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*In order to keep these documents to an appropriate size the number of representors featured
within each document may vary*

Objection to local plan

Emma Thompson [REDACTED]

Sun 3/3/2024 6:01 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

*** **WARNING** - This message has originated from outside the Council. Do not provide any login or password details if requested. Do not click on any links or attachments unless you are sure that the content is safe. If you are unsure about this email or its content forward it to: email.quarantine@southtyneside.gov.uk, **clearly stating your concerns in the email** ***

Details of Representation: Policy SP2 - Strategy for Sustainable development to meet identified needs, Page 3

Object to 2.2

As a young mother with 3 children living in East Boldon I want to see the green belt protected and the character and uniqueness of the village safeguarded. I think the village can't cope with the housing numbers coming to East Boldon.

The number of homes proposed is based on the 2014 household projections, which have been shown to be an overestimate by the 2021 Census and therefore, this is not a credible base line to use. The draft plan is therefore not sound.

Within a short period of time two draft local plans have been consulted on, each with vastly different figure and each with different sites allocated for housing. There seems to be no science behind the process.

This issue of out of date statistics was highlighted in responses to the last Regulation 18 consultation by many people, but nothing has been done to allay residents concerns over the integrity of the process. The use of green belt land is only needed as a result of using of out of date figures, and the lack of commitment by the Council to make a case for protecting it for more important reasons such as climate change and food production.

In any case, I understand the East Boldon Forum were advised by the Government Office for Levelling Up that the figure produced by the housing formula (standard method) was not mandatory and local circumstances, such as the green belt constraint could be taken into account. This aspect and the importance of the green belt was raised by residents in the Regulation 18 consultation, but local people have not been listened to. I understand the new NPPF now makes it clear that the figure produced by standard method is not mandatory and green belt constraint can be taken into account. The Council could have waited and used the latest regulation but chose to proceed. This seems to fly in the face of the regulation 18 consultation process, where residents were asked to give their views.

The loss of the green belt if sites GA2 and GA3 remain in the plan will have a major impact on wildlife and on the lives of residents who live in the villages of Cleadon, and East Boldon. I hope the views of residents are taken into account, even at this late stage.

Proposed Modification

I would like to see a much lower housing figure which takes local circumstances and Green Belt constraint into account, put forward.

I would like to see the site GA2 in East Boldon removed and the site in GA4 in Cleadon significantly reduced.

Details of Representation: Policy SP7, Urban & Village Sustainable Growth Areas, Page 46 – GA2, Land at North Farm

Regarding SP3.2 “The Plan will....Secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting growth which respects the distinctive character of each village” I believe the plan fail this important test and certainly does not protect the local distinctiveness of the village, takes the wellbeing of its residents into account or protects the environment and wildlife.

There will be a 25% increase in the number of houses in East Boldon with the proposed development of 263 houses at site GA2, the 259 houses at site GA4 and the 202 houses (awaiting legal agreement) at Cleadon Lane. This will result in unsustainable development and an unacceptable impact on the ‘distinctive character of the village’ and the lives of its residents. The existing infrastructure, unlike newly planned communities/development's, cannot cope with the level of growth propose. The additional 400 houses proposed at site GA3, next to the ward boundary will only add to this scenario.

East Boldon Neighbourhood Plan was supported by 1300 residents in 2021, the Plan plays little regard it and the wish of residents to protect the green belt.

The policy is not justified, uses out of date evidence and the exceptional circumstances case to amend the Green Belt boundary has not been made.

This policy has not been positively prepared to deliver sustainable development in the East Boldon area.

Details of Representation: SP16: Housing Supply and Delivery page 84

‘Making provision for the provision of at least 263 new homes within the designated East Boldon Neighbourhood Forum Area;’

Although the base date for the document it April 2023, the Regulation 19 Local Plan does not acknowledge an additional 202 houses proposed for Cleadon Lane, a site that still awaits formal approval, it being subject to legal ratification. In total, some 470 houses could now come forward within the village of East Boldon. A community of 1,800 dwelling, constrained by its Victorian infrastructure, and ‘at capacity’ services, will be subject to a growth of 26%. I do not believe that this will result in sustainable development. I believe the consultation where the correct numbers were not explained to the community, is at best flawed.

The effect on the village of East Boldon will be made worse by other sites included in the plan that are close by. Site GA4, Land at West Hall Farm, where 259 dwellings are proposed, is immediately adjacent and much of the traffic from this site will travel through East Boldon. The problem of nuisance parking associated with those travelling into East Boldon to use the Metro system will be made worse by this site and by a further 400 dwellings proposed for site GA3 (Land to North of Town End Farm), close by

I believe that the inclusion of GA2 site will result in development that is not sustainable, and will destroy the character and distinctiveness of the village, and therefore does not adhere to the commitment embodied within strategic policy SP3 (2), “Secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting growth which respects the distinctive character of each village.” In particular, I believe that the number of houses now coming to East Boldon will mean that proposal is at odds with some of the key aspects of paragraphs 8 and 9 of the NPPF in respect to sustainable development:

Wildlife will be impacted in a way that cannot be mitigated; the wellbeing and health of its residents will suffer, and be affected by the strain on infrastructure, pollution, noise and traffic issues; and the promote a well-designed, beautiful and safe places, with accessible services will not be realised because of the scale of the proposal for site GA2.

I believe the Plan has not been positively prepared to meet the objectively assessed need for homes, services and infrastructure in East Boldon and is not effective in delivering sustainable development in the Forum Area.

Proposed Modification

Remove site GA2 from the Plan

Details of Representation:

Policy 47 as currently drafted does not specifically provide tree lined streets:

I do not understand why more emphasis is not given to the need of trees to be provided in new development. The climate and ecological merits of trees are well understood, yet the policy does not set out a firm requirement. I understand that the NPPF sets out the need for tree lined streets. Please could this be included.

Proposed Modification

Expand Policy 47 to include the requirement for tree lined streets

Details of Representation:

Policy 25 does not give sufficient detail about how the infrastructure of East Boldon can, or would be delivered to support a 25% increase in household numbers.

I do not believe the existing infrastructure can be changed in such to deal with the number of houses proposed for East Boldon. The Victorian Road network is at capacity (earlier versions of the local plan seemed to acknowledge this) and will not be able to cope with the additional traffic resulting from the number of houses proposed. Houses are built along the busy A184 linking Sunderland to Newcastle , noise and air pollution is already an issue. Delays are currently experienced at traffic controlled junctions and railway crossings.

The terraced streets near the Metro Station are plagued by people who come for further afield to park their cars and use the train service. This will be made much worse by the location of the sites proposed.

