

001.CM/P19-1009  
11 October 2019

Spatial Planning  
Development Services  
Economic Regeneration  
South Tyneside Council  
Town Hall and Civic Offices  
Westoe Road  
South Shields  
Tyne and Wear  
NE33 2RL

Dear Sirs,

**SOUTH TYNESIDE LOCAL PLAN  
PRE-PUBLICATION DRAFT (REGULATION 18)  
COMMENTS SUBMITTED ON BEHALF OF GLEESON REGENERATION LIMITED**

**1.0 Introduction**

- 1.1 These representations have been prepared by Pegasus Group on behalf of our Client, Gleeson Regeneration Limited, in relation to the Pre-Publication draft of South Tyneside Council's Local Plan.
- 1.2 The Local Plan seeks to provide a framework for South Tyneside's growth up to 2036. Once adopted, it will replace the existing suite of documents which currently make up the development plan for the Borough. Upon adoption it will therefore act as the starting point for making decisions for future development proposals.
- 1.3 This consultation seeks comments from the general public, landowners and key stakeholders. As a housebuilder active in the area, our Client is keen to ensure that the Local Plan is prepared in a robust, comprehensive and sound way which complies with the policies of the National Planning Policy Framework (NPPF) and has cognisance of the content of the accompanying Planning Practice Guidance (PPG).
- 1.4 The NPPF in paragraph 35 highlights that local planning authorities should submit a plan for examination which it considers is "sound"; namely that it is:
- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from

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 **PLANNING**  **DESIGN**  **ENVIRONMENT**  **ECONOMICS**

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neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.5 Our comments on the Local Plan have been framed with references to these tests.

## **2.0 Background and Context**

2.1 Gleeson Regeneration Limited specialise in urban regeneration and land development. They predominantly operate across the north of England. It is committed to providing development which is sustainable, fosters vibrant communities and creates a sense of place. Their developments assist in the Government's aim to 'boost significantly' the supply of housing across the country to put in place 300,000 new homes per annum.

2.2 Our Client's land interest in South Tyneside relates to land South of Follonsby Terrace, Wardley (Referenced in the Strategic Housing Land Availability Assessment as: SFG057). The extent of the site is found in the plan provided in **Appendix 1** of this email.

2.3 It is our view that this site should come forward for residential uses and in doing so would assist in the ongoing regeneration of this area of South Tyneside and its links to the wider redevelopment proposals nearby.

2.4 Taking this into account, we examine the relevant policies of the emerging Local Plan below.

## **3.0 Delivering the Strategy (Chapter 4)**

### **3.1 Policy S1 – Spatial Strategy (Strategic Policy)**

3.1.1 Our Client notes that some development is to be focussed at Wardley through this policy (see Part F) and that this is generally supported. This however currently states that this will be in the form of employment land opportunities (presumably focused on the release of the colliery land to the south for employment uses – allocation ED2.1). Our Client believes that to ensure that sustainable development is promoted in this area, that residential opportunities should be promoted alongside the employment uses proposed to the south. This would ensure this policy is sound by being effective, positively planned and

consistent with national policy in that paragraph 118 of the NPPF seeks to promote mixes of uses within areas. We therefore seek an amendment to the policy on this basis.

- 3.1.2 In this instance the allocation of our Client's land at Land South of Follonsby Terrace (see **Appendix 1**) would fulfil this purpose and we consider the land further in our response to Policy H3 below.

#### **4.0 Planning for Homes (Chapter 5)**

##### **4.1 Policy H1 – The Number of New Homes Needed by 2036 (Strategic Policy)**

- 4.1.1 The Council has approached identifying the quantum of new homes needed in the Borough by adopting the 'standard method' for calculating housing requirements which has been published by Central Government. This equates to a figure of 350 dwellings per annum.

- 4.1.2 Whilst Councils are recommended to use this as a basis for calculating their housing requirements over the plan period, it is clear from the NPPF that such a figure should be treated as a starting point (outlined in paragraphs 35 and 60) and there is a requirement for plans to be positively prepared. In order to provide a robust approach, it is also considered that local planning authorities should examine population structure, previous housing delivery and the economic ambitions for the area. This is detailed in the PPG (Reference ID: 2a-010-20190220).

- 4.1.3 In the case of South Tyneside, the Council clearly has economic ambitions for the Borough in terms of the creation of new jobs; with growth of 3,200 jobs outlined in the Council's latest *Employment Land Review* (July 2019) and wider growth through the development of the International Advanced Manufacturing Park (IAMP). The Council also has evidence of recent strong delivery of housing with its *Five-Year Supply of Deliverable Housing Sites (2017 – 2022)* demonstrating that net delivery of housing has been 430 – 466 dwellings per annum. Both of these factors would clearly demonstrate a further uplift in the Council's housing requirement is needed. We therefore consider the policy to currently be **unsound** and that the Council should increase its housing requirement to address these points.

- 4.1.4 We also consider that a buffer of sites above the 10% identified within this policy should be provided. Ordinarily we would anticipate a buffer of 20% to be applied.

