:** rules and standards must be implemented fairly;
 - **Transparent:** regulators should be open; and
 - **Targeted:** regulation should be focused on the problem and seek to minimise side effects.
 - In accordance with the Gambling Commission's Guidance the Council will endeavour to avoid duplication with other regulatory regimes so far as possible.

- The Council has adopted and implemented a risk-based inspection programme based on;
 - The licensing objectives;
 - Relevant codes of practice;
 - Guidance issued by the Gambling Commission; in particular at Part 36; and
 - The principles set out in this statement.
- The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for operating and personal licences. It should be noted that concerns about the manufacture, supply or repair of gaming machines are not dealt with by the Council but will be notified to the Gambling Commission.
- The Council will also keep itself informed of developments with regard to the work of the Better Regulation Delivery Office in its consideration of the regulatory functions of local authorities.
- Bearing in mind the principle of transparency, the Council's enforcement policy is available upon request to the Licensing Section.

7.3 The Council recognises that certain operators have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to notify the Council of a single named point of contact, who should be a senior individual. The Council may contact this person first should any compliance queries or issues arise.

8. Licensing authority functions

- 8.1 The Council in its role as the licensing authority is required under the Act to:
- be responsible for the licensing of premises where gambling activities are to take place by issuing premises licences;
 - issue provisional statements;

- regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via the issuing of club gaming permits and/or club machine permits;
- issue club machine permits to commercial clubs;
- grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres;
- receive notifications of the use of two or fewer gaming machines from premises licensed for the sale of alcohol under the Licensing Act 2003;
- issue licensed premises gaming machine permits for premises licensed under the Licensing Act 2003 to sell/supply alcohol for consumption on the premises where there are more than two machines;
- register small society lotteries below prescribed thresholds;
- issue prize gaming permits;
- receive and endorse temporary use notices;
- receive occasional use notices;
- provide information to the Gambling Commission regarding details of licences issued (see section 6 above on Exchange of information); and
- maintain registers of the permits and licences that are issued under these functions.

8.2 It should be noted that the Council is not involved in licensing remote gambling. This is the responsibility of the Gambling Commission by means of operating licences.

Part B - Premises licences

1. General principles

- 1.1 Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations thereunder, including specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. However, the Council is able to exclude default conditions and also attach others, where evidence supports the need.

Decision making

- 1.2 The Council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the Council's statement of principles.
- 1.3 It is appreciated that, in accordance with the Gambling Commission's Guidance, 'moral objections to gambling are not a valid reason to reject applications for premises licences' and also that unmet demand is not a criterion for a licensing authority.
- 1.4 **Definition of 'premises'** - In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow discrete premises licences to be obtained in respect of large, multiple unit premises such as a pleasure park, pier, track or shopping mall, where appropriate safeguards are in place. However, the Council will pay particular attention if there are issues about sub-divisions of a single building or plot and will seek to ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance that: "In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement

and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

- 1.5 The Council takes note also of the Gambling Commission’s Guidance which states that licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, the Guidance states that licensing authorities should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating.
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
 - Customers should be able to participate in the activity named on the premises licence.
- 1.6 The Guidance also states that factors about which a licensing authority should be aware in making a decision include:
- Whether the premises have separate registration(s) for business rates;
 - Whether the premises neighbouring the premises in respect of which a licence is sought are owned by the same person or someone else;
 - Whether each of the premises may be accessed from the street or a public passageway; and

- Whether the premises may only be accessed from any other gambling premises.
- 1.7 The Council will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.
- 1.8 The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street (as defined at paragraph 7.21 of the Guidance);
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons; and
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.

Adult gaming centres

- No customer must be able to access the premises directly from any other licensed gambling premises.

Betting shops

- Access must be from a street (as defined at paragraph 7.21 of the Guidance) or from another premises with a betting premises licence; and
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect, there cannot be an entrance to a betting shop from a shop of any kind and there may not be a betting shop at the back of a café – the whole area would be required to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino; or
 - an adult gaming centre.

Bingo premises

- No customer must be able to access the premises directly from:
 - a casino;
 - an adult gaming centre; or
 - a betting premises, other than a track.

Family entertainment centres

- No customer must be able to access the premises directly from:
 - a casino;
 - an adult gaming centre; or
 - a betting premises, other than a track.

Part 7 of the Gambling Commission's Guidance contains further guidance on this issue, which this Council will also take into account in its decision-making.

1.9 Location

The Council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. In accordance with the Gambling Commission's Guidance, the Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon with regard to areas where gambling premises should not be located, this statement will be updated. Any revision to the statement in this regard would be justified by evidence and subject to consultation. It should be noted that any such area-specific policy would not preclude any application being made and that each application will be decided on its merits, with the onus being upon the applicant to show how potential concerns can be overcome.

1.10 Local Risk Assessment

It is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under Part II Section 10, that licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

The LCCP goes on to say that licensees must review (and update as necessary) their local risk assessments:

- To take account of significant changes in local circumstances, including those identified in this policy;
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- When applying for a variation of a premises licence; and
- In any case, undertake a local risk assessment when applying for a new premises licence.

The Council will expect the local risk assessment to consider as a minimum:

- Whether the premises is in an area subject to high levels of crime and/or disorder;
- The location of services for children such as schools, playgrounds, leisure centres and other areas where children will gather; and
- Nearby substance misuse or mental health support facilities.

Information about these issues is available in our Local Area Profile as referenced at section 1.11.

In any case, the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

Other matters that the assessment may include are:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of the premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, details of the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.

- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include the employment of dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and the content of advertisements.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

Such information may be used to inform the decision that the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

1.11 Local Area Profile

Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Council has published a local area profile. This profile can be obtained from (web link to be inserted).

The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profile, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent Licensing Sub-Committee when they determine an application in respect of which representations have been received.

The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

1.12 Planning

The Gambling Commission's Guidance states, at paragraph 7.58, that:

'In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.'

Commensurate with this guidance, the Council will not take into account irrelevant matters. In addition, the Council notes paragraph 7.65 of the Guidance which states:

'When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building control and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.'

1.13 Duplication with other regulatory regimes

The Council will seek to avoid any duplication with other statutory regulatory systems where possible, including planning. The Council will not consider whether premises for which a licence application has been submitted are likely to be awarded planning or building consent. The Council will listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with an application for a premises licence in respect of a finished building, the Council will not take into account whether that building is in compliance with any necessary planning or building consent. Fire or health and safety risks will not be taken into account also, as these matters are dealt with under relevant planning control, building and other regulations and must not form part of the consideration of a premises licence.

1.14 Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Council has considered the Gambling Commission's Guidance and our comments are made below.

1.15 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

The Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does, however, envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, should an area be known to have high levels of organized crime (which is not the case in any part of the Council's area), the Council would consider carefully whether gambling premises are suitable to be located there and whether conditions may be necessary such as the provision of door supervisors. The Council is aware of the distinction between disorder and nuisance and would consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.

1.16 Ensuring that gambling is conducted in a fair and open way

The Council has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. The Council has, however, more of a role with regard to tracks which is explained in more detail in Section 7 below.

1.17 Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Council has noted that the Gambling Commission's Guidance states that this objective means preventing children from taking part in gambling (as well as the restriction of advertising so that gambling products are not aimed at, or are, particularly attractive to children). The Council will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances and machines, segregation of areas etc.

1.18 The Council is also aware of the Codes of Practice which the Gambling Commission issues with regard to this licensing objective, in relation to specific premises such as casinos.

1.19 With regard to the term 'vulnerable persons', it is noted that the Gambling Commission does not seek to offer a definition but states that 'it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, learning disability, alcohol or drugs.' The Council will consider this licensing objective on a case by case basis.

1.20 Conditions

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence requested;
- fairly and reasonably related to the scale and type of the premises; and
- reasonable in all other respects.

1.21 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Council will consider utilising should the weight of evidence demonstrate a need, such as the use of door supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The Council will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

1.22 The Council will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances, the segregation of gambling from non-gambling areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises. These matters are in accordance with the Gambling Commission's Guidance.

1.23 The Council will also seek to ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and

- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply, among other premises, to buildings where multiple premises licences are in use.

1.24 The Council is aware that tracks may be subject to one or more than one premises licence, provided that each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance, the Council will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

1.25 It is noted that there are conditions which the Council cannot attach to premises licences. These are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body is required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

1.26 **Door supervisors**

The Gambling Commission advises in its Guidance that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example, by children and young persons) it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a condition to this effect upon a premises licence.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether such supervision is provided by Security Industry Authority (SIA) licensed personnel will be necessary. It will not be automatically assumed that such personnel need to be licensed, as the statutory requirements for different types of premises vary (as described by the Gambling Commission's Guidance, Part 33).

2. Adult gaming centres

2.1 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy it that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

2.2 The Council expects applicants to offer their own measures to meet the licensing objectives. Appropriate measures or licence conditions may cover issues such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes; and
- Provision of information leaflets and/or helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. (Licensed) Family entertainment centres

3.1 The Council will have regard specifically to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy it that there will be sufficient measures taken to ensure, for example, that under 18 year olds do not have access to the adult only gaming machine areas.

3.2 The Council expects applicants to offer their own measures to meet the licensing objectives. Appropriate measures or licence conditions may cover issues such as

- CCTV;
- Supervision of entrances and machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets and/or helpline numbers for organisations such as GamCare; and
- Measures and training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3.3 The Council will, in accordance with the Gambling Commission's guidance, refer to the Commission's website to consider any conditions applying to operating licences which cover the way in which the area containing the category C machines should be delineated. The Council will also take account of any mandatory or default conditions on such premises licences.

4. Casinos

4.1 **No casinos resolution** - The Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Council decide in the future to pass such a resolution, it will update this statement of principles with details of that resolution.

5. Bingo premises

- 5.1 The Council notes that the Gambling Commission's Guidance states at paragraphs 18.5 to 18.7:

'Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This is a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.'

Under the Act, children and young persons (anyone up to the age of 18) cannot be employed in providing any facilities for gambling on bingo premises, and children (under 16) cannot be employed, in any capacity, at a time when facilities for playing bingo are being offered. However, young persons, aged 16 and 17, may be employed in bingo premises (while bingo is being played), provided the activities on which they are employed are not connected with the gaming or gaming machines. Licensing authorities are able to find information about the restrictions that apply in Licence Conditions and Codes of Practice (LCCP).

Children and young people are allowed into bingo premises. However, they are not permitted to participate in the bingo and, if category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

6. Betting premises

- 6.1 **Betting machines** – The Council will, in accordance with the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number, nature and circumstances of betting machines an operator wants to offer.

7. Tracks

- 7.1 The Council is aware that tracks may be subject to one or more than one premises licence, provided that each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance, the Council will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

7.2 The Council therefore expects applicants for premises licences to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

7.3 The Council expects applicants to offer their own measures to meet the licensing objectives. Appropriate measures or licence conditions may cover issues such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances and machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes; and
- Provision of information leaflets and/or helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

7.4 **Gaming machines**

Where the applicant holds a pool betting operating licence and uses the entitlement to four gaming machines, machines (other than category D machines) should be located only in areas from which children are excluded.