Schools are at capacity and the infant school sits on a restricted site and cannot be expanded. Vehicular access to the junior school (and parking) is problematic.

Dentists and doctors surgeries are full.

The local plan does not seem to sufficiently acknowledge the extent of the current issue, let alone explain in a way that is deliverable, how the increase expansion etc will be dealt with. The reliance on developer contributions to fund improvements, even if these were possible, seems 'pie in the sky'.

Proposed Modification

Reduce housing numbers proposed for East Boldon so that the existing infrastructure can cope.

Yours Sincerely,

Emma Johnston

Sent from my iPhone

Response ID ANON-TJBH-TDGT-U

Submitted to South Tyneside Publication Draft Local Plan 2023-2040

Submitted on 2024-02-02 11:24:59

Policy SP3: Spatial Strategy for Sustainable Development

Do you consider that the element of the Local Plan you are responding to meets the statutory tests of Legal Compliance, Soundness or Duty to Cooperate?

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

If you wish to support or object to the legal compliance or soundness of the Local Plan or with the Duty to Cooperate, please use this box to set out and explain your comments. Please be as precise as possible. As a guide, we would recommend no more than a 100 word summary of each point.:

Statement of Community Involvement

This element of the plan has not been developed in line with the statement of community involvement. The scale of objection to 263 houses in a single location in East Boldon demonstrates that the local community has not been listened to and therefore the Statement of Community Involvement has not been adhered to.

National planning policy

- The extent to which there are unresolved objections to this proposal means that the plan does not meet national planning policy
- The Plan does not meet the national planning policy 'decision making' criteria - the decision to create 263 homes in one single area of South Tyneside, whilst not identifying any other location in the Borough for a similar sized development demonstrates a lack of proportionate and effective engagement and an unsustainable approach.

The Plan does not meet 'Plan Making' criteria - the decision to locate 263 houses in one location in South Tyneside is not 'justified'. The Council have clearly not taken into account reasonable alternatives.

Duty to Cooperate

The plan does not comply with the 'duty to cooperate'. The Council have not taken on board the strong views held by residents of East Boldon and the East Boldon Forum with regard to 263 houses planned in a single location in East Boldon. Therefore, the Council have demonstrated that they have not cooperated and have not worked with this organisation to address issues in the preparation of the Plan.

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test(s) you have identified where this relates to soundness. (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.:

To make the Plan legally compliant and Sound, the Council need to:

- adhere to the Statement of Community Involvement and develop the plan in line with the statement of community involvement. This will involve listening to the local community and East Boldon Forum and addressing their concerns regarding the proposed 263 houses in a single location within East Boldon.

- adhere to National Planning Policy by addressing unresolved objections to the proposal for 263 houses in one single location within East Boldon. means that the plan does not meet national planning policy

- comply with 'decision making' criteria by exploring and considering (with public involvement) other locations in the Borough for a similar sized development so that there is proportionate and effective engagement and a sustainable approach to developing housing spread evenly across the Borough.

- adhere to 'Plan Making' criteria. The Council must take into account reasonable alternatives to large housing developments such as the 263 houses in one location in East Boldon. Options must be considered and a decision clearly 'justified'.

The plan does not comply with the 'duty to cooperate'.

If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?:

There is work to be done to make the plan legally compliant, sound and compliant with the Duty to Cooperate before it progresses any further towards being an agreed formal plan.

If it helps to ensure that the above points are addressed and adhered to I have happy to participate.

Policy SP4: Housing Allocations in the Main Urban Area

Do you consider that the element of the Local Plan you are responding to meets the statutory tests of Legal Compliance, Soundness or Duty to Cooperate?

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

If you wish to support or object to the legal compliance or soundness of the Local Plan or with the Duty to Cooperate, please use this box to set out and explain your comments. Please be as precise as possible. As a guide, we would recommend no more than a 100 word summary of each point.:

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Policy SP7: Urban and Village Sustainable Growth Areas

Do you consider that the element of the Local Plan you are responding to meets the statutory tests of Legal Compliance, Soundness or Duty to Cooperate?

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

If you wish to support or object to the legal compliance or soundness of the Local Plan or with the Duty to Cooperate, please use this box to set out and explain your comments. Please be as precise as possible. As a guide, we would recommend no more than a 100 word summary of each point.:

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If it helps to ensure that the above points are addressed and adhered to I have happy to participate.

Your personal details

What is your name?

Name:

Phil Clow

What is your email address?

Email address:

[REDACTED]

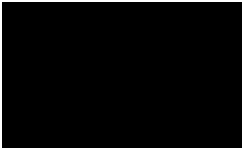
Who are you responding as?

Resident or Member of the General Public

Organisation:

What is your postal address?

Address:



Submitted to Habitat Regulations Assessment 2024
Submitted on 2024-03-03 17:42:54

Introduction

1 Do you have any comments relation to the HRA?

Comments:

My comments are included in this link.

https://1drv.ms/w/s!Ar12-c9uZd71tTE7_jeH7yFh9Fz9?e=WWQ3eVhttps://1drv.ms/w/s!Ar12-c9uZd71tTE7_jeH7yFh9Fz9?e=WWQ3eV

The proposal is not sound.

2 What is your name?

Name:

Christine oliver

3 What is your email address?

Email:

[REDACTED]

4 What is your postal address?

Address:

[REDACTED]

5 What is your organisation?

Myself

Response ID ANON-5JMM-6ZCE-H

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 18:45:38

Have your say

1 Do you have any comments to make in relation to the Scoping Report?

Comments:

Regulation 19 Local Plan Consultation Representation

Paragraph Local Plan
Policy SP8 Fellgate Sustainable Growth Area

I refer to the above which I believe to be neither compliant with duty to cooperate, sound or legally compliant.

New Homes Requirement

The paragraph numbered 4.35 (page 37) states "Land South of Fellgate offers a unique opportunity to deliver a new sustainable community. It will be well designed and provide an attractive and desirable place to live. Development of the area will respond to the site's spatial context and incorporate all the necessary components to achieve a healthy, liveable, and vibrant new community". The objectives set out are only an opportunity which will take many years to come to fruition and where there are no guarantees that the "opportunity" can be achieved.

The basis of the design and calculations on the sustainable community with shops, a primary school and GP practice is NOT SOUND or actually credible. Many of the statistics used to calculate the number of homes required to be built in South Tyneside are out of date and this has resulted in numbers being over estimated. The number of homes proposed appears to be based on the 2014 household projections, these have been shown to be an overestimate according to the 2021 Census.

