IAMP AAP Plan Review

Sunderland City Council and South Tyneside Council

October 2022



**1.0 Introduction**

1.1 Sunderland City Council and South Tyneside Council adopted the International Advanced Manufacturing Park Area Action Plan (IAMP AAP) on 30 November 2017. The IAMP AAP allocated 150 hectares (ha) of employment land for a new advanced manufacturing park.

1.2 The IAMP AAP was prepared in accordance with the relevant legislation and was found to be legally compliant. The AAP was also deemed “sound” subject to a number of main modifications, when assessed against the National Planning Policy Framework (NPPF) which was in force at the time of the examination (the 2012 NPPF).

1.3 Paragraph 33 of the revised NPPF (published in 2021) requires that policies within local plans: “should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary”. This requirement is also set out in Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Accordingly, Sunderland City Council and South Tyneside Council have undertaken this review to assess whether the policies of the AAP require updating either in full or in part.

1.4 The report has been structured to include the Councils’ approach to the AAP review, including how we fulfilled the Duty to Co-operate and a comprehensive assessment of the performance of each policy considering all the factors set out in the Planning Practice Guidance (PPG).

1.5 Based on the commentary set out in this report, it is concluded that the policies in the AAP continue to be in general conformity with the NPPF and PPG, and continue to remain effective in delivering the overall IAMP AAP’s Vision and Objectives. Where performance has differed from the targets set in the IAMP AAP, the Councils consider the extent of any deviation to be marginal which would not justify updating the policies of the Plan at this stage.

**2.0 IAMP Context**

2.1 The IAMP represents a unique opportunity for the automotive and advanced manufacturing

sectors in the UK. Located next to the UK’s largest and most productive car manufacturing plant at Nissan, the IAMP provides a bespoke and world class environment for the automotive supply chain and related advanced manufacturers. Overall, the IAMP will help Sunderland, South Tyneside, the North East region and the UK continue to thrive as one of the best international locations for automotive and advanced manufacturing, building on Nissan’s success as one of Europe’s most productive car plants since its establishment more than 30 years ago.

**Nationally Significant Infrastructure Project (NSIP)**

2.2 In September 2015, the whole of the IAMP was designated as Nationally Significant by the Secretary of State under section 35 of the Planning Act 2008 (as amended) (PA2008). As a result, development within the IAMP area could only be consented through a Development Consent Order (DCO). A DCO allows planning permission and multiple other consents to be obtained for a project and can include powers of compulsory acquisition to secure site assembly.

2.3 Following an application by both Councils, in December 2017 the Secretary of State varied their existing direction under Section 35 of the PA2008, to the effect that IAMP ONE was identified as “an area for early delivery of business and commercial uses by a planning application” and was therefore taken out of the scope of the Nationally Significant Infrastructure Project (NSIP). Under the varied section 35 direction, IAMP TWO was reconfirmed as a Project of National Significance and accordingly to be delivered by a DCO.

2.4 The varied direction therefore allowed IAMP ONE to be delivered through the normal planning application route ahead of IAMP TWO, in a manner that enabled timely economic development in line with market need and still ensured the comprehensive development of the IAMP as a whole.

2.5 In April 2022, following an application by both Councils, the Secretary of State removed their direction under Section 35 of the Planning Act (2008), which has resulted in the IAMP no longer being considered as an NSIP. This was to ensure that the IAMP could continue to deliver at pace. All planning applications coming forward on the IAMP will therefore now be determined under the normal planning application route by the respective local planning authorities.

**IAMP Delivery to date**

2.6 Since the adoption of the IAMP AAP, significant development has already taken place – both in terms of physical infrastructure as well as construction and occupation of manufacturing units within IAMP ONE, as recognised in the Council’s IAMP AAP AMR. These include: -

* Completion of the Testo’s Junction (A19/A184) improvement works by Highways England (now National Highways);
* Completion of the Downhill Lane improvement works on the A19/A1290 junction (National Highways);
* Completion of localised improvement works to A1290 to enable access to IAMP ONE;
* Completion of major utility diversions to enable the release of significant development floorspace (including for the Gigafactory on IAMP ONE [2.7], currently under construction);
* Implementation of the IAMP ONE Ecological Landscape Mitigation Area (ELMA) works;
* Completion of three industrial units secured by the IAMP ONE planning permission;
* Delivery of a primary sub-station; and
* Demolition of 1 to 5 Usworth Cottages and the adjacent chalet, along with the demolition of West Moor Farm and Elliscope Farm buildings. Demolition of further buildings affecting the development site (North Moor Farm and Make Me Rich Farm buildings are scheduled to be demolished in 2023).