7.5 Self Service Betting Terminals

The Council will, in accordance with paragraph 19.9 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of Self Service Betting Terminals an operator proposes to offer.

7.6 Applications and plans

The Gambling Act (Section 151) requires applicants to submit plans of the premises with their application, in order to ensure that a licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan may also be used by licensing authorities to plan future premises inspection activity. (See the Gambling Commission's Guidance, paragraph 20.43).

- 7.7 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See the Gambling Commission's Guidance, paragraph 20.44).

- 7.8 The Council appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with identifying exact locations for some types of track. Applicants should provide sufficient information to enable the Council to satisfy itself that the plan indicates the main areas where betting might take place. (See the Gambling Commission's Guidance, paragraph 20.46)

8. Travelling fairs

- 8.1 It will fall to the Council to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 8.2 The Council will also consider whether the proposed activities of the applicant fall within the statutory definition of a travelling fair.
- 8.3 The Council notes that the 27-day statutory maximum for land being used as a fair applies on a per calendar year basis, and applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional statements

- 9.1 Developers may wish to apply to the Council for a provisional statement before entering into a contract to buy or lease property or land in order to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for an applicant to hold an operating licence in order to apply for a provisional statement.
- 9.2 Section 204 of the Gambling Act allows a person to make an application to a licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.
- 9.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as when applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 9.4 In contrast to an application for a premises licence, an applicant for a provisional statement does not need to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not need to have a right to occupy the premises in respect of which their provisional application is made.

9.5 The holder of a provisional statement may apply for a premises licence once the premises are constructed, altered or acquired. The Council will be constrained in the matters it can consider when determining the premises licence application, and, in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

9.6 In addition, the Council may refuse a premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Council's opinion reflect a change in the operator's circumstances; or
- where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and the Council may discuss any concerns it has with the applicant before making a decision.

10. Reviews

10.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, the Council will decide whether a review is to be undertaken. This will be on the basis of whether the request for the review is in accordance with the considerations listed below:

- any relevant Code of Practice issued by the Gambling Commission;
- any relevant guidance issued by the Gambling Commission;
- reasonable consistency with the licensing objectives; and
- the Council's statement of principles.

- 10.2 The request for the review will also be subject to consideration by the Council as to whether it is frivolous, vexatious, or whether it will certainly not cause the Council to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 10.3 The Council can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 10.4 Once a valid application for a review has been received by the Council, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins seven days after the application was received by the Council. The Council will publish notice of the application within seven days of receipt.
- 10.5 The Council must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 10.6 The purpose of the review will be to determine whether the Council should take any action in relation to the licence. If action is justified, the options open to the Council are to:
- a) add, remove or amend a licence condition imposed by the Council;
 - b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - c) suspend the premises licence for a period not exceeding three months; or
 - d) revoke the premises licence.
- 10.7 In determining what action, if any, should be taken following a review, the Council must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 10.8 In particular, the Council may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

10.9 Once the review has been completed, the Council must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the Commission;
- any person who made representations;
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

Part C

Permits, temporary and occasional use Notices

1. **Unlicensed family entertainment centre (FEC) gaming machine permits (Statement of principles with regard to permits – Schedule 10, Paragraph 7 of the Act)**

- 1.1 It is possible to apply to the Council to provide gaming machines where no premises licence is held. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 1.2 The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and, in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Gambling Commission under section 25. The Gambling Commission's Guidance also states: 'In its statement of policy, a licensing authority may include a statement of principles that it proposes to apply when exercising their functions in considering applications for permits...., licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group.... a plan for the unlicensed FEC must be submitted.' (paragraph 24.8)
- 1.3 The Guidance also states: '...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....' The licensing authority may also consider asking applicants to demonstrate:
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's;
 - that the applicant has no relevant convictions (these are set out in Schedule 7 of the Act); and
 - that employees are trained to have a full understanding of the maximum stakes and prizes. (paragraph 24.9)

It should be noted that the Council cannot attach conditions to this type of permit.

- 1.4 **Statement of principles** - The Council expects applicants to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The effectiveness of such policies and procedures

will each be considered on their merits. However, they may include appropriate measures and training for staff with regard to suspected truant school children on the premises, measures and training covering how staff would deal with unsupervised very young children being on the premises, or where evidence demonstrates children causing problems on or around the premises. The Council will also expect, in accordance with the Gambling Commission's Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's; that the applicant has no relevant convictions (these are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. (Alcohol) Licensed premises gaming machine permits – (Schedule 13, Paragraph 4(1) of the Act)

Automatic entitlement: two machines

2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically be able to have two gaming machines of categories C and/or D. The operator of the premises merely needs to notify the Council. The Council can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has not been provided to the Council, the prescribed fee has not been provided or that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has not been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

Permits: three or more machines

2.2 If an operator of a premises wishes to have more than two machines, it is necessary to apply for a permit and the Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and 'such matters as they think relevant.' This Council considers that 'such matters' will be decided on a case by case basis. However, generally, the Council will consider the need to protect children and vulnerable persons from harm or

being exploited by gambling and will expect the applicant to satisfy it that there will be sufficient measures taken to ensure that under 18 year olds do not have access to adult only gaming machines. Measures which may satisfy the Council that there will be no access may include the locating of adult machines in sight of the bar, or in the sight of staff that will ensure that the machines are not being used by those under 18. Notices and signage may also be of help. With regard to the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets and helpline numbers for organisations such as GamCare.

2.3 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with, as an adult gaming centre premises licence.

2.4 It should be noted that the Council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

2.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize gaming permits – (Statement of principles with regard to permits - Schedule 14 Paragraph 8 (3) of the Act)

3.1 The Gambling Act 2005 states that licensing authorities may 'prepare a statement of principles that they propose to apply in exercising their functions under this Schedule' which 'may, in particular, specify matters that the authority proposes to consider in determining the suitability of the applicant for a permit'.

3.2 The Council has prepared a statement of principles in this regard. These state that an applicant should set out the types of gaming that is intended to be offered and that the applicant should be able to demonstrate:

- an understanding of the limits to stakes and prizes that are set out in regulations;
- that the gaming offered is within the law; and
- clear policies that outline the steps to be taken to protect children from harm.

3.3 In making its decision on an application for a permit the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

3.4 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the Council cannot attach conditions to permits. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, which must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if a non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club gaming and club machine permits

4.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. A club gaming permit will enable the premises to provide gaming machines (up to three machines of categories B, C or D), equal chance gaming (see Section 269 of the Act) and games of chance as set out in regulations. A club machine permit will enable the premises to provide gaming machines (up to three machines of categories B3A, B4, C or D).

4.2 The Gambling Commission's Guidance states: 'Members' clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is restricted to bridge and whist. A members' club must be permanent in nature, but there is no need for a club to have an alcohol licence'

4.3 The Commission's Guidance also notes that 'licensing authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;

- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Commission or the police’.

4.4 There is also a ‘fast-track’ procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003 (Schedule 12, Paragraph 10). As the Gambling Commission’s Guidance states: ‘Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which a licensing authority can refuse a permit are reduced.’ and ‘The grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under Schedule 12;
- that, in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.’

4.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary use notices

5.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

5.2 A temporary use notice may be given by a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

- 5.3 The Secretary of State has the power to determine what forms of gambling can be authorised by temporary use notices. The relevant regulations (SI no. 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that temporary use notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner. This, in practice, means poker tournaments.
- 5.4 There are a number of statutory limits with regard to temporary use notices. The meaning of “premises” in Part 8 of the Act is discussed in Part 7 of the Gambling Commission’s Guidance to Licensing Authorities. As with “premises”, the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act, “premises” is defined as including “any place”.
- 5.5 In considering whether a place falls within the definition of “a set of premises”, the Council will look at, among other things, the ownership/occupation and control of the premises.
- 5.6 The Council expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission’s Guidance.

6. Occasional use notices

- 6.1 The Council has very little discretion with regard to these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. However, the Council, with regard to relevant premises, will consider the definition of a ‘track’ and whether any applicant is permitted to avail him/herself of the notice.

This statement can be made available in large print, Braille, audio and other languages.

Please contact the Licensing Section on 0191 520 5550

or email licensing@sunderland.gov.uk for assistance.

Appendix 2

List of consultees

Arcadia Leisure Limited
Association of British Bookmakers
British Amusement Catering Trade Association
Coral Racing Limited
Done Brothers (Cash Betting) Limited
Gala Leisure Ltd
Grosvenor Casinos (GC) Limited
Keith Hodson Racing Ltd
Ladbrokes Betting and Gaming Ltd
Leisure Centre Holdings
Luxury Leisure
Mecca Bingo Limited
Mr David Taviner
Mr John Edward Mason
National Casino Forum
NECA Services Ltd (a local charity concerned with gambling misuse)
Power Leisure Bookmakers Limited
Rank Leisure Limited
Seven Stars Amusements Ltd
Shore Leisure Limited
Sunderland Association Football Club Ltd
Talarius Ltd
The Bingo Association
Northumbria Police
Tyne and Wear Fire and Rescue Service
The Lotteries Council
Trafalgar Leisure Ltd
William Hill Organisation Ltd

Appendix 3

BY EMAIL ONLY

Sunderland City Council
Licensing Section
Economy and Place Directorate
Jack Crawford House
Sunderland SR2 8QR

Please ask for:

Direct Tel:

Email:

Our ref: RJT / MJM / 097505.00005

#GS2007814

Your ref:

Date: 14th June 2018

Dear Sir/Madam,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to the current consultation on the Council's review of its gambling policy statement.

The Association of British Bookmakers (ABB) represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

Please see below for the ABB's response to the Council's current consultation on the draft gambling policy statement.

This response starts by setting out the ABB's approach in areas relevant to the local authority's regulation of betting shop premises, and its commitment to working with local

authorities in partnership. The response finishes by highlighting matters within the policy statement which the ABB feels may need to be addressed.

Betting shops have been part of the British high street for over 50 years and ensuring a dialogue with the communities they serve is vital.

The ABB recognises the importance of the gambling policy statement in focusing on the local environment and welcomes the informed approach this will enable operators to take for example, with regard, to the new requirements for local area risk assessments and ensuring the right structures are in place in shops that are appropriate for that area.

Whilst it is important that the gambling policy statement fully reflects the local area, the ABB is also keen to ensure that the statutory requirements placed on operators and local authorities under the Gambling Act 2005 remain clear; this includes mandatory conditions (for instance, relating to Think 21 policies) and the aim to permit structure. Any duplication or obscuring of these within new processes would be detrimental to the gambling licensing regime. The ABB also believes it is important that the key protections already offered for communities, and clear process (including putting the public on notice) for objections to premises licence applications, continue to be recognised under the new regime.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that numbers as of March 2017 were 8,788 - a decline of 349 since March 2014, when there were 9,137 recorded.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable (0.6%) and possibly falling.