Requirement Connected to New Jobs

In evidence document LSH 2 Employment Area Assessment.xlsx it provides a picture where the 46 Employment sites within South Tyneside are categorised as: 13 good, 13 Average & 20 Poor. In addition the International Advanced Manufacturing Park (IAMP 1 & IAMP 2) are categorised as None: The IAMP buildings are within Sunderland Local Authority boundaries, though the Northern ends of Phase 1 will extend into South Tyneside. It could be argued that "Employment Areas" are atrocious an all-time low, with buildings vacant or retained for employment. Due to the change of employment in the UK to a service based economy, many of the industrial estates operate with low numbers of personnel.

The basis for Fellgate development hinges on the development and completion of the International Advance Manufacturing Park and the anticipated need for housing of the personnel who will work on the site. According to the IAMP web site & documentation only 3 buildings have been developed and are in use covering 623,000 sqft out of a potential 4 million sqft availability situated in the 245 Acres of land, which was green belt that has already been lost.

At this point there are many plots not allocated, nor are there signs of additional significant building works; as stated in document LSH 2 Employment Area Assessment. Phase 1 "Some infrastructure completed. Phase 2 "Requires Infrastructure", the overall number of totally new jobs created and therefore needing housing could be questioned and the new SNOP factory on the site only created an additional 100 roles, and the people working in existing businesses presumably have homes! The first completed building which is recorded as "The Innovation Centre" completed in 2019 remains empty having been used for CV-19 purposes and as a result the planned tenant took a site across the road next to Nissan.

As South Tyneside Council are a partner in the IAMP venture one can only assume that the building of homes on the land south of Fellgate may attract business to the Fellgate area. This cannot be proven and there is no evidence of (IAMP) being achievable within the timescales of South Tyneside's Local Plan. I have previously noted that the IAMP is within Sunderland local authority area, no evidence can be found on any direct public transport links from Fellgate to the IAMP site. until this is assessed and documented, it has to be assumed that anyone living in the proposed new homes and who may work at IAMP would use their own transport, likely to be a car. This being the case then the assumption is not recorded in the evidence provided in the Local Plan Policy 51 Traffic Assessment.

Based on this analysis SP8 is NOT sound

Sustainable Development

On page 48 and 49, in column Policy SP8: Fellgate Sustainable Growth Area, item 5 it talks about the things that the Development of this new sustainable community shall deliver"

•

Under the objectives of Policy SP8, it states "To ensure that there are sufficient new dwellings to meet the needs of the borough's population"

As proposed the 1,200 new homes will be built on the land south of Fellgate. In addition there are 127 houses being built west of the A184 (adjacent to Luke's Lane) this will bring an unsustainable level of growth which will have a significant detrimental impact on the local infrastructure and road network (discussed below and addressed in Policy 51). How will sustainable transport services be provided to town centres, stimulating economic growth.

In document Green Belt: Exceptional Circumstances (2024) paragraph 3.2 it states "Before concluding exceptional circumstances to justify making changes to the Green Belt, the NPPF at paragraph 141 requires that all other reasonable options for meeting the identified needs for development have been examined fully. Any exceptional circumstances will be assessed through the examination of the Plan and consider whether it:

-
- Makes as much use as possible of suitable brownfield sites and underutilised land

From the documenting evidence, this section is NOT Sound, as there are many brownfield and underutilised land sites that have been excluded from the plan for reasons that have not been fully justified.

In a Statement made on 19 December 2023 by Michael Gove Secretary of State for Levelling Up, Housing and Communities, and Minister for Intergovernmental Relations stated:

- "This Government is committed to protecting the Green Belt"
- "Planning policy already includes strong protections to safeguard Green Belt for future generations"
- "The Green Belt is vital for preventing urban sprawl and encroachment on valued countryside"
- "England's cities are already less dense than those of most of our European neighbours"
- "That is environmentally wasteful and economically inefficient"
- "We seek to support the gentle densification of urban areas in preference to the erosion of Green Belt land"
- "That is why the Government is ensuring it is clear there is generally no requirement on local authorities to review or alter Green Belt boundaries if this would be the only way to meet housing need"
- "Where a relevant local planning authority chooses to conduct a review, existing national policy will continue to expect that Green Belt boundaries are only altered where exceptional circumstances are fully evidenced and justified, and this should only be through the preparation or updating of plans"
- "The Government is making no changes to the rules that govern what can and cannot be built on land that is Green Belt"
- "We are clarifying in guidance where brownfield development in the Green Belt can occur provided the openness of Green Belt is not harmed"

These statements overall protect Green Belt Land. It can be determined that that the statement: "The Government is ensuring it is clear there is generally no requirement on local authorities to review or alter Green Belt boundaries if this would be the only way to meet housing need" means that there is no targets or requirements on South Tyneside to review or alter Green Belt Boundaries.

Based on this analysis and the statement from the government SP8 is NOT Sound.

Transport Infrastructure

In section iv and v, it talks about "Deliver vehicular access roads" and that "there are no unacceptable impacts on highway safety". The evidence and links to the "Local Plan Policy 51 Traffic Assessment" Stated:

- "that the calculated number of extra trips would be 100" based on this number road improvements have been completed.
- However, further investigations of additional Traffic Assessment have suggested that this figure would be closer to 312 (am) 335(pm).

The Department for Transport statistics document NTS9902a Household car availability by region (North East) for 2022 states:

- No car or van 28%
- One car or van 39%
- Two cars or vans 33%

It can be concluded from these figures that the minimum estimated number of cars or vans for the 1,327 home in the local area would be 955. Consequently, the number of trips to and from the area is anticipated to exceed the initial 100 trips recorded in the first survey and to increase significantly in subsequent investigations. This in turn does not account for any non-resident trips, such as deliveries of mail order shopping and food, much of which has increased wholly as a result of the CV-19 pandemic. As a result, sections IV and V are deemed unsound and may not meet legal compliance.

Therefore, sections iv and v. are not sound and could be legally non compliant.

Based on this analysis SP8 is NOT Sound.

Habitat & Biodiversity

In section Viii it talks about "Avoid and mitigate the impact of the development on biodiversity, wildlife corridors and ecological designations". Land south of Fellgate is a Green Belt land and in previous assessments such as the councils report "Planning the Future of South Tyneside South Tyneside Strategic Land Review Study Methodology and Results January 2018 (SLR) Ref FG16 with additional evidence in document SF072, it stated

-
- The site is a Green Belt.
- It is a habitat creation zone;
- it is a wildlife Corridor and;
- a Local wildlife site.

The study recommends that the linear links between sites of habitat value should be created and promoted, the area is of open aspect and views should be retained. It is considered that developing the site would have a HIGH impact on the landscape & significant mitigation would be required to change this recommendation.