2.7 Planning permission was also granted by Sunderland City Council in October 2021 for Envision AESC UK Ltd’s new Giga plant, producing batteries for electric cars for Nissan in IAMP ONE. Works have commenced on site. Once completed, this will bring the total amount of floorspace delivered on the IAMP to 156,840 sqm (around 1.7 million square feet).

**3.0 Duty to Cooperate**

3.1 The PPG (paragraph ID 61-068-20190723) makes clear that Local Planning Authorities need to have due regard to the Duty to Co-operate when revising their development plan documents and reviewing whether they remain up to date. Section 33A(3)of the Planning and Compulsory Purchase Act 2004 sets out the activities which bodies subject to the duty to co-operate must co-operate on. Paragraph (3)(d) of section 33A of that Act provides that such bodies will be subject to the duty when undertaking activities that can reasonably be considered to prepare the way for the preparation of development plan documents, marine plans and other local development documents. Plan reviews prepare the way for the preparation of such documents as they involve an assessment of whether policies in a plan need updating.

3.2 The PPG states that “Given the direct implications of plan reviews in enabling such matters to be addressed through the updating of policies, it is important that the bodies subject to the Duty to Co-operate have an opportunity to engage in both how plan reviews are undertaken and the review of the plan. Engagement with neighbouring authorities and prescribed bodies needs to occur before a final decision on whether to update policies in a plan is made, as such engagement may influence that decision” (PPG reference ID 61-069- 20190723).

3.3 The Councils have taken a proactive approach to engaging with neighbouring authorities, prescribed bodies, and other stakeholders. As part of this process, neighbouring local authority areas have been issued with a letter (Appendix 1) advising them of the Councils’ work on a review of the AAP, the draft outcome of this process and inviting them to comment. Letters have also been issued to all prescribed bodies and to the North East Local Enterprise Partnership.

3.4 Gateshead Council have welcomed the outcome of the Plan Review, however have raised the lack of progress made in relation to the delivery of public transport infrastructure as part of the early phases of development.  The Councils remain committed to delivering appropriate public transport links as the site develops, however it is recognised that it is necessary for a critical mass of employees and development to be established in order to deliver and sustain the public transport infrastructure required. Both Councils will continue to work constructively with Gateshead Council on this matter.  It is not considered that this representation affects the overall outcome of the Plan Review.

**4.0 Review of Policies**

4.1 The Councils have undertaken a review of the adopted IAMP AAP policies to monitor their effectiveness, consistency with national planning policy and also whether there is any emerging evidence which justifies a review of approach.

4.2 When considering the effectiveness of the policies, consideration has been given to IAMP AAP Authority Monitoring Reports (AMRs) which have been published on an annual basis since the adoption of the Plan.

4.3 With regard to the consistency of the policies with national policy, regard has been had to the latest published NPPF and PPG, alongside any other relevant legislative changes such as those being brought about through the Environment Act.

4.4 In December 2021, both Councils published the IAMP AAP Interim Position Statement (IPS) which had regard to the objectives of the IAMP AAP and its policies and included an update on the economic context and demand for floorspace at the IAMP. Following its adoption by both Councils, the Interim Position Statement has been used as a material planning consideration in the determination of planning applications until this Plan Review was undertaken.

4.5 It is considered that the economic context set out within the IPS remains relevant and should continue to form a material planning consideration in the determination of planning applications within the AAP area.

4.6 Table 1 of this report provides a detailed overview of the IAMP AAP Policies in terms of:

* their performance against the IAMP AAP monitoring indicators;
* the need for remedial action;
* their effectiveness and consistency with national policy; and
* any other evidence or issue the Councils considered to be pertinent before drawing conclusions on whether there is any requirement to review the policy or the Plan as a whole.

