



# PLANNING OBLIGATIONS SPD ADOPTION STATEMENT



In accordance with Regulation 11 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) notice is hereby given that Sunderland City Council adopted the Planning Obligations Supplementary Planning Document (SSGA SPD) on 17 June 2020.

A number of modifications were made to the Plan pursuant to section 23 of the Planning and Compulsory Purchase Act 2004 (the Act). These are set out Appendix 1.

In accordance with Regulations 35 of the 2012 Regulations the following documents have been made available:

- i. Planning Obligations SPD
- ii. Planning Obligations SPD Adoption Statement
- iii. Planning Obligations SPD Statement of Consultation

The documents listed above are available to view on the Council's website or the examination webpage <https://www.sunderland.gov.uk/article/14748/Adopted->. Paper copies are available to view at Sunderland City Council, Civic Centre, Burdon Road, Sunderland, SR2 7DN (Monday to Thursday 8.30am to 5.15pm and Friday 8.30am to 4.45pm).

Any person aggrieved by the decision to adopt the SPD may apply to the High Court under Section 113 of the Act for a judicial review of the decision to adopt the document. Any such application must be made promptly and in any event, not later than three months after the day on which it was adopted.

## Appendix 1 Schedule of modifications

Ref	Section/Para	Modification	Comments
	Front Cover	February <del>June</del> 2020	To reflect adoption date
1.	<b>Section 1</b> Introduction	<p><del>A Scoping Report for this SPD was subject to public consultation between July and October 2017 alongside the draft CSDP and a further round of consultation was undertaken on the draft SPD alongside the Publication Draft CSDP between 15 June 2018 and 27 July 2018. The SPD has been subject to three rounds of public consultation as part of its preparation. All feedback from <u>these both</u> consultations has been incorporated into this document <u>where possible</u>.</del></p> <p><del>Once adopted</del> This SPD will be updated where necessary to reflect the most up to date policies and assist in the delivery of policies contained within the Sunderland Local Plan. The</p>	To reflect the adoption of the SPD
2.	<b>Section 2</b> Local planning policy context	<p>Part One – Core Strategy and Development Plan (CSDP); <del>This Plan sets out</del> an overarching strategy, strategic policies and strategic allocations and designations for the future change and growth of Sunderland. <del>Theis</del> Plan will also includes local policies for Development Management purposes. <del>Theis</del> Plan <del>will</del> covers the period 2015 to 2033 and is for development within Sunderland’s administrative boundaries. <u>The CSDP was adopted by Sunderland City Council in January 2020.</u></p> <p>Part Two – Allocations and Designations Plan (A&amp;D Plan);</p> <p>Part Three – International Advanced Manufacturing Park (IAMP) Area Action Plan (AAP) 2017-2032;</p> <p>However, a number of policies <del>will</del> remain saved policies and continue to form part of the Development Plan until such a time as the Local Plan Part 2: Allocations and Designations Plan is adopted.</p>	To reflect the adoption of the CSDP
3.	<b>Section 6</b> How the contribution will be calculated	Grass verges should not be included in any calculations and heavily engineered SUDs solutions will not be considered acceptable within greenspace provision.	For clarity
4.	How the contribution will be spent	<ul style="list-style-type: none"> <li>• Provision of additional or replacement bins and seating;</li> <li>• Increasing and improving footpaths, lighting, fencing, gates and signage near the new development;</li> <li>• Provision of new and improvement of existing planting and soft landscaping.</li> </ul>	For clarity

5.	<b>Section 7</b> Basis for requiring the contribution	<ul style="list-style-type: none"> <li>work in partnership to develop, support and promote high standards for play.</li> </ul>	For clarity
6.	How the contributions will be spent	2. The improvement, enhancement, refurbishment and/ or maintenance of existing play facilities.	For clarity
7.	<b>Section 8</b> Introduction	Primary legislation specific to European Sites is the European Union Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds' Directive) and Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats' Directive).	For clarity
8.	<b>Section 9</b> Basis for requiring the contribution	In these circumstances, the developer will be required to follow a process consistent with Sport England guidance and the <del>Sunderland</del> <u>Council's</u> Playing Pitch Strategy.	For clarity
9.	How the contribution will be calculated	<ul style="list-style-type: none"> <li>A local needs assessment for the relevant sport, taking into consideration supply and demand issues outlined in the <u>Council's</u> Playing Pitch Strategy. This assessment will identify if a new provision needs to be built or if a financial contribution would be better spent elsewhere in the locality.</li> </ul>	For clarity
10.	<b>Section 11</b> Introduction	To determine the developer contribution the following calculation will be applied:	For clarity
11.	<b>Section 13</b> Viability	Developers will be required to work on a fully 'open book' basis and the EAT must contain prices, costs and assumptions that reflect the proposed development including anticipated sales prices supported by comparable market evidence and costs supported by tendered quotations or <u>Building Cost Information Service</u> data.	For clarity
12.	<b>Section 14</b> Implementation	Where pre-application advice has been sought and the Council has indicated that a Section 106 agreement would be necessary a draft Heads of Terms should be submitted with the planning application. This document should be used alongside the <u>Council</u> advice <del>of the Council</del> to complete the draft the Heads of Terms.	For clarity
13.	<b>Appendix 1</b> Discounted market value -	The vendor will need to inform the Council of their intention to sell the property and obtain a valuation of not more than 3 months old from a Royal Institute of Chartered Surveyors' (RICS) valuer.	For clarity
14.	<b>Appendix 2</b> Other costs	<ul style="list-style-type: none"> <li>Site acquisition costs, including Stamp Duty Land Tax, legal and surveyors' fees</li> </ul>	For clarity