Working in partnership with local authorities

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and the opportunity to respond to this consultation is welcomed.

LGA – ABB Betting Partnership Framework

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA), developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms, which established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the *"desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be."*

The framework builds on earlier examples of joint working between councils and the industry, for example the Medway Responsible Gambling Partnership which was launched by Medway Council and the ABB in December 2014. The first of its kind in Britain, the voluntary agreement led the way in trialing multi-operator self-exclusion. Lessons learned from this trial paved the way for the national multi-operator self-exclusion scheme now in place across the country. By phoning a free phone number (0800 294 2060) a customer who is concerned they are developing a problem with their gambling can exclude themselves from betting shops close to where they live, work and socialise. The ABB is working with local authorities to help raise awareness of the scheme, which is widely promoted within betting shops.

The national scheme was first trialed in Glasgow in partnership with Glasgow City Council. Cllr Paul Rooney, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, described the project as *"breaking new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator."*

Primary Authority Partnerships in place between the ABB and local authorities

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities. These partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary

Authority inspection plans for gambling coming into effect in January 2015. By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

Local area risk assessments

Since April 2016, under new Gambling Commission LCCP provisions, operators have been required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated. Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy, and any local area profile, in their risk assessment. These must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or for a new premises licence.

The ABB fully supports the implementation of risk assessments which will take into account risks presented in the local area, such as exposure to vulnerable groups and crime. The new requirements build on measures the industry has already introduced through the ABB Responsible Gambling Code to better identify problem gamblers and to encourage all customers to gamble responsibly.

This includes training for shop staff on how to intervene and direct problem gamblers to support services, as well as new rules on advertising including banning gaming machine advertising in shop windows, and the introduction of Player Awareness Systems which use technology to track account based gaming machine customers' player history data to allow earlier intervention with any customers whose data displays known 'markers of harm'.

Best practice

The ABB is committed to working pro-actively with local authorities to help drive the development of best practice with regard to local area risk assessments, both through responses to consultations such as this and directly with local authorities. Both the ABB and its members are open and willing to engage with any local authority with questions or concerns relating to the risk assessment process, and would encourage them to make contact.

Westminster Council is one local authority which entered into early dialogue with the industry, leading to the development of and consultation on draft guidance on the risk assessment process, which the ABB and our members contributed to. Most recently one operator, Coral, has been working closely with the Council ahead of it issuing its final version of the guidance, which we welcome.

The final guidance includes a recommended template for the local area risk assessment

which we would point to as a good example of what should be expected to be covered in an operator's risk assessment. It is not feasible for national operators to submit bespoke risk assessments to each of the c.350 local authorities they each deal with, and all operators have been working to ensure that their templates can meet the requirements set out by all individual local authorities.

The ABB would be concerned should any local authority seek to prescribe the form of an operator's risk assessment. This would not be in line with better regulation principles. Operators must remain free to shape their risk assessment in whichever way best meets their operational processes.

The ABB has also shared recommendations of best practice with its smaller independent members, who although they deal with fewer different local authorities, have less resource to devote to developing their approach to the new assessments. In this way we hope to encourage a consistent application of the new rules by operators which will benefit both them and local authorities.

Concerns around increases in the regulatory burden on operators

The ABB is concerned to ensure that any changes in the licensing regime at a local level are implemented in a proportionate manner. This would include if any local authority were to set out overly onerous requirements on operators to review their local risk assessments with unnecessary frequency, as this could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB's view this should be where evidence can be provided to demonstrate that the change could impact the premises' ability to operate consistently with the three licensing objectives.

Any increase in the regulatory burden would severely impact ABB members at a time when overall shop numbers are in decline, and operators are continuing to absorb the impacts of significant recent regulatory change. This includes the increase to 25% of Machine Games Duty, limits to staking over £50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Employing additional licence conditions

It should continue to be the case that additional conditions are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called "Think 21". This policy is successful in preventing under-age gambling.

Independent test purchasing carried out by operators and the ABB, and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%. The ABB has seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities

Other concerns

Where a local area profile is produced by the licensing authority, this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.

Considerations specific to the Draft Gambling Act 2005 Statement of Principles (draft updated 27/03/2018)

1.9 Location

Paragraph 1.9 of the draft Statement of Principles suggests that a specific policy could be decided upon with regard to areas where gambling premises should not be located. This reference should be deleted as any such policy is likely to be unlawful and is certainly contrary to the overriding principle contained in Section 153 Gambling Act 2005 that the Licensing Authority should aim to permit the use of premises for gambling. References to the possibility of this policy should therefore be deleted.

1.10 Local Risk Assessment

This section contains a list of bullet points which list matters that the Council will expect the local risk assessment to consider. The first bullet point requires that an operator consider in its risk assessment whether the premises is in an area of deprivation. This bullet point should be deleted. The purpose of the risk assessment is to identify local risks to the licensing objectives and to ensure that there are policies and control measures to mitigate those risks. The relevant affluence of an area has no bearing on any of the three licensing objectives unless the Licensing Authority has pre-determined that persons in certain income groups are either vulnerable or more likely to commit crime. We are certain that this

predetermination has not been made and in the circumstances, the first bullet point should be deleted.

Similarly, the final bullet point should be deleted as the relative proximity of other gambling premises cannot pose a risk to the licensing objectives.

1.20 Conditions

The draft Statement of Principles would be assisted if this section could be amended to contain a clear statement that all premises licenses issued under the Gambling Act 2005 are subject to mandatory and default conditions and that those conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives.

The draft Statement of Principles should also state that additional conditions will only be imposed where there is clear evidence in the circumstances of a particular case that there is a risk to the licensing objectives such that the mandatory and default conditions need to be supplemented. The evidential basis for the imposition of conditions should be made clear as it is extremely important. Conditions should not be imposed simply where there is “a perceived need” (paragraph 1.21) or “where it is believed to be appropriate” (paragraph 1.11). These two references should be removed.

Conclusion

The ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, the ABB and its members already do this successfully in partnership with local authorities now. This includes through the ABB Responsible Gambling Code, which is mandatory for all members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff.

We would encourage local authorities to engage with us as we continue to develop both these codes of practice, which are in direct support of the licensing objectives, as well as our processes around local area risk assessments.

Yours faithfully,

GOSSCHALKS

Appendix 4

Comments on consultation response

Extract from consultation response	Comments
<p>“Other concerns</p> <p>Where a local area profile is produced by the licensing authority, this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.”</p>	<p>The statutory guidance to licensing authorities issued by the Gambling Commission (Paragraph 6.51 therein) allows authorities to choose whether to include the local area profile in the statement of principles or publish it separately.</p> <p>It is proposed that the Council should publish the local area profile separately so that any revisions necessary may be made to it quickly without triggering the full statutory consultation process necessary to amend the statement of principles.</p> <p>The local area profile will always be made readily available to all interested parties via the Council’s website. It is therefore proposed that no amendment be made to the draft statement of principles in response to this suggestion.</p>
<p>“Considerations specific to the Draft Gambling Act 2005 Statement of Principles (draft updated 27/03/2018)</p> <p><u>1.9 Location</u></p> <p>Paragraph 1.9 of the draft Statement of Principles suggests that a specific policy could be decided upon with regard to areas where gambling premises should not be located. This reference should be deleted as any such policy is likely to be unlawful and is certainly contrary to the overriding principle contained in Section 153 Gambling Act 2005 that the Licensing Authority should aim to permit the use of premises for gambling. References to the possibility of this policy should therefore be deleted.”</p>	<p>The statutory guidance to licensing authorities issued by the Gambling Commission states, at Paragraph 5.4 therein, that: A licensing authority will need to consider questions raised by the location of gambling premises when formulating its statement of licensing policy”.</p> <p>The wording of the draft statement of principles also makes it clear that any revised to the statement would be justified by evidence.</p>

	<p>The Council's legal advice is not in agreement with the point made by the ABB and so it is not proposed to amend our draft statement of principles in response to this suggestion.</p>
<p><u>"1.10 Local Risk Assessment"</u></p> <p>This section contains a list of bullet points which list matters that the Council will expect the local risk assessment to consider. The first bullet point requires that an operator consider in its risk assessment whether the premises is in an area of deprivation. This bullet point should be deleted. The purpose of the risk assessment is to identify local risks to the licensing objectives and to ensure that there are policies and control measures to mitigate those risks. The relevant affluence of an area has no bearing on any of the three licensing objectives unless the Licensing Authority has pre-determined that persons in certain income groups are either vulnerable or more likely to commit crime. We are certain that this predetermination has not been made and in the circumstances, the first bullet point should be deleted.</p> <p>Similarly, the final bullet point should be deleted as the relative proximity of other gambling premises cannot pose a risk to the licensing objectives."</p>	<p>It is agreed that the Local Risk Assessment should address factors that may impact on the licensing objectives under the Gambling Act 2005.</p> <p>The objectives are:</p> <ul style="list-style-type: none"> (a) preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime, (b) ensuring that gambling is conducted in a fair and open way, and (c) protecting children and other vulnerable persons from being harmed or exploited by gambling. <p>There is no reason to consider that removal of the two bullet points would have a negative impact on Sunderland residents in relation to the licensing objectives and so the draft statement has been amended accordingly.</p>
<p><u>"1.20 Conditions"</u></p> <p>The draft Statement of Principles would be assisted if this section could be amended to contain a clear statement that all premises licenses issued under the Gambling Act 2005 are subject to mandatory and default conditions and that those conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives.</p> <p>The draft Statement of Principles should also state that additional conditions will only be imposed where there is clear evidence in the circumstances of a particular case that there is a risk to</p>	<p>The fact that gambling premises are subject to mandatory and, possibly, default conditions is merely a statement of the law and therefore unnecessary in a policy document. No change in our draft statement is therefore proposed in response to this suggestion.</p> <p>It is acknowledged that the wording of the draft statement upon which we consulted could be improved in this regard as conditions should not be imposed where there is merely a "perceived need". The draft statement has therefore been amended to</p>

<p>the licensing objectives such that the mandatory and default conditions need to be supplemented. The evidential basis for the imposition of conditions should be made clear as it is extremely important. Conditions should not be imposed simply where there is “a perceived need” (paragraph 1.21) or “where it is believed to be appropriate” (paragraph 1.11). These two references should be removed.”</p>	<p>indicate that conditions will only added to a licence where there is an evidential basis for the action. The phrase “where it is believed to be appropriate” appears in Part B, Paragraph 1.1 of the draft statement of principles. This paragraph has also been amended to indicate the requirement for evidence.</p>
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Report of the Audit and Governance Committee

THE AUDIT AND GOVERNANCE COMMITTEE reports and recommends as follows:-

1. Annual Audit Letter 2017/2018

That they have given consideration to the Annual Audit Letter (copy attached) covering the year 2017/2018 prepared by the Council's external auditor Mazars LLP.