**Table 1: IAMP AAP Policy Review**

| IAMP AAP Policy | Target/Outcome | Performance against Indicator | Remedial Actions/Trigger | NPPF / PPG conformity issues | Other evidence / emerging issues | Summary / conclusion |
| --- | --- | --- | --- | --- | --- | --- |
| S1: Comprehensive Development | Successful release of 150 hectares of land from the Green Belt for comprehensive development. Submission of DCO application to Planning Inspectorate.  Determination of DCO application by Secretary of State Submission and/or determination of planning application (including local development orders) under TCPA which contributes positively towards comprehensive development. | All of the relevant targets identified within the IAMP AAP AMR have been met.  The site is no longer designated as a Nationally Significant Infrastructure Project (NSIP) and therefore a DCO will no longer be submitted. The IAMP AAP has the flexibility to approve applications through the standard TCPA route and development has come forward unhindered as set out within the AMR. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 8,21 22,23,81,82 and 83 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to comprehensive development continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| S2: Land Uses | Development of Principal Uses on the IAMP site | A total of 45,326.8sqm of B1,B2, B8 (GIA) has been completed relating to Plots 3,4,5 and 6 of IAMP One. 89% of development that has taken place so far has been for Principal Uses. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 81,82 and 83 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to land uses continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| S3: Mix of Uses | Amount of floorspace developed for Principal and Supporting employment uses | A total 4,935sqm of B1(a) and B1(b) floorspace (Supporting Uses), and a total of 40,391sqm of B1(c), B2 and B8 floorspace (Principal Uses) has been completed.  The amount of floorspace taken up by Supporting Uses has been marginally higher than 10%, however it has not exceeded the trigger and it is considered that the policy has largely been met. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 81,82 and 83 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to mix of uses continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| S4: The Hub and Ancillary Uses | Amount of floorspace developed for appropriate uses on the Hub and ancillary uses within the Northern Employment Area | No development has yet been completed on the Hub, however it is considered that the Hub will be delivered as further phases of the IAMP are developed. No triggers have been met as they relate to the cumulative amount of development exceeding the thresholds set out in the policy. | It is acknowledged that the use classes specified within the policy are no longer consistent with the uses classes order, however it is considered that no remedial actions are required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 87 and 88 of the NPPF. | It is acknowledged that no development has yet taken place on the Hub. In future, consideration will be given to the location, size and mix of appropriate uses within the Hub to ensure that it is fit for purpose and commercially viable. | The assessment indicates that the Plan’s approach to the Hub and ancillary uses continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| D1: Masterplan Design | Submission of a Design Code which addresses all of the design principles set out within Policy D1. | A Design Code was submitted as part of the IAMP One planning application for the whole of the IAMP and all subsequent planning applications have conformed to this Design Code to demonstrate compliance. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 126, 127, 128, 129 and 132 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to masterplan design continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| D2: Public Realm | Submission of a Public Realm Strategy which addresses all of the key principles set out within Policy D2. | A Design Code was submitted as part of the IAMP One planning application for the whole of the IAMP and all subsequent planning applications have conformed to this Design Code to demonstrate compliance. The submitted Design Code included a Public Realm Strategy. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 126, 127, 128, 129 and 132 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to the public realm continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| T1: Highway Infrastructure | Completion of necessary transport improvements as set out within Policy T1. Submission of a Phasing and Transport Assessment which demonstrates how the proposals will provide suitable and safe connection and integration with Highways England’s junction improvements to the Downhill and Testos junctions on the A19. | Transport Assessments have been submitted as part of all planning applications to date and infrastructure improvements delivered where required. The localised highway widening of the A1290 to enable access to IAMP ONE has been completed, as well as the A19/A1290 Downhill junction improvements and a Highways Operational Management Plan (HOMP) has been agreed with National Highways to assist with the management of traffic | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 20, 104, 106, 110, 111, 112 and 113 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to highway infrastructure continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| T2: Walking, Cycling and Horse Riding | Submission of a Design Code which addresses all of the walking, cycling and horse riding design principles set out within Policy T2. | A Design Code was submitted as part of the IAMP One planning application for the whole of the IAMP and all subsequent planning applications have conformed to this Design Code to demonstrate compliance. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 104, 106 and 112 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to the public realm continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| T3: Public Transport | Submission of details alongside the DCO and/or any planning application that all of the requirements within the policy have been met. | A Design Code was submitted as part of the IAMP One planning application for the whole of the IAMP and all subsequent planning applications have conformed to this Design Code to demonstrate compliance. A Public Transport Strategy formed part of the planning application for the Gigafactory and an Initial Public Transport Assessment has been prepared for IAMP Phase 2. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 104 and 112 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to public transport continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| T4: Parking | Identification of parking standards as part of IAMP Design Code. Submission of Travel Plan alongside the DCO and/or any planning application that all of the requirements within the policy have been met. | A Design Code was submitted as part of the IAMP One planning application for the whole of the IAMP and all subsequent planning applications have conformed to this Design Code to demonstrate compliance. Each application has been supported by a Transport Assessment which demonstrates how adequate levels of parking have been provided. Whilst 25% of total car parking provision has not been identified for the use of car-sharing only, this will be addressed through the emerging Travel Plan. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 104, 106, 107, 108, 109 and 110 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to parking continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| IN1: Infrastructure Provision | Delivery of necessary infrastructure to support the delivery of the IAMP. | Transport Assessments have been submitted as part of all planning applications to date and infrastructure improvements delivered where required. The localised highway widening of the A1290 to enable access to IAMP ONE has been completed, as well as the A19/A1290 Downhill junction improvements and a Highways Operational Management Plan (HOMP) has been agreed with National Highways to assist with the management of traffic. In addition, power/gas/water supply has been provided to all occupied plots | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 20, 104, 106, 110, 111, 112 and 113 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to infrastructure provision continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| IN2: Flood Risk and Drainage | Demonstration that there would be no net loss in floodplain storage capacity nor an increase in maximum flood levels within adjoining properties as a consequence of development. That run-off from the site (post-development) does not exceed corresponding greenfield rates, minimises pollution and provides multifunctional benefits to wildlife, landscape and water quality. That there is sufficient foul sewer network capacity, or the necessary upgrades are provided if insufficient capacity exists. | Flood risk assessment/drainage strategy, surface water drainage strategies have been submitted as part of planning applications.  Overall environmental condition of the River Don continues to be classed as moderate. A new foul sewerage system has been delivered. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 159-169 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to flood risk and drainage continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| EN1: Landscape Design | Establish landscape screening around development consisting of native broadleaf and evergreens. Submission of landscape and visual impact assessment which influences the design of the proposals to ensure that potential effects are avoided, minimised or mitigated. | The planting has been completed around the landscape buffers. The depth and width of the landscape buffers is in accordance with the policy. Landscape and Visual Impact Assessments have been submitted as part of planning applications. No landscaping has been delivered along the A19, as no development has taken place in this area. No buildings have incorporated green/brown roofs. | A Design Code was submitted as part of the IAMP One planning application for the whole of the IAMP and all subsequent planning applications have conformed to this Design Code to demonstrate compliance. Whilst no green/brown roofs have been delivered so far, it is considered that the vast majority of the policy requirements have been delivered and therefore no remedial actions are required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 174-177 of the NPPF. It is recognised that the policy is not fully compliant with Paragraph 131 of the NPPF which seeks to secure tree lined streets, however this is not considered to be fundamental. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to landscape design continues to provide an appropriate policy basis for meeting the IAMP’s needs. Whilst it is recognised that it is not fully consistent with Paragraph 131 of the NPPF. No green/brown roofs have yet been delivered at this stage. This is not considered to undermine the policy as a whole. |
| EN2: Ecology | Establish landscape screening around development consisting of native broadleaf and evergreens. Submission of landscape and visual impact assessment which influences the design of the proposals to ensure that potential effects are avoided, minimised or mitigated. | Planning applications have submitted ecological impact assessments to address policy. Long-term habitat and biodiversity management plan has been submitted for IAMP One. The assessment of the condition of the Local Wildlife Sites within/adjacent to AAP boundary in South Tyneside has yet to take place. This work is expected to come forward shortly. Breeding bird surveys have been carried out as well as breeding bird monitoring surveys which are reported annually. The Barn Owls have been surveyed as part of planning applications. All planning applications have provided details of habitat type and total area created. Planting and seeding related to IAMP One has been completed. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 174,179 and 180 of the NPPF. The current policy does not make reference to Biodiversity Net Gain, however it is considered that the NPPF requirement and the mandatory requirement set out within the Environment Act would adequately cover this. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to ecology continues to provide an appropriate policy basis for meeting the IAMP’s needs. Whilst it is recognised that it does not reflect Biodiversity Net Gain requirements, it is considered that these are adequately covered by the NPPF and Environment Act. |
| EN3: Green Infrastructure | Provision of green and open spaces for recreational use within the development. | No landscape buffers have been provided along the A19 as no development has yet taken place in this area of the site. No mitigation along the River Don has yet been delivered, as development close to the River Don has not yet commenced. This is expected to be delivered through future planning applications. The open green space has yet to be opened to the public. | The aspects of the site to which this policy relates to have not yet been delivered and therefore no remedial actions are required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 92, 154 and 175 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to green infrastructure continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| EN4: Amenity | Submission of Construction Environmental Management Plan to demonstrate that appropriate mitigation measures are implemented to protect amenity. | There have been no environmental complaints in relation to IAMP development. Planning applications have either submitted a Construction Management Plan or development has been conditioned. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraph 185 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to amenity continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| Del1: Phasing and Implementation | Submission of Phasing Strategy, Mitigation Strategy and Management Strategy to ensure comprehensive development. | Phasing Plans have been included as part of planning submissions. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraph 49 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to phasing and implementation continues to provide an appropriate policy basis for meeting the IAMP’s needs. |
| Del2: Securing Mitigation | Levels of mitigation achieved through articles, protective provisions and requirements of the DCO or other planning obligations. | There are a number of planning conditions linked to environmental mitigation. There are no S106 Agreements. A range of infrastructure has been delivered in accordance with the Infrastructure Delivery Plan. | No remedial actions required. | Policy is in general conformity with the NPPF and PPG, in particular Paragraphs 34, 104-109 of the NPPF. | The Councils recently prepared and adopted an IPS which sets the latest position with regard to the IAMP. | The assessment indicates that the Plan’s approach to securing mitigation continues to provide an appropriate policy basis for meeting the IAMP’s needs. |

