

East Boldon Forum
C/o Boldon & Cleadon Community Library
Boker Lane
East Boldon
NE36 0RY

Date: 7 December 2020

Our ref: 60745/01/MHE/AWi/19177843v1

Your ref:

Dear Sir/Madam

East Boldon Neighbourhood Plan: Pre-submission Consultation

We write on behalf of our client, Buckley Burnett Ltd (“BBL”), in response to the consultation on the East Boldon Neighbourhood Plan: Pre-Submission Draft consultation. BBL has been promoting land through the emerging South Tyneside Local Plan for residential development at Hylton Lane, Boldon. Our representations to the East Boldon Neighbourhood Plan are consistent with our representations to the emerging Local Plan.

We have reviewed the Pre-Submission Draft Neighbourhood Plan alongside our Local Plan representations, and the ‘basic conditions’ relevant to Neighbourhood Plans. Our principle objection relates to the inadequate supply of identified housing land, leading to an inability of the Neighbourhood Plan to achieve its objectives. In this respect, it is noted that the Council’s Local Plan is at an advanced stage of preparation and there is significant risk to the emerging Neighbourhood Plan being considered out-of-date very quickly, if it is progressed in its current form.

In its current form, the emerging Neighbourhood Plan seeks to constrain housing growth in the absence of a detailed understanding of the housing needs for the Neighbourhood Plan area, or the implications for the wider South Tyneside Borough Local Plan. There are a number of fundamental conflicts with national policy contained within the National Planning Policy Framework (NPPF) – the key elements of the NPPF in this representation are identified below.

NPPF, paragraph 13:

“The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”

NPPF, paragraph 14:

“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

...

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement
(Lichfields' emphasis)

NPPF, paragraph 29:

“Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.”

NPPF, paragraph 66:

“Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.” (Lichfields' emphasis)

It is clear from the draft plan, and its various supporting background papers, that whilst the Neighbourhood Forum has sought to define its own housing needs, it has done so in isolation of any strategy being pursued by South Tyneside Council and it has not followed the steps set out in the NPPF. The figure it has arrived at is substantially below the figure attributed to the Neighbourhood Area in the August 2019 Pre-publication consultation on the South Tyneside Local Plan of 950 net additions over the plan period.

The Aecom Housing Needs Study commissioned by the Neighbourhood Forum to inform the Neighbourhood Plan makes no reference of the South Tyneside Council figure of 950 dwellings and does not take account of the Council's proposed strategy. Whilst the Housing Background Paper does reference the 950 figure, it includes no assessment of the implications of not delivering on this requirement and does not consider the figure any further than acknowledging its existence.

Of equal concern is the lack of any allocations in the emerging plan. The Plan identifies its own requirement of 146 net additional dwellings to be delivered over the plan period (12 dwellings per annum), which is significantly below the South Tyneside Council figure of 950. However, it is made clear at paragraph 8.6 that the Plan will not allocate any sites for development and, other than assuming development will occur within the proposed settlement limits, no attempt is made to identify where there is deliverable land that can accommodate the proposed growth, even for the suppressed growth proposed in the Neighbourhood Plan. As such, the Plan will fail part 'b' of paragraph 14 of the NPPF.

Until such time as the Neighbourhood Plan takes full account of the emerging strategy of South Tyneside Council, proposes a housing requirement which is aligned with that strategy and proposes allocations for housing development, the Plan cannot be considered sound and does not comply with the 'basic conditions' for neighbourhood planning.

The identification of a robust housing requirement and allocations must form the foundation of a revised Neighbourhood Plan. In the absence of such a provision, Policy EB2 (General Location of New Development) cannot be considered sound as it is informed by a flawed approach to housing needs over the plan period.

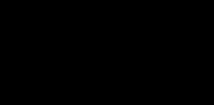
These fundamental failings of the Neighbourhood Plan must be addressed before the plan progresses to referendum. In the unlikely scenario that the Plan is considered sound in its current form, it is likely that it will be out-of-date immediately following adoption of the South Tyneside Council's Local Plan.

The Hylton Lane site provides an excellent opportunity to meet the market and affordable housing needs for East Boldon during the Plan period, as well as the range of house types and sizes required which cannot be

achieved in the absence of any allocations. BBL is keen to engage with the Neighbourhood Forum to discuss its proposals in order to inform the details of the scheme.

We trust these representations will be taken into account and afforded appropriate consideration before submission of the Neighbourhood Plan, allowing it to be updated and considered sound when it progresses to examination.

Yours faithfully



Planning Director