The Committee welcomes the positive report and accordingly, the Committee recommends Council to note the Annual Audit Letter for 2017/2018.

ANNUAL AUDIT LETTER 2017/2018

Report of the Executive Director of Corporate Services

1.0 Purpose of Report

- 1.1 This report details the external auditors (Mazars) Annual Audit Letter (AAL) covering the year 2017/2018. A copy is attached. The Annual Audit Letter will subsequently be referred to council in November for information.

2.0 Description of Decision

- 2.1 Members are recommended to:

- Consider the Annual Audit Letter and note its contents.

3.0 Introduction

- 3.1 The Local Audit and Accountability Act 2014 and the Code of Audit Practice issued by the National Audit Office require auditors to prepare an AAL and issue it to each audited body. The purpose of preparing and issuing an AAL is to communicate to the audited body and key external stakeholders, including members of the public, the key issues arising from the auditors' work, which auditors consider should be brought to the attention of the audited body.

- 3.2 The AAL summarises the findings of the 2017/2018 audit, which comprises of two key elements:

- An audit of the Council's financial statements;
- An assessment of the Council's arrangements to achieve value for money in the use of its resources.

4.0 Summary Position

- 4.1 The AAL is positive overall, providing a strong endorsement of the financial management and governance arrangements in place across the Council.

- 4.2 The key findings arising from the audit work were:

- The financial statements give a true and fair view of the Council and the Group's financial position as at 31 March 2018.

- The financial statements have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2017/18.
 - All other information in the Statement of Accounts is consistent with the audited financial statements
 - That the Council's Whole of Government Accounts Assurance Statement was completed by the 31 August 2018 in line with requirements
 - That the auditors did not use powers under s24 of the 2014 Act to issue a report in the public interest or to make written recommendations to the Council.
- 4.3 The Auditor continues to issue an 'except for' qualification in relation to children's safeguarding services on the Council's Value For money conclusion. The auditor concluded that the Council had put in place proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources, 'except for' the areas highlighted as inadequate by Ofsted in relation to children's safeguarding services. This issue is fully set out on page 10 of the Auditors correspondence.

5. Alternative Options

- 5.1 Not applicable as the report is for information only.

6. List of Appendices

- 6.1 Appendix A - Sunderland City Council Annual Audit Letter 2017/2018.

Annual Audit Letter

Sunderland City Council
Year ending 31 March 2018





CONTENTS

1. Executive summary
2. Audit of the financial statements
3. Value for money conclusion
4. Other reporting responsibilities
5. Our fees
6. Forward look

Our reports are prepared in the context of the 'Statement of responsibilities of auditors and audited bodies' issued by Public Sector Audit Appointments Ltd. Reports and letters prepared by appointed auditors and addressed to members or officers are prepared for the sole use of the Council and we take no responsibility to any member or officer in their individual capacity or to any third party.

Mazars LLP is the UK firm of Mazars, an international advisory and accountancy group. Mazars LLP is registered by the Institute of Chartered Accountants in England and Wales.

1. EXECUTIVE SUMMARY

Purpose of the Annual Audit Letter

Our Annual Audit Letter summarises the work we have undertaken as the auditor for Sunderland City Council (the Council) for the year ended 31 March 2018. Although this letter is addressed to the Council, it is designed to be read by a wider audience including members of the public and other external stakeholders.

Our responsibilities are defined by the Local Audit and Accountability Act 2014 (the 2014 Act) and the Code of Audit Practice issued by the National Audit Office (the NAO). The detailed sections of this letter provide details on those responsibilities, the work we have done to discharge them, and the key findings arising from our work. These are summarised below.

Area of responsibility	Summary
Audit of the financial statements	<p>Our report issued on 31 July 2018 included our opinion that the financial statements:</p> <ul style="list-style-type: none">• give a true and fair view of the Council and the Group's financial position as at 31 March 2018 and of its expenditure and income for the year then ended; and• have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2017/18.
Other information published alongside the audited financial statements	<p>Our report included our opinion that the other information in the Statement of Accounts is consistent with the audited financial statements.</p>
Value for money conclusion	<p>Our report concluded that we are satisfied that in all significant respects, the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2018, 'except for' the areas that were assessed as inadequate in Ofsted's re-inspection report on children's safeguarding services in July 2018.</p>
Reporting to the group auditor	<p>In line with group audit instructions issued by the NAO, we anticipate reporting by the deadline of 31 August 2018 to the group auditor in line with the requirements applicable to the Council's Whole of Government Accounts (WGA) return.</p>
Statutory reporting	<p>Our report confirmed that we did not use our powers under s24 of the 2014 Act to issue a report in the public interest or to make written recommendations to the Council.</p>

2. AUDIT OF THE FINANCIAL STATEMENTS

Opinion on the financial statements	Unqualified
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The scope of our audit and the results of our work

The purpose of our audit is to provide reasonable assurance to users that the financial statements are free from material error. We do this by expressing an opinion on whether the statements are prepared, in all material respects, in line with the financial reporting framework applicable to the Council and the Group and whether they give a true and fair view of the Council and the Group's financial position as at 31 March 2018 and of its financial performance for the year then ended.

Our audit was conducted in accordance with the requirements of the Code of Audit Practice issued by the NAO, and International Standards on Auditing (ISAs). These require us to consider whether:

- the accounting policies are appropriate to the Council and the Group's circumstances and have been consistently applied and adequately disclosed;
- the significant accounting estimates made by management in the preparation of the financial statements are reasonable; and
- the overall presentation of the financial statements provides a true and fair view.

Our approach to materiality

We apply the concept of materiality when planning and performing our audit, and when evaluating the effect of misstatements identified as part of our work. We consider materiality at numerous stages throughout the audit process, in particular when determining the nature, timing and extent of our audit procedures, and when evaluating the effect of uncorrected misstatements. An item is considered material if its misstatement or omission could reasonably be expected to influence the economic decisions of users of the financial statements.

Judgements about materiality are made in the light of surrounding circumstances and are affected by both qualitative and quantitative factors. As a result we have set materiality for the financial statements as a whole (financial statement materiality) and a lower level of materiality for specific items of account (specific materiality) due to the nature of these items or because they attract public interest. We also set a threshold for reporting identified misstatements to the Audit and Governance Committee. We call this our trivial threshold.

The table below provides details of the overall materiality levels applied in the audit of the Council and the Group's financial statements for the year ended 31 March 2018.

Financial statement materiality	Our financial statement materiality is based on 2% of gross operating expenditure.	£11.9 million
Trivial threshold	Our trivial threshold is based on 3% of financial statement materiality.	£357k
Group financial statement materiality	Our financial statement materiality is based on 2% of Group gross operating expenditure.	£12.6 million
Group trivial threshold	Our trivial threshold is based on 3% of Group financial statement materiality.	£378k

2. AUDIT OF THE FINANCIAL STATEMENTS

Our response to key audit matters, significant risks and key areas of management judgement

As part of our continuous planning procedures we considered whether there were risks of material misstatement in the Council and Group's financial statements that required special audit consideration. We reported key audit matters, significant risks and key areas of management judgement identified at the planning stage to the Audit and Governance Committee within our Audit Strategy Memorandum and provided details of how we responded to those risks in our Audit Completion Report. The table below outlines the identified key audit matters, significant risks and judgements, the work we carried out on those risks and our conclusions.

Identified significant risk / key audit matters	Our response	Our findings and conclusions
<p>Management override of controls</p> <p>Management at various levels within an organisation are in a unique position to perpetrate fraud because of their ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Because of the unpredictable way in which such override could occur, we consider there to be a risk of material misstatement and a significant risk on all audits.</p> <p><i>This risk also applied to the audit of the Group.</i></p>	<p>We addressed this risk by performing audit work in respect of:</p> <ul style="list-style-type: none">• accounting estimates impacting on amounts included in the financial statements;• significant transactions outside the normal course of business; and• journals recorded in the general ledger and other adjustments made in preparation of the financial statements.	<p>Our work provided the assurance we sought and did not highlight any material issues to bring to your attention. We found no indication of management override of controls.</p>
<p>Revenue recognition – fees and charges</p> <p>In accordance with ISA 240 we presume there is a risk of fraud in respect of the recognition of revenue because of the potential for inappropriate recording of transactions in the wrong period. ISA 240 allows the presumption to be rebutted, and we have done this in relation to the Council's most significant sources of income, taxation and grant income.</p> <p>Our view is that there is insufficient scope within the recognition of fees and charges to conclude that there are grounds for rebuttal in that particular income stream. This does not imply that we suspect actual or intended manipulation but that we continue to deliver our audit work with appropriate professional scepticism.</p> <p><i>This risk also applying to the audit of the Group (all income, not just fees and charges).</i></p>	<p>We evaluated the design and implementation of controls to mitigate the risk of income being recognised in the wrong period.</p> <p>In addition, we undertook a range of substantive procedures including:</p> <ul style="list-style-type: none">• testing receipts in March, April and May 2018 to ensure they had been recognised in the right year;• testing material year end receivables;• testing adjustment journals;• obtaining direct confirmation of year-end bank balances; and• testing the reconciliations to the ledger.	<p>Our work provided the assurance we sought and did not highlight any material issues to bring to your attention. We did not find any evidence of revenue being recognised in the wrong year.</p>
<p>Defined benefit liability valuation (a key audit matter)</p> <p>The financial statements contain material pension entries in respect of retirement benefits. The calculation of these pension figures, both assets and liabilities, can be subject to significant volatility and includes estimates based upon a complex interaction of actuarial assumptions. This results in an increased risk of material misstatement.</p> <p><i>This risk also applied to the audit of the Group.</i></p>	<p>We obtained explanations to support any significant changes to the pension estimates. In addition to carrying out analytical procedures on the pension disclosures and obtaining a letter of assurance from the auditor of Tyne and Wear Pension Fund, we evaluated the management controls you have in place to assess the reasonableness of the figures provided by the Actuary and considered the reasonableness of the Actuary's output, referring to an expert's report on all actuaries nationally which is commissioned annually by National Audit Office..</p>	<p>Our work provided the assurance we sought and did not highlight any material issues to bring to your attention. We found no indication of material estimation error in respect of pensions.</p>