**5.0 Conclusion**

5.1 In accordance with the NPPF/PPG, Sunderland and South Tyneside Councils have undertaken a Plan Review to determine whether the policies of the IAMP AAP remain effective, fit for purpose and consistent with national policy.

5.2 It is considered that the policies of the IAMP AAP have been largely effective at delivering the overall aims and targets, by delivering a significant quantum of employment floorspace through the IAMP One scheme and also providing an appropriate policy framework against which to determine the current IAMP Phase 2 application.

5.3 Whilst it is acknowledged that the IAMP AAP was prepared at a time when it was envisaged that delivery would take place through a DCO, the policies were designed to provide sufficient flexibility to allow determination through either the DCO or TCPA route. Although it is no longer intended for the development to be delivered through a DCO, it is considered that the policies still provide an appropriate policy framework on which to determine planning applications against, whilst ensuring comprehensive development which delivers the necessary infrastructure improvements at the appropriate time.

5.4 It is considered that the policies remain broadly aligned to the overall aims of national policy, with the most significant changes being to environmental improvements, including the emerging requirement for biodiversity net gain. It is considered however that this can be adequately covered through the NPPF and the Councils’ emerging Biodiversity Supplementary Planning Document.

5.5 With regard to other evidence and emerging issues, the IAMP AAP IPS provides updated evidence on the economic context and demand for floorspace within the IAMP. It is considered that at this point in time, the IAMP continues to form an appropriate policy framework for the delivery of the site, however the Councils will continue to monitor and review the latest intelligence before determining when would be an appropriate time to undertake a further Plan Review of the AAP policies.