The impact analysis asks "would development on this site impact upon the 5 purposes of the Green belt: the document stated:

- Check unrestricted sprawl of the built-up- area? Result Impact

- Safeguard borough countryside from encroachment? Result Impact
- Prevent merging of south Tyneside with Sunderland, Washington, or Gateshead? Result Impact
- Preserve the special and separate characteristics of the Urban Fringe village? Result No Impact
- Assist in the regeneration of the urban area? Result No Impact

Overall Score: High Impact - Significant mitigation required. Note this assessment assumes that of there is a need to allocate green belt sites for development, then this would be undertaken through the local plan process in a manner that would NOT be contrary to the regeneration of the urban area.

It would appear other Borough Council constituents have not been consulted in regard to impact on them.

Based on this assessment the current Proposal NOT Sound.

With regard to Biodiversity, the site is classed as category 2, this references:

- A wildlife site,
- Geodiversity site,
- near to a Great Crested Newt Pond,
- A wildlife corridor.
- Protected / DBAP species or inhabitants on the site?
- Lowland Fen Habitats

The site comprises the entire width of a wildlife corridor and includes part of the Calf Close Burn Local Wildlife Site. This is a linear site following the course of a small burn as it flows North across agricultural land and has the largest long-standing seedbed in the borough - See Local Wildlife and Geodiversity Appendices (2010)

Recent ecology studies for this broad area in support of the International Advanced Manufacturing Park have identified that there are Potential Great Crested Newt habitats within 500m of the site, and that there is a barn own habitat on site. It is considered that developing the site would have high impact as it is of a large scale within a wildlife corridor, and the development would impact upon the connectivity of habitats.

Based on this assessment the current Proposal NOT Sound.

Flood Risk

On page 7 of the Policy SP8: Fellgate Sustainable Growth Area, ix it talks about the urban drainage systems.

Historically Fellgate are has been prone to flooding, work was undertaken to install sustainable urban drainage systems (SuDS). This £21million project-built systems to alleviate future flooding, in part this has been successful, although parts of Durham Drive still have localised flood from heavy rain.

The proposals to incorporate new, appropriately designed SuDS state that "Any surface water should discharge into Monkton Burn and Calf Close Burn". Whilst the evidence provides a view that these systems will be successful, however there is little clarity that Monkton Burn and Calf Close Burn will cope with the water discharge from the proposed 1,200 homes.

Whilst no figures can be found that would estimate the amount of water entering these burns it can be assumed that there will be a significant is a risk of surface water flooding from these burns, if not in the immediate area, but further downstream where that land is near sea level. Following recent rains, the burns have overflowed near the culverts on Fellgate estate and covering footpaths near Primrose Nature Reserve,

No evidence can be found on the impact on the biodiversity, the wildlife, the Great Crested Newt Pond, and Wildlife corridor which traverse these burns. This in its self will have a negative effect towards the climate change objectives already stated by the council

Based on this assessment the current Proposal NOT Sound and may be illegal.

Communication:

Community meetings on the subject of the local plan also find the council via its planning department have been seriously lacking in its communication with residents around the plan, to the point of being almost misleading. Documents have not been made available on request at council offices despite claims to the contrary. Access to the "Have Your Say" platform has been intermittent to say the lease via local hubs for residents without computers and representatives at meetings have been ill informed and unable to answer questions, even to the point of stating they were not aware of flooding problems historically on Fellgate!

Despite these difficulties being reported to and accepted by the council on several occasions the council refused to extend the deadline for submissions on this matter.

Overall the plan is NOT compliant with the Councils duty to cooperate, or is it sound or legally compliant.

2 What is your name?

Name:
Christine Oliver

3 What is your email address?

Email:

[REDACTED]

4 What is your organisation?

Resident of member of the general public

Organisation:

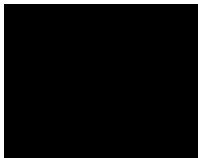
5 What is your postal address?

Address:

[REDACTED]

From: [REDACTED]
Sent: 26 February 2024 22:41
To: Local Plan
Subject: Fwd: local plan objection

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JoyceTodd

[Sent from Sky Yahoo Mail for iPhone](#)

Fwd: local plan objection

Susan Ridge

Mon 2/26/2024 10:50 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

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David Todd

[Sent from Sky Yahoo Mail for iPhone](#)

Response ID BHLF-5JMM-6ZYA-3

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-28 09:39:56

Have your say

1 Do you have any comments to make in relation to the Scoping Report?

Comments:

I am contacting you to voice my concerns about the proposed development of 1200 houses on the green belt at Fellgate. This loses permanently a good proportion of arable and food producing land which in the current global situation is increasingly important to the independent needs of this country. The plan does not take into account the extra volume of traffic at peak times trying to access the major roads as Fellgate estate has only 2 ways of exit and entry which at peak times are already congested, furthermore the existing metro car park could not cope with the extra cars and at peak times the metro train system would also be overcrowded. I am also concerned about the reason many smaller brown field sites have not been used. A further study should also be made with regard to the local population growth and whether such density of housing is necessary .Has the planning committee also considered the past flooding on the estate and the effect that extra houses will have on the drainage after heavy rainfall.

2 What is your name?

Name:

David and Kathleen Todd

3 What is your email address?

Email:

[REDACTED]

4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:

[REDACTED]

From: [REDACTED]
Sent: 21 February 2024 22:09
To: Local Plan
Subject: Re: Local plan objection Keith Ward

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KEITH WARD
[REDACTED]
[REDACTED]

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The Draft Local Plan Appendix 3 Housing Allocations Requirements under Key Considerations for each site states " Mature trees **should** be retained". This should be revised to read " Healthy, mature trees and hedgerows **must** be retained". This will achieve the aim of requiring developers to retain healthy mature trees and hedgerows onsite and incorporate them into designs.

Research shows that mature trees are more effective as a resource for addressing climate change. Mature trees absorb 40kg of carbon dioxide per year (ecotree.green) whereas young trees absorb around 5kg per year (carbonpirates.com)

The preservation of healthy , mature trees and hedgerows must be a priority in the Draft Local Plan. The NPPF also recognises the value of trees and hedgerows to biodiversity and to human health and wellbeing.

HOUSING ALLOCATION SITE: Land adjacent to High House Farm and Hanger off Access Road To NE10 8YS

Anton Lang [REDACTED]

Mon 1/22/2024 1:23 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

Cc: [REDACTED]

 3 attachments (4 MB)

KB High House Location Plan Redline.pdf; AL Wardley Adj HH Red Fox Applic Statement 2023.04.pdf; AL Wardley Adj HH Red Fox Appeal Statement 2023.10.pdf;

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STMBC,

Please assess this wider site (red lined) as a housing allocation site in the forthcoming local plan consultation process; despite the appeal dismissal today.