2. AUDIT OF THE FINANCIAL STATEMENTS

Identified significant risk / key audit matters	Our response	Our findings and conclusions
<p>Property, plant and equipment (PPE) valuations (a key audit matter)</p> <p>The financial statements contain material entries on the Balance Sheet as well as material disclosure notes in relation to the Council's holding of PPE. Although the Council employs an internal valuation expert to provide information on valuations, there remains a high degree of estimation uncertainty associated with PPE valuations because of the significant judgements and number of variables involved. We have therefore identified the valuation of PPE to be an area of risk.</p> <p><i>This risk also applied to the audit of the Group, although most of the other Group components do not hold assets.</i></p>	<p>We considered the Council's arrangements for ensuring that PPE values are reasonable and engaged our own expert to provide data to enable us to assess the reasonableness of the valuations provided by the Council's valuer. We also assessed the competence, skills and experience of the valuer. Where necessary we also performed further audit procedures on individual assets to ensure that the basis and level of revaluation is appropriate.</p>	<p>We identified a number of errors in the valuer's detailed calculations and we assessed the impact of these on our audit opinion.</p> <p>The errors from our sample were £610k. We extrapolated these errors and this gave us a projected misstatement of £3.5m, well below materiality of £11.9m. Based on this assessment, we were satisfied that property, plant and equipment was materially fairly stated and no further amendments were required to the financial statements in this respect.</p>
Identified key area of management judgement	Our response	Our findings and conclusions
<p>Group accounts consolidation</p> <p>The Group accounts include a number of additional components in 2017/18.</p> <p>Together for Children Sunderland Limited has been identified as a significant component. Two further new entities are also to be consolidated for the first time; Homes for Sunderland Limited and IAMP LLP (International Advanced Manufacturing Park), the latter being a joint venture with South Tyneside Council.</p> <p>There is a risk of error in consolidating these entities.</p>	<p>We reviewed the judgement made that IAMP LLP should be accounted for as a joint venture.</p> <p>We reviewed the consolidation process to ensure that Together for Children Sunderland Limited, Homes for Sunderland Limited and IAMP LLP were properly consolidated in the group accounts. This included consideration of the arrangements for accounts preparation for each entity, quality review by the Council and consolidation into the group financial statements.</p>	<p>Our work provided the assurance we sought and did not highlight any material issues to bring to your attention.</p>
<p>Business rates appeals</p> <p>The Council is dependent on the Valuation Office Agency (VOA) for information regarding appeals against business rates bills. Council staff are required to use their judgement in order to create a reasonable basis for the provision, given the level of appeals and other relevant information.</p>	<p>We reviewed the basis for the judgements used in creating the provision and assessed the reasonableness of the estimates made.</p>	<p>Our work provided the assurance we sought and did not highlight any material issues to bring to your attention.</p> <p>One non-material misstatement was adjusted for by management as a reclassification between short term provisions and long term provisions.</p>

2. AUDIT OF THE FINANCIAL STATEMENTS

Internal control recommendations

As part of our audit we considered the internal controls in place that are relevant to the preparation of the financial statements. We did this to design audit procedures that allow us to express our opinion on the financial statements, but this did not extend to us expressing an opinion on the effectiveness of internal controls.

Two deficiencies in internal control were identified during the audit.

IT assets
Description of deficiency We tested an item of £13k within property, plant and equipment relating to IT hardware. We sought to verify the existence of this asset based on the serial number recorded on the invoice. We were unable to trace the asset using either the serial number or the invoice details. This was because once the asset is received by the Council it is tagged and assigned an Asset number, which is not based on serial numbers or invoice numbers.
Potential effects Without a trail between asset records and invoices, an important element of asset verification is lost.
Recommendation The Council should consider recording serial numbers and invoice numbers in the register of IT assets.
Management response Management has agreed to review this issue.

IT general controls testing
Description of deficiency We reviewed a sample of starters and leavers to ensure that access controls to key financial systems were properly controlled. Two of the new starters checked in the SAP system were given additional access to that requested on their approval forms. Officers were unable to provide additional documentation to support the additional access rights.
Potential effects If access rights are not properly controlled, the integrity of key financial data could be compromised.
Recommendation The Council should ensure that all access rights to key systems are properly approved and relevant documentation retained to support this.
Management response Management has agreed to review this issue.

3. VALUE FOR MONEY CONCLUSION

Value for money conclusion	'Except for' qualification in relation to children's safeguarding services
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Our audit approach

We are required to consider whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The NAO issues guidance to auditors that underpins the work we are required to carry out in order to form our conclusion, and sets out the criterion and sub-criteria that we are required to consider.

The overall criterion is that, 'in all significant respects, the Council had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.' To assist auditors in reaching a conclusion on this overall criterion, the following sub-criteria are set out by the NAO:

- informed decision-making;
- sustainable resource deployment; and
- working with partners and other third parties.

Our auditor's report (supplemented by our follow-up letter), issued to the Council on 31 July 2018, stated that, in all significant respects, the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2018, 'except for' the areas highlighted as inadequate by Ofsted in relation to children's safeguarding services.

Sub-criteria	Commentary	Arrangements in place?
Informed decision-making	<p>The Council has a clear and comprehensive Corporate Plan that sets out its priorities, including regenerating the city, safeguarding its residents and developing new models of working for the Council. The Council has made decisions in the context of public sector austerity and significant reductions in available resources.</p> <p>A key priority is to improve children's safeguarding services following an Ofsted inspection in July 2015, and work on this has been ongoing and a new children's company, Together for Children Sunderland Limited, went live from 1 April 2017.</p> <p>There is evidence of financial reporting being used to deliver strategic objectives, for example, through the Medium Term Financial Strategy and in allocating resources to priority areas. In addition, regular financial reporting takes place, with formal reporting quarterly to the Cabinet.</p> <p>The Council's system of internal control is subject to Internal Audit using an in-house function, and for 2017/18, the Council's internal auditors have given an opinion that there continues to be an adequate system of internal control.</p>	Yes – except for the areas highlighted as 'inadequate' in the Ofsted's inspection of children's services (see significant risk on page 10)
Sustainable resource deployment	<p>The Council has made good progress in addressing the financial challenges from public sector austerity and has a proven track record of strong budget management and delivering planned budget reductions.</p> <p>The final revenue outturn for 2017/18 was an under spend of £0.788m. This was after making an additional contribution of £8.036m to Together for Children Sunderland Limited to address financial pressures, in particular, demand pressures around the costs of looked after children and continued reliance on agency costs. It was also after providing additional support for Sunderland Care and Support Limited of £2.693m to support workforce transformation costs.</p>	Yes – except for the areas highlighted as 'inadequate' in the Ofsted's inspection of children's services (see significant risk on page 10)



3. VALUE FOR MONEY CONCLUSION

Sub-criteria	Commentary	Arrangements in place?
Sustainable resource deployment (continued)	<p>In the 2018/19 budget round the Council identified a funding gap of £53m over the three year period 2018/19 to 2020/21. The Council has plans to meet the funding gap, whilst further work is undertaken to identify savings. The Council noted that these additional savings are needed on top of the £290m savings that have already been delivered between 2010/11 and 2017/18.</p> <p>The Council has significant levels of usable reserves, and these increased marginally to £159.1m at 31 March 2018. Although these are mainly earmarked for specific purposes, they do provide flexibility to manage the medium term financial position. The focus is now on the delivery of the identification and delivery of further savings to address the funding gap.</p> <p>The Council has maintained a substantial capital programme of investment projects. The final outturn for 2017/18 was a capital spend of £94.1m, and the capital programme for 2018/19 amounts to £186m.</p> <p>A major part of the Council's asset management strategy involved transferring its commercial property portfolio to its joint venture local asset-backed vehicle, Siglion LLP, with the aim of accelerating regeneration schemes, including initially the Vaux site, Chapelgarth and Seaburn. The Council was impacted in 2017/18 by the collapse of Carillion Construction, which was delivering a project on the Vaux site. A new contractor has been identified to complete this scheme.</p> <p>The Council's workforce planning arrangements have been focused in recent years on implementing a new pay and grading structure, and on managing the downsizing of the workforce, particularly as the Council has implemented alternative models of service delivery, such as the establishment of the children's company.</p>	Yes – except for the areas highlighted as 'inadequate' in the Ofsted's inspection of children's services (see significant risk on page 10)
Working with partners and other third parties	<p>One of the most important partnerships in terms of immediate budgetary pressures is with health bodies, for example, working with the Sunderland Clinical Commissioning Group to reduce emergency admissions to hospital and provide as much support as possible in a social care setting through the Better Care Fund.</p> <p>The Corporate Plan identifies four key partnerships for the Council, which are managed through boards:</p> <ul style="list-style-type: none"> • economic leadership board; • education leadership board; • health and wellbeing board; and • cultural and safer Sunderland partnership board. <p>Commissioning and procurement are closely aligned. The Council has a corporate procurement function, with a range of commissioning activity in directorates. The Council's commissioning role has grown as it has extended its use of alternative models of service delivery.</p>	Yes - except for the areas highlighted as 'inadequate' in the Ofsted's inspection of children's services (see significant risk on page 10)

3. VALUE FOR MONEY CONCLUSION

Significant audit risks

The NAO’s guidance requires us to carry out work to identify whether or not a risk to the value for money conclusion exists. Risk, in the context of our work, is the risk that we come to an incorrect conclusion rather than the risk of the arrangements in place at the Council being inadequate. In our Audit Strategy Memorandum, we reported that we had identified two significant audit risks, namely:

- responding to financial pressures; and
- Ofsted’s assessment of children’s safeguarding services.

The work we carried out in relation to the significant risks is outlined below and overleaf.

Significant risk: responding to financial pressures

Risk: the Council faces financial pressures from reduced funding and continues to identify plans to deliver future savings and improvements, including alternative models of service delivery.

Without robust budgetary control and delivery of its action plans, the Council’s financial resilience and service performance could deteriorate.

Work undertaken

We reviewed budget monitoring and reporting, focusing on areas where action plans are in place to make savings and improvements, and seek to minimise any adverse impact on service delivery. We reviewed the plans that are developed to deliver savings and improvements.

Conclusion

The Council has delivered significant savings in recent years, aiming to do this whilst minimising the impact on service delivery. The level of savings is, however, challenging and there have been effects on the range and level of services that can be delivered by the Council.

In 2017/18, significant additional savings were delivered by the Council and overall there was a small underspend against budget. This was a considerable achievement as the Council was able to meet significant financial pressures in children’s services in particular from savings elsewhere in the budget.

In the 2018/19 budget round the Council identified a funding gap of £53m over the three year period 2018/19 to 2020/21. The Council has plans to meet the funding gap, whilst further work is undertaken to identify savings. The Council noted that these additional savings are needed on top of the £290m savings that have already been delivered between 2010/11 and 2017/18.

The Council has significant levels of usable reserves, and these increased marginally to £159.1m at 31 March 2018. Although these are mainly earmarked for specific purposes, they do provide flexibility to manage the medium term financial position.

Overall, we obtained the assurance we sought to mitigate the identified risk.



3. VALUE FOR MONEY CONCLUSION

Ofsted’s assessment of children’s safeguarding services

In seeking to satisfy ourselves the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources, we are required to consider reports issued by other regulators.

In July 2015, Ofsted reported the results of an inspection of services for children in need of help and protection, children looked after, care leavers and adoption performance. Ofsted concluded that these services and their leadership, management and governance were inadequate. Ofsted also concluded that the arrangements in place to evaluate the effectiveness of what is done by the Council and its partners to safeguard and promote the welfare of children, through the Sunderland Safeguarding Children Board, were inadequate.