##### **4.2 Policy H3 – Housing Allocations and Commitments (Strategic Policy)**

- 4.2.1 This policy seeks to allocate housing sites in order for the Council to meet its needs over the plan period. Our comments in relation to Policy S1 outline our

view that residential land at Wardley should be introduced alongside the employment allocation identified to the south of the site (allocation ED2.1) and that our Client's land interest would fulfil this role and would represent sustainable development that could enhance this area of the Borough.

#### 4.3 **Background to the Site**

4.3.1 Our Client's land interest currently lies within the Green Belt and has been submitted for consideration as part of the Council's *Strategic Housing Land Availability Assessment (SHLAA)* (April 2019) (Reference: SFG057) and has also been assessed as part of the Council's *Strategic Land Review (SLR)* (January 2018) (Reference: FG22a).

4.3.2 Taking this into account we assess the site further below.

#### 4.4 **Consideration of the Site as a Housing Allocation**

4.4.1 As outlined in our response to Policy H1, we believe there is a strategic justification for allocating the site for residential development. The SLR provides an overall assessment of the site taking into account a range of factors. In this respect the site scored 'Amber' with an overall conclusion that the site is considered potentially suitable for development but with potential impacts on Green Belt, landscape and biodiversity to be considered further.

4.5 In relation to these factors we consider the following:

##### 4.5.1 **Green Belt Issues**

- The site is well screened by the adjacent Follingsby Business Park and the proposed employment land to the south. The site is also bounded by road infrastructure to the west and north as well as existing buildings and vegetation. The site can therefore be regarded as 'well-contained' in nature.
- The Council's *Stage Two Green Belt Review: Site Assessments* (July 2019) document assess the site under parcel FG22b. This concludes that development would have a 'moderate' impact on the Green Belt with the assessment concluding that the impact could be mitigated and that small scale development would be 'limited and contained'.
- Crucially the assessment concludes that the site has limited visual prominence, would not result in the merging of settlements and the Green Belt surrounding the site to the east would continue to function as it already does.
- It is therefore reasonable to conclude that the site would have limited encroachment into the countryside and would not result in unrestricted urban sprawl (given its containment).

4.5.2 Taking into account the above analysis, we consider that our Client's land interest can be released from the Green Belt and allocated for residential development. Its allocation for housing would complement and support existing and emerging business uses in the area, promote

sustainable development and help underpin growth and regeneration in the Borough by contributing towards South Tyneside's housing growth over the plan period.

- 4.5.3 As a result of this we consider the impact of developing the site would not have an unacceptable impact on the Green Belt.

## **5.0 Landscape**

- Whilst the site lies within the Boldon Fell landscape area, given that it is well contained by surrounding uses and infrastructure and that there are limited views of the site, potential landscape impact is lessened and it is considered that it could be readily mitigated.

- 5.1 It can therefore be regarded that landscaping issues can be readily addressed.

## **6.0 Biodiversity**

- The SLR highlights that the site lies adjacent to the Wardley Colliery Local Wildlife Site and a small section of the Local Wildlife Site lies within the site (where priority sites have been recorded).
- However, this in itself does not show that the site cannot be delivered and it is considered that the site will need to be subject to its own ecological assessments and an appropriate strategy formulated based on this site-specific evidence. It should then be possible to address biodiversity issues through mitigation and compensation (if necessary).

## **7.0 Consideration of Site Suitability and Deliverability**

- 7.1 Drawing this together, it should be noted that the latest SHLAA assesses the site as being achievable in the '15+ years' category. The assessment is based on PPG requirements (Reference ID: 3-001-20190722) to evaluate potential development sites on the basis of their:

- Suitability;
- Availability; and
- Achievability.

- 7.2 Crucially the document assesses the site as 'suitable' (confirming our own analysis above). It however does not regard the site as available or achievable. However by virtue of our Client (an established housebuilder) wishing to bring forward development on the site and that there are no overriding constraints to prevent development coming forward (on the basis of the site's release from the Green Belt), then we believe the site should be reassessed more positively. Indeed, its allocation would result in delivery of the site which could actively contribute to the Council's requirement to 'boost significantly' its supply of housing (as required by the NPPF).

7.3 Likewise, the assessment of the site within the Council's *Draft Interim Sustainability Appraisal* (August 2019) provides a 'neutral' score for the site. The land performs well in terms of its potential to provide better housing and the site's overall accessibility is assessed positively. Whilst the site exhibits negative scores in relation to Green Belt and biodiversity, as outlined above, we believe these areas can be successfully addressed.

## **8.0 Overall Conclusions**

8.1 Taking into account the above analysis, we consider that our Client's land interest should be released from the Green Belt and allocated for residential development. Its allocation for housing would complement and support existing and emerging business uses in the area, promote sustainable development and help underpin growth and regeneration in the Borough by contributing towards South Tyneside's housing growth over the plan period.

### **8.2 Policy H4 – Windfall Housing Proposals (Strategic Policy)**

8.2.1 Whilst our Client is encouraged to see a policy specifically addressing windfall sites, it believes the policy currently advocates an **unsound** approach as it is not positively prepared and is ineffective.