The PI recognises the shortfall in housing, and executive housing, which is only getting worse.

The case made for the site as a housing plot is across the planning application and appeal files - statements attached here again in support.

The site has a low ecology value which would be improved as part of the development - as per the detailed ecology work on the application files - which you already have.

This site serves no purpose for/in the Green Belt - as explored in the attached statement and should a) be removed from the Green Belt b) removed from any ecology designations on the basis of the ecology work on the application file and the fact it has no value as is mown agricultural grass, and, c) be allocated as a housing site in the next draft plan as it has development either side and is well accessed and along a main road.

Please confirm you got this email and this site is on the list to be assessed.

Best regards,

Anton

Dr Anton Lang MRTPI - Planning & Development Consultant
Anton Lang Planning Services Limited
Mobile: [REDACTED]

Email: [REDACTED]

[Anton Lang Planning Services Limited Planning & Development Consultancy](#)

From: [REDACTED]

Sent: 22 January 2024 07:58

To: antonlang [REDACTED]

Subject: Planning Inspectorate APP/A4520/W/23/3331344: Land adjacent to High House Farm and Hanger (NZ 31755 61122) off Access Road To NE10 8YS

The Planning Inspectorate (England)

Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

The Planning Inspectorate (Wales)

Crown Buildings, Cathays Park, Cardiff, CF10 3NQ

<http://www.planningportal.gov.uk/planninginspectorate>

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PLANNING APPLICATION SUPPORT STATEMENT

**BY DR ANTON LANG MRTPI OF
ANTON LANG PLANNING SERVICES LIMITED**

INFORMING THE CONSIDERATION OF THE PLANNING APPLICATION FOR TWO NEW DWELLINGS MADE TO SOUTH TYNESIDE MBC

**AT: Land adjacent to High House Farm and Hanger
(NZ 31755 61122 - (west of RED FOX NURSERY)
OFF NEWCASTLE ROAD (south of A184)
WARDLEY, SOUTH TYNESIDE NE10 8YS**

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1 INTRODUCTION

QUALIFICATIONS & EXPERIENCE

- 1.1 The author of this document is DR ANTON LANG MRTPI.
- 1.2 I am a Bachelor of the Arts with Honours in the subject of Town Planning, I hold a Diploma in Town Planning, am a Master of Town Planning, and have also been awarded a Doctorate of Philosophy by research from the Faculty of Law, Social & Environment Sciences at the University of Newcastle-upon-Tyne.
- 1.3 Additionally, I am an academically fully-qualified, but unregistered barrister, having been admitted as a member of the Honourable Society of the Inner Temple (underlining that I do not practise law, nor do I offer legal services). I have been awarded a First Class Bachelor of Laws degree and two Post-graduate Diplomas in Law from the University of Northumbria at Newcastle.
- 1.4 I am a Chartered Town Planner with full Royal Town Planning Institute membership and over twenty-five years experience of the public and private sectors in local government, quango and consultancies both multi-national and small.
- 1.5 I am also a member of the Town & Country Planning Association, the Urban Design Group, English Heritage, the National Trust and the Woodland Trust.
- 1.6 I have operated as a sole practitioner Planning & Development Consultant for the last 18 years and am Owner and Director of the incorporated registered company Anton Lang Planning Services Limited.
- 1.7 A large proportion of my work involves detailed assessment of development control applications & appeals and the deliberation of material planning considerations for both private clients and local planning authorities.
- 1.8 I have considerable experience in dealing with these matters and in particular applications for residential & commercial development.
- 1.9 I am familiar with the site, its planning history and the circumstances which have given rise to this submission.

2 BACKGROUND & KEY POINTS

- 2.1 The appellant seeks planning permission for two dwellings on an unused plot of land; with a mind to further, possible, but later, development across a similar north/south depth of site from the existing access road which runs south off Newcastle Road (the A184), on the field / site stretching eastwards up to an existing smaller cluster of development and houses at Follonsby Terrace.
- 2.2 This first application is made to gain approval for just two dwellings in this location, but on substantial proposed plots – which would be attractive as possible self-build plots and/or for executive houses and/or for people requiring sizeable surrounding lands (perhaps as they own horses, or wish to pursue a sustainable lifestyle and grow and rear their own food produce – a la ‘The Good Life’).
- 2.3 Such activities would be able to be accommodated as the proposed curtilages are so large; and it is considered this proposal offers a type, size, style and density of development that is not on offer anywhere else in either this Borough or those adjoining.
- 2.4 This is considered to be a unique proposal to address unmet demand.
- 2.5 It is requested that as part of the consideration of this scheme, the local authority demonstrate whether there are any self-build /executive size plots like this in the Borough – it is opined there are none and thus positive weight should be given to this proposal as it offers something different, and in demand, to the volume houses builders and their tightly grouped little boxes on large estates.
- 2.6 A generic / indicative house design/layout/plan/elevation suite has been supplied with this application as a full planning submission requires such detail; otherwise the nonsense situation of 4x £462 fee for a site area of 0.45 hectares would be required at outline, for just two houses which rather just attract a 2x £462 fee under a full plans submission.
- 2.7 This application is unashamedly made to test the principle of two large dwellings at this site – and there is the possible prospect that. if successful, then further submissions across

the wider field c/would propose a much more bespoke housing design for each plot, certainly should a self-build or executive housing scheme be implemented.

2.8 It is recognised this site is outside of the technical settlement boundaries.

2.9 However, there is built development to the south, a large hanger which is used for all manner of storage and helicopter repairs; and which has an albeit 'now expired' permission for:

"Demolition of existing helicopter, vehicle storage & maintenance hanger and erection of a terrace of seven 2-storey, 2-bedroom dwelling-houses with associated access, car parking, visitor parking and play & open space area (ref ST/1193/14/FUL / dated 08/06/2015)"

2.10 That adjoining site is obviously brownfield and still suitable for a similar residential redevelopment scheme; which was not able to be implemented whilst extant due to various funding reasons.

2.11 The redevelopment of that adjoining site would become more likely should this application be approved; and thus bring more units to address demand.

2.12 To the east and south-east of the application site there are existing residential units and then adjoining them the large Red Fox Garden Centre / Nursery site with many permanent structures.

2.13 To the north of the site is a main road, the dual carriageway, four lane A184, Newcastle Road. running east/west and there is access to the site from the west-bound carriageway which also serves the adjoining structures and uses and the Red Fox nursery.