Our response to the conclusions reached by Ofsted, was to incorporate an ‘except for’ qualification into our 2014/15, 2015/16 and 2016/17 VfM conclusions. In effect, based on the required scope of our work, our conclusion was that the Council, in all significant respects, put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March ‘except for’ the areas that were highlighted as inadequate in the Ofsted report.

We have noted that since the Ofsted report in July 2015, the Council has continued to tackle the issues raised in the Ofsted inspection:

- it has worked with a Government-appointed Commissioner for Children’s Services who has advised on improvements and kept ministers informed about progress;
- an action plan has been implemented and progress monitored; improvements have been made although it is acknowledged that there is still work to do; and
- the Council has established an alternative service delivery model for children’s services and a children’s company (Together for Children Sunderland Limited) became fully operational on 1 April 2017.

The Ofsted assessment remained a significant risk that was relevant to our value for money conclusion, and the risk, our consideration of it and our conclusions are summarised below.

Significant risk: Ofsted’s assessment of children’s safeguarding services

Risk: the Council does not make the required improvements to children’s services, or does not make the improvements rapidly enough.

Work undertaken

We considered the progress made by the Council in relation to children’s services at the point we gave our 2017/18 VfM conclusion. This requires an expert judgement, and we relied on the updated assessment of Ofsted in determining whether another ‘except for’ qualification was needed for the 2017/18 VFM conclusion or whether sufficient improvement has been made to avoid a further qualification.

Ofsted published a re-inspection report updating their July 2015 assessment on 25 July 2018. Although some aspects of children’s services have improved, the categories of ‘children who need help and protection’ and ‘leadership, management and governance’ remain inadequate. Our qualification remains in relation to those services that continue to be assessed as inadequate. This qualification will remain until these services are no longer assessed as inadequate by Ofsted.

Conclusion

Recognising the progress in relation to children’s services set out in Ofsted’s July 2018 report, there remains scope for improvement, therefore we have issued an ‘except for’ conclusion in this area.



4. OTHER REPORTING RESPONSIBILITIES

Exercise of statutory reporting powers	No matters to report
Completion of NAO group audit reporting requirements	Consistent
Other information published alongside the audited financial statements	Consistent

The NAO's Code of Audit Practice and the 2014 Act place wider reporting responsibilities on us, as the Council's external auditor. We set out below, the context of these reporting responsibilities and our findings for each.

Matters which we report by exception

The 2014 Act provides us with specific powers where matters come to our attention that, in our judgement, require reporting action to be taken. We have the power to:

- issue a report in the public interest;
- make a referral to the Secretary of State where we believe that a decision has led to, or would lead to, unlawful expenditure, or an action has been, or would be unlawful and likely to cause a loss or deficiency; and
- make written recommendations to the Council which must be responded to publically.

We have not exercised any of these statutory reporting powers.

Reporting to the NAO in respect of Whole of Government Accounts (WGA) consolidation data

The NAO, as group auditor, requires us to complete the WGA Assurance Statement in respect of its consolidation data. We anticipate completion of our work by the deadline of 31 August 2018.

Other information published alongside the financial statements

The Code of Audit Practice requires us to consider whether information published alongside the financial statements is consistent with those statements and our knowledge and understanding of the Council. In our opinion, the other information in the Statement of Accounts is consistent with the audited financial statements.

5. OUR FEES

Fees for work as the Council's auditor

We reported our proposed fees for the delivery of our work in the Audit Strategy Memorandum, presented to the Audit and Governance Committee in March 2018.

Having completed our work for the 2017/18 financial year, we can confirm that our final fees are as follows:

Area of work	2017/18 proposed fee	2017/18 final fee
Delivery of audit work under the NAO Code of Audit Practice	£135,774	£135,774
Certification of Housing Benefit Subsidy claim*	£9,309	£9,309
Other non-Code work*		
Teachers' Pensions	£3,850	£3,850
Skills Funding Agency Review of Subcontracting Arrangements	£3,550	£3,550

* subject to completion of work.

Services provided to other entities within the Council's Group

In the interests of transparency, Mazars LLP is also the auditor of Sunderland Care and Support Ltd, one of the Council's trading companies. In addition, the firm provides accounts preparation and corporation tax services to the company. The total fees relating to audit, accounts preparation and tax work are £24,880 plus VAT for the 2017/18 financial year.

6. FORWARD LOOK

Financial outlook

The Council has continued to make good progress in addressing the financial challenges from public sector austerity and has a proven track record of strong budget management and delivering planned budget reductions.

The final revenue outturn for 2017/18 was an under spend of £0.788m. In the 2018/19 budget round the Council identified a funding gap of £53m over the three year period 2018/19 to 2020/21. The Council has plans to meet the funding gap, whilst further work is undertaken to identify savings. The Council noted that these additional savings are needed on top of the £290m savings that have already been delivered between 2010/11 and 2017/18.

Looking forward to 2020/21, the Council is facing major uncertainties in relation to business rates retention and the fair funding review.

Operational and strategic challenges

As set out above, the key areas of focus for the Council will be continued strong budget management given the continued financial pressures, as well as continued improvement of services for children and young people.

In addition, the Council has summarised the main areas for on-going improvement in the coming year in its Annual Governance Statement for 2017/18 as including:

- continued good governance, with an emphasis on training and development given the changes in political and officer leadership posts;
- continuing to develop measures in place to demonstrate compliance with General Data Protection Requirements;
- implementing agreed improvement actions in respect of corporate asset management following an internal audit review;
- implementing agreed improvement actions following the independent review of land and property disposal and acquisition; and
- development and implementation of an action plan to review key contracts and relationships.

Against a backdrop of continued reductions in funding and future uncertainty, the Council will require organisational capacity, continued good governance and strong risk and project management arrangements. With a financial outlook that is increasingly challenging, the Council will need to ensure operational and financial plans deliver statutory duties and consider the needs and expectations of citizens and service users within available resources.

How we will work with the Council

In terms of the technical challenges that officers face around the production of the statement of accounts, we will continue to work with them to share our knowledge of new accounting developments and we will be on hand to discuss any issues as and when they arise. A key focus in the coming year will be the adoption of IFRS 9 Financial Instruments, a new standard for 2018/19, which changes the approach to financial assets and accounting for impairment.

Looking further ahead, IFRS 16 Leases is a new standard to be adopted from 2019/20, which establishes a new model for lessees and removes existing classifications of operating and finance leases. It is anticipated that the impact on the accounts of this could be material.

We will continue to offer accounting workshops to finance officers and the audit team will continue to work with them to share our knowledge of new accounting developments and we will be on hand to discuss any issues as and when they arise.

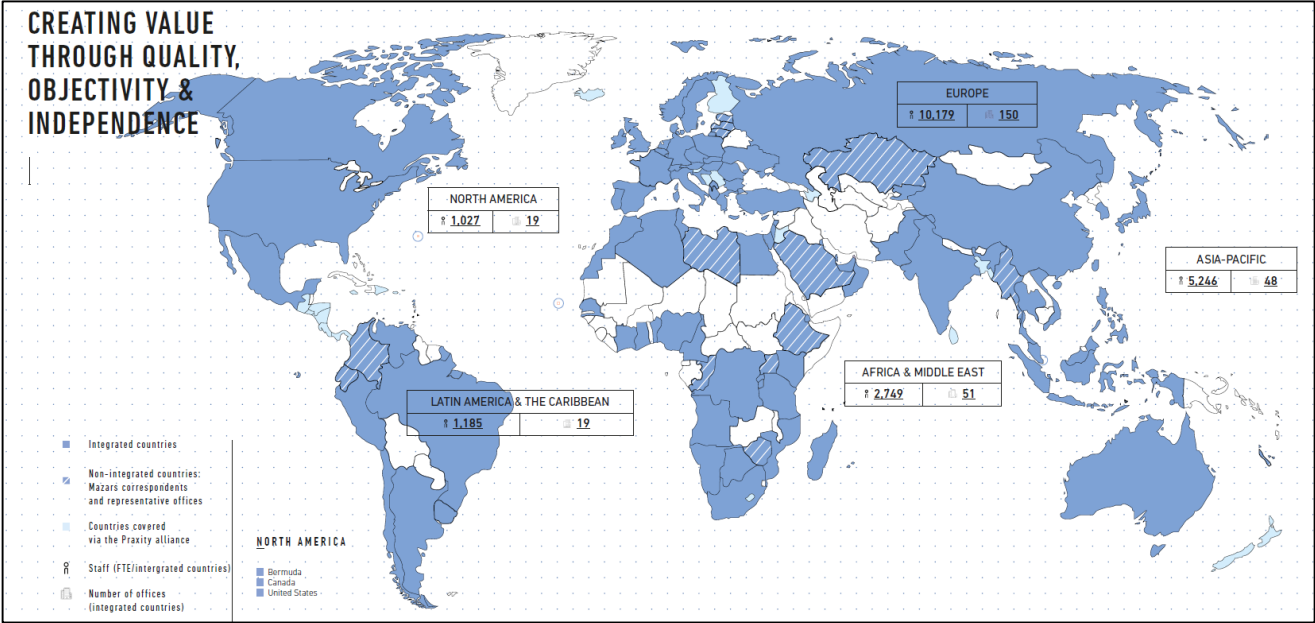


MAZARS AT A GLANCE

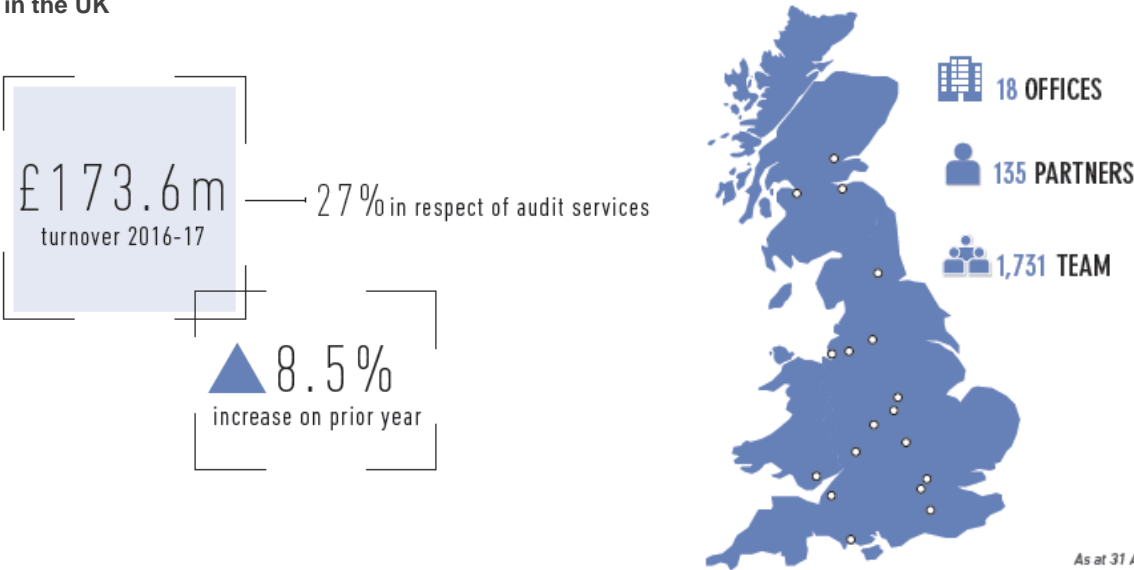
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Mazars in the UK



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Action on Petitions

ACTION TAKEN ON PETITIONS

Council Members are asked to note the actions taken in relation to the under mentioned petitions which were presented to Council:-

(i) Petition to Council with regard to Barmston Bus Link – Presented to Council on 24 January 2018**Detail of the Petition**

The following petition, signed by 365 residents, was presented to Council on 24 January 2018 by Councillor Taylor:

“We the undersigned are presenting this petition requesting that the city of Sunderland council reviews the current status of the bus link on the grounds of improving and ensuring the safety of pedestrians, including investigating the viability if the options suggested below:

Full closure of the bus link to all motor vehicles, and rerouting of the buses via either the car park (nearest Kingdom Hall) or the Burnhope Road perimeter road.