8.2.2 It is considered that windfall sites can come in a variety of forms and not only just 'small' sites (which is poorly defined) and to limit windfall to previously developed 'infill' plots. To take such a narrow view on what constitutes windfall is also contrary to national policy and the message from Central Government to 'significantly boost' the supply of housing (paragraph 59 of the NPPF).

8.2.3 Instead it is our Client's view that the policy should focus on a site's overall sustainability and ability to address relevant development management policies and not be dependent on size, as the housing requirements identified should be minimum figures (with the opportunity to provide housing over and above this).

### **8.3 Policy H9 – Affordable Housing**

8.3.1 The Council's approach to affordable housing will need to be supported by a robust evidence base which is up to date and comprehensive. This is requirement of national policy (paragraphs 34 and 61 - 64 of the NPPF). Whilst the Council's approach in Policy H9 is noted, our Client **objects** to its approach because:

8.3.2 It is currently not informed by any viability work to assess the impact of the affordable level required by the policy (17%). We note that the Council's viability work is ongoing in this respect.

8.3.3 The assessment of affordable need is informed by a Strategic Housing Market Assessment (SHMA) which was undertaken in 2013 and updated in 2015. This therefore does not take into account the wider definition of affordable housing contained in the NPPF.

8.3.4 Whilst the tenure split requirement within the policy is flexible, any split required by the Council will need to be supported by evidence and currently that evidence is not up to date. We would therefore expect to see an updated version of Policy H9 which is supported by viability information and an updated SHMA. This will ensure a sound approach is achieved.

#### 8.4 **Policy H10 – Housing Mix**

8.4.1 Although our Client notes the degree of flexibility incorporated into this policy, given that issues of housing mix will be informed by the SHMA, it is important that this document is up to date. As expressed in our comments in relation to Policy H9, the current SHMA is not up to date. Without up to date information, we **object** to this policy as it would not be sound for being unjustified and ineffective.

8.4.2 Our Client also does not support Parts C – E of Policy H10 given the lack of evidence to justify self-build/custom build plots, elderly accommodation and detached executive homes. As such this policy is also **unsound**.

8.4.3 As a result of this, this policy should be amended to remove Parts C – E.

#### 8.5 **Policy H11 – Technical Design Standards for New Homes**

8.5.1 This policy seeks to require a proportion (up to 15%) of developments over 50 dwellings to provide housing to the M4(3) standard and for all new housing to be designed to comply to M4(2) standard. It should be noted that this requirement is notably higher than those put forward in other authorities within the North East.

8.5.2 As the Local Plan highlights in paragraph 5.70, these standards are optional. The PPG advises that if such enhanced standards are to be introduced into development plans then this needs to be supported by robust evidence that should cover the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability (Reference ID: 56-007-20150327).

8.5.3 It should also be emphasised that all new homes have to be built to Part M4(1) standard anyway. The application of the mandatory M4(1) standard will ensure reasonable provision for the majority of people, including wheelchair users and allow such people to access habitable rooms and other facilities on the entrance storey.

8.5.4 The evidence available would not point to a pressing need to go above and beyond this standard and the SHMA simply does not provide justification as to why the optional standards should be included in the plan as all the information available appears to show is that the population of South Tyneside is aging. This is not unusual and in itself is not sufficient evidence to support Policy H11.

8.5.5 Given that the Council is yet to publish any viability information, the policy is also unjustified and therefore **unsound** on these grounds too. As such our Client **objects** to this policy and believes it should be deleted.

## 8.6 **Infrastructure (Chapter 12)**

### 8.6.1 ***Policy IN2 – Developer Contributions, Infrastructure Funding and Viability***

8.6.2 The emphasis within this policy is on viability and we await the Council's evidence on viability before commenting on this further. Whilst it is noted and broadly welcomed that viability will be a factor when determining levels of planning obligations for development proposals, this needs to bear in mind that the NPPF is clear that obligations should not undermine the deliverability of the plan (paragraph 34).

8.6.3 Any finalised version of this policy will also need to acknowledge that the Borough is diverse in terms of values and the costs of delivering sites. This will ensure that future housing within South Tyneside can be brought forward.

## 8.7 **Summary and Conclusions**

8.7.1 We trust that our comments will be addressed as the Council progresses the Local Plan. We would be happy to discuss any of the issues we have raised further so that the document can progress on a sound footing. In particular, we believe there is an opportunity to allocate our Client's land at Wardley to ensure development in this area is sustainable and can build upon the area's regeneration opportunity.

8.7.2 In this respect we urge a more supportive planning context and that key policies are revisited to ensure there is enough flexibility to bring forward much needed housing growth over the plan period. This will ensure the Local Plan is progressed in robust and sound manner.

8.7.3 Our Client would like the opportunity to take part in any future consultation on the Local Plan and associated documents. Please use the contact details below for future correspondence.

Yours faithfully

[Redacted signature]

**Associated Planner**

[Redacted name]

**Appendix 1**  
**Site Location Plan**