2.14 It is considered that the introduction of just two new properties, would not have a "severe" impact in access, highways safety and land use terms.

2.15 It is recognised that this site is outside the current settlement boundaries, and also that this means there is an initial presumption against new development.

2.16 However, bearing in mind the existing development around this site, this type of development is something which Central Government supports, even in Green Belt situations, as under the NPPF3 Paragraph 149 at limb (g), where it is stated:

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

2.17 This "*limited infilling*" scheme involves development which does "*cause substantial harm to the openness of the Green Belt*", due to the neighbouring structures around it.

2.18 It is recalled from the NPPF that:

138. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.19 None of those purposes are compromised by these proposals and thus this development should not be regarded as contrary to Green Belt policy as per the discussion above and below.

3 PLANNING CONSIDERATIONS

- 3.1 The primary objective of this scheme is to create two new dwellings with large curtilages; but without compromising the landscape, the Green Belt, the countryside, neighbours or other interests of acknowledged importance.
- 3.2 CABE guidelines (within Design & Access Statements, CABE 2006) advise that proposals should be considered under the following topic areas:
- Use, Amount, Scale, Layout, Landscaping, and External Appearance.
- 3.3 It is considered that the new, two unit residential USE at this site is acceptable for the reasons articulated throughout the planning submission and now this document, as the proposals can be regarded as infill, and also provided dwellings and curtilages not found within this Borough.
- 3.4 The new development is proposed plenty far enough away from existing neighbours so as to have no adverse impact upon them.
- 3.5 It is considered that the AMOUNT and SCALE of development is acceptable and reflect the landscape, the local topography, and particularly the scale of the surrounding structures.
- 3.6 It is considered that the LAYOUT of the development in relation to the wider site enables the new dwellings to have their own space, away from the boundaries, but still substantially screened and therefore is on balance appropriate in siting and design terms. The layout also enables further development to the east if deemed appropriate.
- 3.7 The LANDSCAPING and BOUNDARY TREATMENTS aspects of this scheme can be controlled by standard planning conditions if considered necessary to retain existing and provide further if required.

ACCESS & CAR PARKING CONSIDERATIONS ASSESSMENT

- 3.8 It is considered there would be no unacceptable changes proposed to highways and car parking, with plenty of capacity provided for the new dwellings.

- 3.9 The existing access is in current commercial use and just two additional dwellings would not be expected to increase traffic, journeys and visits to an unacceptable degree

PLANNING OBLIGATIONS STATEMENT

- 3.10 It is considered that there is actually no need for a private agreement, unilateral undertaking or a planning obligation between the applicant and the local authority with regards to these proposals, as this is an acceptable development on this site, and any other requirements can be controlled by planning conditions.
- 3.11 Being just a two unit scheme, this means it is well below the ten unit threshold to demand obligation payments.

ENVIRONMENTAL IMPACT ASSESSMENT STATEMENT

- 3.12 It is considered professional opinion that this application does not require an Environmental Assessment as it does not fall within Schedule I and is not considered to be a Schedule II development of such a scale as to require an EIA.

4 LOCAL PLANNING POLICY

4.1 The duties of decision makers when making any determination under the Planning Acts are set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.

4.2 This states that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

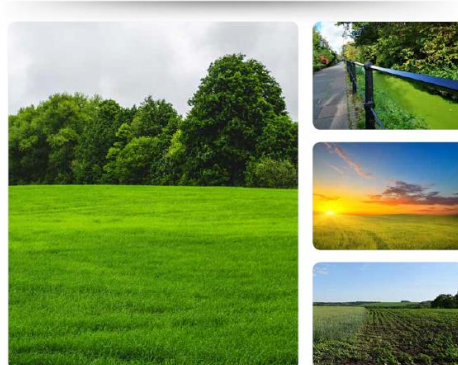
DEVELOPMENT PLAN POLICY

4.3 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan is formed by the Core Strategy Document (adopted June 2007) and the Development Management Policies Plan (adopted December 2011).

4.4 An emerging 'county-wide' local development plan is not yet adopted, but as it is so far into the adoption process, and with the Core Strategy Plan and Development Management Plan and their policies both being over a decade old, it is worth concentrating policy analysis on the emerging document which looks like this:

South Tyneside Draft Local Plan

2021-2039



DRAFT LP POLICY 13: WINDFALL & BACKLAND DEVELOPMENTS

4.5 Draft Local Plan Policy 13 regarding 'Windfall & Backland Developments' states:

<p>Windfall Sites and Backland sites</p> <p>Policy 13: Windfall and Backland sites</p> <p>1. Residential development on sites that have not been allocated in the Plan will be considered positively where:</p> <p>i. The site is previously developed or is a small infill site within the main urban area or would make a positive contribution to the identified housing needs of the Borough</p> <p>ii. The site has access to sustainable modes of transport</p> <p>iii. Development would make the best and most efficient use of available land</p> <p>iv. It can be demonstrated that there will be sufficient infrastructure capacity, either existing or proposed, to support the level of development</p> <p>v. Development would make a positive contribution towards creating sustainable, healthy, safe and diverse communities that contribute positively to the character of the area</p> <p>2. The development of residential new build within the curtilage of an existing dwelling, known as Backland development, shall:</p>	<p>i. Have its own separate and independent vehicular access which does not infringe on the amenity of adjacent dwellings</p> <p>ii. Ensure it is acceptable in terms of the amenity of adjoining dwellings</p> <p>iii. Be of a form and scale that respects the local character of the area having regard to density, size and massing of existing buildings</p> <p>iv. For both the existing and proposed dwellings, provide adequate privacy, outlook, and garden space for recreational needs</p> <p>v. Ensure the setting and character of the existing dwelling is not eroded.</p> <p>8.13 Whilst it is the role of the Local Plan to provide for, and specifically allocate, sites to meet the overall housing needs, proposals for new sites which have not previously been identified in the Plan will continue to come forward for consideration throughout the Plan period. Residential proposals which come forward on sites outside of those allocated in the Local Plan are known as housing 'windfalls'.</p> <p>8.14 During the Plan period land may come available to contribute towards the Borough's housing need. Policy 13 ensures that windfall and backland sites are designed and planned appropriately.</p>	<p>8.15 The spacious nature and low density of some of South Tyneside's 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 heritage significance by eroding the unique character that makes these places special, particularly if the principles of good design are not considered. It is essential therefore, if development takes place on backland sites, that it is appropriate in all respects and that it makes a positive contribution to the environment and community to ensure the local distinctiveness and character of these areas is maintained.</p> <p>8.16 In particular, the traditionally designed bespoke houses set centrally within large private garden plots in Cleadon Plantation combine to provide a wooded garden suburb character to the area that is unique to the Borough. In the interests of preserving the distinctive character of the Cleadon Plantation, the Council will resist development proposals for infill housing unless a development proposal complies with all three of the following:</p>
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4.6 Under Section 1, Limb (i), it is considered that this scheme makes a *"positive contribution to the identified housing needs of the Borough"* as providing large self-build / executive / sustainable living / equestrian plots which are not found elsewhere, nor allocated currently nor within the emerging draft Local Plan.