Retain or remove the bus link – and install build-outs and bollards to further narrow the width of the road, and install a priority gate / give way system, along with other appropriate traffic calming measures, for example speed cushions.”

Actions taken in response

After consideration by Council Officers, it has been decided to decline the petition based on the following:-

- The bus link has been in operation for a number of years
- The buses could not service the local community in the way they do now
- A closure may impact on the mobility impaired residents in the area.
- Consultations with Nexus and Go North East were undertaken and both object to the closure of the bus link.
- The existing traffic calming is appropriate for this bus link as follows:
 - speed table running throughout the length of the bus link
 - narrow entry/exits to each end of the bus link via build outs
 - adequate and appropriate signs at both entry points

The Ward Councillors and lead petitioner have been advised of the outcome.

(ii) Petition requesting fly-tipping and anti-social behaviour preventative measures at St. Luke's Road, Sunderland - Presented to Council on 20 June 2018

Detail of the Petition

The following petition, signed by 22 residents, was presented to Council on 20 June 2018 by Councillor Haswell:

"Request that Sunderland City Council provide a gate/additional boulders or other measures to restrict access to Saint Luke's Road back lane to prevent fly tipping, anti-social behaviour and arson in the lane, Ford Quarry and surrounding fields."

Actions taken in response

After consideration by Council Officers, the outcome of the petition is as follows:-

To decline the element of the petition requesting the rear of St Luke's Road be gated off. This is not feasible as the evidence presented does not meet the legal criteria required.

To uphold the element of the petition requesting the placing of extra boulders and other measures to restrict access over the open space adjacent to the rear of St Luke's Road.

This has already been undertaken with the addition of large mounds of soil being placed between gaps in the vegetation to prevent access.

The Ward Councillors and lead petitioner have been advised of the outcome.

Motions on Notice

MOTIONS ON NOTICE

Council Members are asked to consider the under mentioned Motions:-

(i) Developing a Community Wealth Programme for Sunderland

With cuts in local service budgets since 2010 of over £290m per annum on our council, imposed nationally by Liberal Democrats and Tories, it is becoming increasingly apparent that, for all the success in attracting inward investment, we need to do more to develop wealth creation and retention within our local communities to mitigate against these cuts.

We therefore propose that Sunderland, as a Co-operative Council, look to develop strategies to retain local community wealth, putting control back into the hands of local communities so that wealth is broadly held and where benefits are recirculated.

In doing so we call upon Sunderland Council to make a long-term commitment to community wealth building by imbedding this approach as part of the current review of the corporate plan, appointing the Cabinet Secretary to oversee its development and implementation.

Councillor P. Stewart
Councillor G. Walker
Councillor D. Waller
Councillor M. Beck
Councillor R. Atkinson
Councillor P. Walker
Councillor A. Wilson
Councillor P. Smith
Councillor P. Gibson
Councillor B. Scaplehorn
Councillor D.O. Dixon

Councillor A. Scullion
Councillor J. Jackson
Councillor E. Ball
Councillor E. Gibson
Councillor C. Marshall
Councillor J. Kelly
Councillor S. Foster
Councillor D. Wilson
Councillor A. Samuels

(ii) Parental Leave Policy for Elected Members

This Council notes:

- That analysis of the 2018 Local Election results by the Fawcett Society found that 34% of councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;
- As of summer 2017, only 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;
- That the role of a councillor should be open to all, regardless of their background, and that introducing a parental leave policy is a step towards

encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family to remain as councillors;

- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.

This Council resolves:

- To adopt the parental leave policy drafted by the LGA Labour Group's Women's Taskforce to give all councillors an entitlement to parental leave after giving birth or adopting;
- To ensure that councillors with children and other caring commitments are supported as appropriate;
- To notify the LGA that this council has passed a motion at full council to adopt the parental leave policy.

Councillor R. Atkinson
Councillor M. Mordey
Councillor P. Walker
Councillor D. Waller
Councillor A. Wilson
Councillor P. Stewart
Councillor P. Smith
Councillor P. Gibson
Councillor B. Scaplehorn
Councillor D.O. Dixon

Councillor W. Scullion
Councillor J. Jackson
Councillor E. Ball
Councillor E. Gibson
Councillor C. Marshall
Councillor P. Tye
Councillor J. Kelly
Councillor S. Foster
Councillor A. Samuels

(iii) Recent attacks on Firefighters in the City

This Council, on behalf of the vast majority of law-abiding people in Sunderland, condemns the recent attacks on firefighters in the city and will support a zero-tolerance approach to anyone caught attacking any firefighter who do one of the most dangerous and essential jobs in our society.

Councillor R. Oliver
Councillor R. Francis

(iv) Review of scrutiny arrangements of Children's Services and Together for Children

Council notes that:

Independent reports in 2015 and 2018 have highlighted a need for improvements to be made in the management of scrutiny and oversight of Children's services in Sunderland.

Council further notes that:

Following these reports, significant changes have been made to improve the provision of services to children in Sunderland, and since then the management and oversight of Children's Services and Together for Children has been noted as showing improvement. However, external organisations and council bodies which provide services to children in care remain outside the oversight of current children's service scrutiny arrangements.

Accordingly, Council resolves to:

Request the Chief Executive to undertake a review of the existing scrutiny arrangements of Children's Services and Together for Children with a view to bringing other relevant bodies into the existing scrutiny arrangements. These bodies being those with an interest in the provision of services to children whilst in and leaving care from birth through to 18-21-year-old care leavers;

Request the Chief Executive to bring forward recommendations to Council, in consultation with the Chief Executive of Together for Children and the Children's Services Scrutiny Committee, to make changes to the scrutiny arrangements which widen the scope of scrutiny undertaken by the existing Children's Services Scrutiny Committee.

Councillor M. Haswell
Councillor N.D. Hodson

5. Event or Memorial for Conscientious Objectors

At the last Council meeting on 19th September 2018, Council resolved to commemorate the many women who have made a contribution to the civic life of Sunderland following the 1918 Representation of the People Act.

Council notes with regret that the same 1918 Act excluded 16,000 conscientious objectors from the right to vote, throughout the first world war and for five years after. Council notes with sadness the appalling way in which conscientious objectors were treated during and after the first world war.

In this, the centenary of the outbreak of the war, Council recognizes the courage and contribution made by conscientious objectors from Sunderland. Accordingly, Council resolves to call on the chief executive to look into the feasibility of an event or lasting memorial to the Sunderland's conscientious objectors.

Councillor N.D. Hodson
Councillor M. Haswell

Reports

Update on Special Urgency Decisions

Report of the Leader

The Council's Constitution requires that a quarterly report be submitted to Council on executive decisions which have been taken as a matter of special urgency. The relevant provisions are now contained in Regulations 11 and 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

These are the special urgency provisions under which key decisions may be taken by the executive, although not contained in the 28 day Notice of Key decisions (whether proposed to be taken in public or private), where compliance with Regulation 10 (the general exception) was also impracticable.

There have been no such instances since the last report.

Recommendation

That the Council notes the content of this report.

COUNCIL

21 NOVEMBER 2018

VACANCY ON CHILDREN, EDUCATION AND SKILLS SCRUTINY COMMITTEE

REPORT OF THE HEAD OF LAW AND GOVERNANCE

1. At its meeting on 19 September, Council considered a report regarding the current vacancy on the Children, Education and Skills Scrutiny Committee, which has arisen due to Cllr O'Brien relinquishing his seat on the Committee and the Liberal Democrat and Others Group declining to nominate a member of their group to take the seat in his place.
2. Members are reminded that the Committee comprises 12 elected members, together with a number of co-optees.

The Committee is subject to the "political balance" rules, which are designed to ensure that the political composition of the Council's decision making and deliberative committees, so far as possible, reflects the political composition of the full Council.

At Annual Council in May 2018, the seats on the Committee were allocated to the political groups as follows:

Labour 10
Conservative 1
Liberal Democrat and Others 1

3. Under the Local Government (Committees and Political Groups) Regulations 1990 (the 1990 Regulations) if a political group has failed to express its wishes in relation to the appointment to a Committee seat within a period of three weeks of receiving notification of the vacancy, "the authority may make such appointment to that seat as they think fit."
4. Council's default power in respect of appointment is discretionary. An appointment "may" be made but there is no requirement to do so. In addition, the power to appoint has to be interpreted in its statutory context and the requirement for political balance. Where a political group has been allocated a seat on a committee, Council can exercise its power of appointment only by appointing a member of the political group to which the seat was allocated, unless the Council agrees "alternative arrangements" to the political balance allocations. Alternative arrangements for the allocation of seats other than on the basis of strict political balance may be approved by the Council under section 17 of the Local Government and Housing Act 1989, provided no member votes against the proposal. Abstentions would not defeat a vote on such a proposal.

5. At the Council meeting in September, a motion was moved for “alternative arrangements”, to allow a Majority Opposition group member to take up the vacant seat, however this was defeated as there were six votes against the proposal. The Council did not make any appointment to the seat, nor did it formally resolve that the seat be left vacant.
6. Council is therefore recommended to give consideration to how it wishes to deal with the vacant seat.
7. Options which the Council may wish to consider are:
 - (1) (i) to approve alternative arrangements to political balance; and
(ii) allocate the vacant seat previously allocated to the Liberal Democrat and Others Group on the Children, Education and Skills Scrutiny Committee to the Conservative Group, so that the elected member representation on the Committee will be Labour 10 : Conservative 2; and
(iii) appoint a member nominated by the Conservative Group to the vacancy on the Committee; or
 - (2) appoint a Liberal Democrat and Others Group member to the vacant seat; or
 - (3) leave the seat vacant at this time; or
 - (4) continue to review the position in respect of appointment to the vacant seat at future Council meetings, until an appointment is made.