4.7 It is considered that the local authority and case officer will have to demonstrate the up-to-date situation with regards both executive dwellings and self-build plots being available, and the length of the self-build register.

4.8 Furthermore, if there are any approved sites, or plan designations, with curtilages commensurate with those proposed here.

4.9 If there are none demonstrated, then clearly this proposal is "meeting a housing need of the Borough".

DRAFT LP POLICY 19: HOUSING MIX

4.10 Draft Local Plan Policy 19 regarding 'Housing Mix' states:

8.44 To ensure sufficient quality accommodation is available to meet current and future needs, a supply of good quality, affordable housing is required. Affordable housing should be provided onsite where practicable. Developments should be 'tenure neutral' so that affordable housing is not distinguishable from market housing by layout, design, or materials.	3. Where appropriate, increasing the supply of detached homes in the Borough 4. Where appropriate, increasing the choice of suitable accommodation for the elderly population and those with special housing needs including bungalows and extra care housing 5. Encouraging the inclusion of self-build and custom housebuilding plots as part of larger housing developments, where it is viable and where there is an identified need 6. Ensuring new homes meet the needs of our aging population and are accessible to all.	8.47 It is important that new homes provide a mix of good quality homes, designs and tenures which will contribute towards catering for people choosing to stay or move into South Tyneside whilst delivering sustainable neighbourhoods. 8.48 While most of the development within the Plan period will be carried out by private developers, it is still important that an appropriate mix of housing is developed to meet the housing need. The SHMA provides information on the housing need in the Borough as well as information on the type and size.
8.45 In addition to the requirement of affordable housing and the split in tenure, the SHMA highlights the need for different household types, dependant on location. There is a need for additional affordable housing for one and two bedroom homes throughout most areas of the Borough but particularly Hebburn and Jarrow.	8.46 To ensure that a choice of homes is available that will address the need for homes of different types, developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term, considering the nature of the development and character of the location. The Council also recognises the need for the market to provide a choice in terms of type and mix of housing.	Custom and Self Build 8.49 The Housing and Planning Act 2016 supports existing legislation for self-build and custom housebuilding by requiring Local Authorities to ensure sufficient serviced plots, with permission, are available to meet demand in their area. 8.50 The Council has a Self and Custom Build Register, enabling people who are interested in finding suitable building plots in South Tyneside to register an interest and will support individuals who wish to build houses for their own occupation. The Council will use the information contained within the register to inform decisions regarding the type and mix of housing on individual sites.
<p>Housing Mix Policy 19: Housing Mix</p> <p>Housing development shall deliver an appropriate mix of housing types, sizes, and tenures to meet identified needs and to create and maintain mixed and balanced sustainable neighbourhoods by:</p> <ol style="list-style-type: none"> 1. Contributing to meeting affordable housing need, market housing demand and specialist housing 2. Providing an appropriate mix of house types and sizes which enhance local housing options and are acceptable for the site and its location 		

4.11 It is considered that the proposal accords with the relevant limbs of this policy; in particular Limb 3 which aims to be: *"increasing the supply of detached homes in the Borough"*.

4.12 The plots also would suit self-builders under Limb 5.

SUMMARY

4.13 Overall, it is considered that this unique proposal is local plan policy compliant and acceptable with regard to all relevant material planning considerations for the reasons discussed throughout this section.

4.14 National guidance is addressed in the next section.

5 NATIONAL PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK 3 – JULY 2021

- 5.1 The National Planning Policy Framework (NPPF3) has been updated for a third major time and continues to be positive towards development, as did its predecessors from 2012 and 2018.
- 5.2 The NPPF3 still stresses that local authorities should seek to approve applications which propose sustainable development – i.e. those that do not compromise existing or future interests, as at:

2. Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection⁵.

- 5.3 The more effective and efficient use of existing unused land, which can be regarded as infill site when surrounded by development and outside of settlement boundaries, can be something which is 'sustainable development' in principle; especially when there is a direct existing access.
- 5.4 The revised NPPF makes a positivity towards development clear throughout, especially at Page 13:

4. Decision-making

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.5 All development proposals should be considered in a "*positive and creative way*" and decision-makers should seek "*to approve applications for sustainable development where possible*".
- 5.6 This is direct national policy.

- 5.7 The effective and efficient use of all land remains a key tenet of planning policy, as at revised NPPF3, Page 35:

11. Making effective use of land

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land⁴⁷.

- 5.8 The phrase "*promote an effective use of land*" is useful to ponder – these proposals are just that.

- 5.9 These proposals are considered to comply with the aims of the revised NPPF, *ibid*:

120. Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁴⁸; and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

- 5.10 This scheme is also considered to directly comply with limb (d), to: "*promote and support the development of under-utilised land and buildings*" – this land is clearly under-utilised.

- 5.11 The effective and efficient use of land is continually promoted throughout the revised NPPF, as at Page 36:

Achieving appropriate densities

124. Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

5.12 This scheme is such a (more) "*efficient use of land*" – which creates new dwellings on unused lands.

5.13 The revised NPPF3 only underlines again that decision-makers within the planning process should look positively and proactively at all development schemes, and should try to approve them.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
 - a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).

5.14 This scheme does not unacceptably conflict with any of the three main objectives above. The NPPF then states that sustainable development is to be "*pursued in a positive way*" with a "*presumption in favour of sustainable development*".

The presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

 - a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For **decision-taking** this means:

 - c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁹; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 5.15 In the NPPF3, the development control/management test is clear – "permission should be granted unless...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits".
- 5.16 The main issue is encapsulated here – as it is considered the slight impact of the built form does not *"significantly and demonstrably outweigh the benefits"* of this scheme in making a more effective and efficient use of the lands and bringing unique, large plots into the supply chain.