8. **Recommendation**

Council is asked to consider how to deal with the vacant seat on the Children, Education and Skills Scrutiny Committee.

COUNCIL

21 NOVEMBER 2018

APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES

Report of the Head of Law and Governance

1.0 Introduction

- 1.1 The purpose of this report is to consider appointments and nominations to a number of Committees, Boards and outside bodies.

2.0 Standards Committee

- 2.1 The Council has been notified that Hetton Town Council has nominated Councillors Richard Elvin and Paul Holt to sit as the Town Council's representatives on the Standards Committee for the Municipal Year 2018/2019.
- 2.2 In addition the Council is requested to replace Councillor Stephen O'Brien, the Liberal Democrat and Others Group Member on the Standards Committee, with Councillor Hodson.

3.0 Scrutiny Coordinating Committee

- 3.1 At the Annual Meeting of the Council, Councillor Foster was appointed to serve on the Scrutiny Coordinating Committee.
- 3.2 Councillor Foster has subsequently advised that he is no longer able to serve on the body and Council is asked to replace Councillor Foster with the appointment of Councillor Watson.

4.0 Sunderland Health and Wellbeing Board

- 4.1 At a meeting of the Council's Health and Wellbeing Board on Friday 21 September 2018, the Board received a report concerning its membership and governance. This report summarised the proposals of a task and finish group that had been asked to consider the Board's purpose, membership, reporting/sub-groups, and decision making. Included in the proposals was a recommendation to increase the membership of the Board.

- 4.2 The Board's view is that it should widen its membership to reflect the approach taken by the Health and Wellbeing Boards of regional neighbours as well as its current priorities. For these reasons the Board wishes that both South Tyneside & Sunderland Healthcare Group and Northumberland Tyne & Wear NHS Foundation Trust be invited to nominate representatives to be members on the Board. At the time of writing the details of the individuals that will represent these organisations are to be confirmed.

4.0 Sunderland Orphanage and Educational Foundation

- 4.1 At the Annual Meeting of the Council, Councillors Beck, Hunt, M. Dixon and D. Snowdon were appointed to serve on the Sunderland Orphanage and Educational Foundation.
- 4.2 Councillor Hunt has subsequently advised that she is no longer able to serve on the body and Council is asked to consider the appointment of Councillor Ball in her stead.

5.0 North East Regional Employers' Organisation

- 5.1 At the Annual Meeting of the Council, Councillors Kelly, G. Miller, Mordey and A. Wilson* (* Also a Member of the Executive Committee) were appointed to serve on the North East Regional Employers' Organisation.
- 5.2 Councillor A. Wilson has subsequently advised that she is no longer able to serve on the body and also on the Executive Committee and Council is asked to consider the appointment of Councillor Stewart to both positions.

6.0 Appointments to Charitable Bodies / Trusts

6.1 Parker Trust

- 6.1.1 The Parker Trust CIO operates from premises in Kayll Road and provides advice and assistance and programmes of activity for young people. The constitution of the Trust provides for the appointment of 12 Trustees by the Council. There are currently six serving trustees, all of whom are elected members. The CIO has been established with a view to all of the assets of the unincorporated Parker Memorial Home charity being transferred to the new incorporated body. Until the Parker Memorial Home is formally wound up, the same trustees will be appointed to both bodies.
- 6.1.2 In order to involve a wide range of people in the charity's operations, it is recommended that individuals from outside the Council are appointed to the vacant positions. This would also have the benefits of:

- enhancing the skills available to the organisation by enabling the targeted recruitment of independent persons with particular skill sets;
- enabling members of the community to become more involved in the strategic management of the organisation; and
- helping to demonstrate the independence of the Trust from the Council, which would be beneficial when applying for external funding opportunities.

6.1.3 It is proposed that the Head of Member Support and Community Partnerships, in consultation with the Chair of the Parker Trust, is authorised to undertake a recruitment process in order to identify individuals to be recommended to Council for appointment as trustees of the charity.

6.1.4 Each trustee will be appointed for a term of 4 years.

6.2 Samuel Dobson Trust and Victoria House Charity

6.2.1 The objects of the Samuel Dobson Trust relate to the promotion of charitable purposes for the benefit of disabled people and the advancement of education, furtherance of health and relief of poverty, distress and sickness. While the original bequest to the Trust was of over £32,000, there is only just over £800 available for distribution / re-investment.

6.2.2 Another charity, the Victoria House Charity, was subject to a charity scheme in 1973 for the relief of sickness. While the capital investment of the charity amounts to just over £7,300, there is over £38,000 available for distribution / reinvestment. This charity has not however met for over thirty years and there are currently no trustees appointed to it.

6.2.3 In order to enable the income from the Victoria House Charity to be distributed in an efficient, economical way, it is proposed that the scope for merging or amalgamating its funds with those of the Samuel Dobson Trust is explored. As a first step, it will be necessary for the Victoria House Charity to be “reconstituted” in order to enable decisions to be made about its assets and for this purpose it is recommended that three persons be appointed as trustees.

6.3 Hylton Castle Trust

6.3.1 The Hylton Castle Trust has been established to take over the operation and management of Hylton Castle in April/May 2019. The Charity Commission granted the Hylton Castle Trust charitable status on 5 November 2018.

6.3.2 The Trust will build upon the valuable work undertaken by the Friends of Hylton Dene and Castle (Castle in the Community), and its objects will be to:-

- advance education in the history and cultural heritage and natural environment of Hylton Castle, Sunderland in particular by establishing and maintaining a heritage centre,
- conserve, protect and promote the historic buildings and garden structures and records relating to Hylton Castle,
- to conserve, protect and promote the surrounding natural environment including Hylton Dene and Hylton Dene local nature reserve including by promoting biodiversity and conserving wildlife, and
- to provide or assist in the provision of facilities in the interest of social welfare for recreation or other leisure time occupation of inhabitants who have need of such facilities by reason of their youth, age, infirmity or disability, financial hardship or social circumstances with the objects of improving their conditions of life.

6.3.2 The Trust will initially be engaged in preparations for the re-opening of Hylton Castle, and is looking to recruit a number of independent trustees over the coming months.

6.3.3 The Trust needs to be able to demonstrate to the Charity Commission that it remains operationally independent from the Council. The Council has a right to nominate one trustee to the board of the Hylton Castle Trust, but this is a qualified right, as the Trust also needs to ensure that the nominated Council representatives amount to less than 20% of the total number of trustees appointed at any one time.

6.3.4 Council is asked to consider the appointment of Councillor D. Wilson to the position of trustee of the Hylton Castle Trust.

7.0 North East Combined Authority (NECA) and North of Tyne Combined Authority North East Joint Transport Committees

7.1 The Newcastle upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order became law in November 2018.

7.2 In preparation for the Inaugural Meeting of NECA in November 2018 and the establishment of Joint Transport Arrangements, the Council is invited to submit nominations for membership of the committees of NECA and the Joint Transport Committees for the remainder of the municipal year 2018/2019 as set out below.

*It should be noted that some committees are required to reflect the political balance of the region and are detailed accordingly.

NECA Leadership Board – to note and endorse the continued appointment of the Leader of Council with the Deputy Leader of the Council as substitute.

Overview and Scrutiny Committee* – One Majority Group Member and one Majority Group in Opposition Member (and two substitutes of the same political affiliation as the two Members). The Members must not be members of the NECA Leadership Board, North East Joint Transport Committee or the Tyne and Wear Sub-Committee.

Audit and Standards Committee* – One Majority Group Member and substitute Member of the same political affiliation. The Member must be a Member of the Council's Standards or Audit & Governance Committee.

Economic Development and Regeneration Advisory Committee – One Member and a substitute.

North East Joint Transport Committee – NECA, at its meeting to be held on 13 November 2018 will make the appointment of one Member and one Substitute.

North East Joint Transport (Tyne and Wear) Sub-Committee – One Member and a substitute.

North East Joint Transport Overview and Scrutiny Committee* - Two Majority Group Members and two substitutes of the same political affiliation. The Members must not be members of the Combined Authority's Leadership Board, Transport Joint Committee or Tyne and Wear Sub-Committee.

North East Joint Transport Audit Committee* - One Majority Group Member and substitute Member of the same political affiliation. The Member should be a Member of the Combined Authority's Audit Committee.

8.0 Recommendations

8.1 The Council is accordingly recommended to:-

- (i) Appoint Councillors Richard Elvin and Paul Holt as the representatives of Hetton Town Council on the Standards Committee;
- (ii) Appoint Councillor Hodson in place of Councillor O'Brien on the Standards Committee;
- (iii) Appoint Councillor Watson in place of Councillor Foster on the Scrutiny Coordinating Committee;
- (iv) Endorse the proposal to expand the membership of the Health and Wellbeing Board as set out in the report and consider such nominations as are received for appointment to the Board from the organisations concerned;

- (v) Appoint Councillor Ball in place of Councillor Hunt on the Sunderland Orphanage and Educational Foundation;
- (vi) Appoint Councillor Stewart in place of Councillor A. Wilson on the North East Regional Employers' Organisation and as the member on the Executive Committee;
- (vii) Confirm that until further review, any trustees appointed to the Parker Trust CIO shall also serve as trustees of Parker Memorial Home and authorise the Head of Member Support and Community Partnerships, in consultation with the Chair of the Parker Trust, to conduct a recruitment process in order to identify suitable candidates for recommendation to Council for appointment to the vacant positions of trustee;
- (viii) Appoint the Cabinet Secretary, a Majority Group member and a Majority Group in Opposition member to act as trustees of the Victoria House Charity;
- (ix) Appoint Councillor D. Wilson to act as a trustee on the Hylton Castle Trust;
- (x) To note and endorse the continued appointment of the Leader of the Council with the Deputy Leader of the Council as substitute on the NECA Leadership Board and to approve the following nominations:-

Overview and Scrutiny Committee* – Councillor D.E. Snowdon and one Majority Group in Opposition Member (Councillor Hunt and one Majority Group in Opposition Member as substitutes).

Audit and Standards Committee* – Councillor Stewart with Councillor O'Neil as substitute.

Economic Development and Regeneration Advisory Committee – to note and endorse the continued appointment of the Leader of the Council and the Deputy Leader of the Council as substitute.

North East Joint Transport Committee – to note the appointment of one Member and one Substitute from the NECA meeting on 13 November 2018.

North East Joint Transport (Tyne and Wear) Sub-Committee – Councillor A. Wilson with Councillor Waller as substitute.

North East Joint Transport Overview and Scrutiny Committee* - Councillors Kelly and Stewart with Councillors Porthouse and D.E. Snowdon as substitutes.

North East Joint Transport Audit Committee* - Councillor Stewart with Councillor O'Neil as substitute.