SUMMARY

- 5.17 We are in an age when Central Government is stressing the importance of utilising all land to its optimum degree; this is particularly with regard to new development schemes.
- 5.18 National guidance encourages the efficient and effective use of all land.
- 5.19 It would be obtuse and contrary to the spirit and intention of national policy to inhibit minor, and unique development such as this – the local plan itself wants more detached dwellings.
- 5.20 The determination of individual planning applications and appeals is intended to be on their specific merits within the framework of the planning system and not a blanket application of policy without consideration.
- 5.21 A positive but balanced view of these proposals in the context not just of the locality, but the aims of national planning policy, can result in a planning approval.
- 5.22 From the identification and discussion of the policies in the previous section and this, it is clear that these proposals accord with the policies and their provisions and thus are generally and on balance acceptable.
- 5.23 Acknowledging that the development plan policies and national guidance carry significant weight in the consideration of this scheme, and in view of this proposal's compliance, planning permission should now be granted.

6 CONCLUSION

- 6.1 An objective analysis of this scheme against all relevant material planning considerations has considered this scheme to be acceptable on a reasonable balance of salient factors.
- 6.2 It is considered the very general and strategic planning considerations which *prima facie* may be considered to preclude the approval of planning permission for the development of this site as submitted in this planning application are outweighed by a closer examination of the issues and the obvious benefits of better utilising this land.
- 6.3 This proposal makes a more effective and efficient use of this existing unused site.
- 6.4 The Borough needs more detached houses, that is emerging Local Plan policy, as would be developed here.
- 6.5 The Borough needs self-build plots, which are well-suited to this development and could be made a condition of the consent.
- 6.6 The Borough has few/no allocated plots with large curtilages for equestrian, self-sustainability / home-farming and other area-demanding uses.
- 6.7 The plot sizes and the distances between the new structures and neighbours are sufficient to ensure more than acceptable levels of privacy and amenity are retained.
- 6.8 It is clear there is now to be an emphasis on growth and positive decisions on planning applications. It is Government's clear expectation is that the answer to development and growth should wherever possible be 'yes'.
- 6.9 It is considered this scheme would NOT compromise the key sustainable development principles set out in national planning policy, nor the aims and intentions of the Green Belt, and thus should be looked upon positively.
- 6.10 Or, to put it another way, would these proposals lead to such demonstrable and unacceptable harm overall so as to warrant a refusal of planning permission.
- 6.11 It is clearly the case that this is very modest development on any fair balance of all material planning considerations.

6.12 To resist this proposal on Green Belt or countryside grounds would be wrong in the context of the location so close to the main road, and with structures surrounding.

6.13 Overall, putting all the material planning considerations on a fair and reasonable balance, it is therefore respectfully requested that for the reasons outlined in this statement planning permission is granted approval as:

'The proposed development is acceptable, as it will not adversely affect the character and appearance of the existing neighbouring buildings, the surrounding area, the Green Belt or the countryside and provide for unique, new residential plots for detached houses, and/or executive houses, and/or self-build houses, and/or houses with large curtilages; none of which are being adequately addressed by current land allocations and supply.

Further, it is considered that the proposed development is in accord with national guidance, the adopted development plan and the adopted local development framework for the area and the relevant policies contained therein and the emerging plan as a more effective and efficient use of this under-used land.'

6.14 Thank you for your time taken to consider these matters.

Dr Anton Lang MRTPI – April 2023



GROUPS OF PLANNING APPEAL SUPPORT STATEMENT

BY DR ANTON LANG MRTPI OF
ANTON LANG PLANNING SERVICES LIMITED

INFORMING THE PLANNING INSPECTORATE
AGAINST THE REFUSAL BY SOUTH TYNESIDE MBC:



South Tyneside Council

NOTICE OF REFUSAL OF PLANNING PERMISSION Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

Contact Name and Address:
Anton Lang Planning Services Ltd

Application No: ST/0273/23/FUL
Date of Issue: 19/09/2023



In pursuance of their powers under the above mentioned Acts, South Tyneside Council as Local Planning Authority **REFUSE** planning permission for the following development:

Proposal: Construction of two residential dwellinghouses and new access spur road West/East off existing access road (which leads South from A184) with associated landscaping and biodiversity net gain improvements
Location: Land adjacent to High House Farm and Hanger (NZ 31755 61122) off Access Road To High House Farm / Red Fox Nursery (to west), South of Newcastle Road (A184), Wardley, NE10 8YS

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1 INTRODUCTION

QUALIFICATIONS & EXPERIENCE

- 1.1 The author of this document is DR ANTON LANG MRTPI.
- 1.2 I am a Bachelor of the Arts with Honours in the subject of Town Planning, I hold a Diploma in Town Planning, am a Master of Town Planning, and have also been awarded a Doctorate of Philosophy by research from the Faculty of Law, Social & Environment Sciences at the University of Newcastle-upon-Tyne.
- 1.3 Additionally, I am an academically fully-qualified, but unregistered barrister, having been admitted as a member of the Honourable Society of the Inner Temple (underlining that I do not practise law, nor do I offer legal services). I have been awarded a First Class Bachelor of Laws degree and two Post-graduate Diplomas in Law from the University of Northumbria at Newcastle.
- 1.4 I am a Chartered Town Planner with full Royal Town Planning Institute membership and over twenty-five years experience of the public and private sectors in local government, quango and consultancies both multi-national and small.
- 1.5 I am also a member of the Town & Country Planning Association, the Urban Design Group, English Heritage, the National Trust and the Woodland Trust.
- 1.6 I have operated as a sole practitioner Planning & Development Consultant for the last 18 years and am Owner and Director of the incorporated registered company Anton Lang Planning Services Limited.
- 1.7 A large proportion of my work involves detailed assessment of development control applications & appeals and the deliberation of material planning considerations for both private clients and local planning authorities.
- 1.8 I have considerable experience in dealing with these matters and in particular applications for residential & commercial development.
- 1.9 I am familiar with the site, its planning history and the circumstances which have given rise to this submission.

2 BACKGROUND & KEY POINTS

- 2.1 Attention is first drawn to the Planning Application Support Statement, which makes an overwhelming case in favour of the development.
- 2.2 The two key and overwhelming issues in the consideration of this appeal are that:
- 2.3 Firstly, there is apparently a "*significant*" shortfall in housing completions across this Borough in recent years; not that one can find any Annual Monitoring Reports on the Council website.
- 2.4 When email enquiries were made, I was told "*Due to capacity issues we have been unable to regularly produce a AMR*"; something which is flabbergasting, and very concerning.
- 2.5 The word "*significant*" is used in the Case Officer Report; the housing situation could well be worse – but we are not to know much with any degree of contemporary accuracy.
- 2.6 There are some SHLAA figures from a report in June 2022 which purports:

Delivery Test	Number of homes required			Total number	Number of homes delivered			Total number	Housing delivery	Consequence
	2018/19	2019/20	2020/21		2018/19	2019/20	2020/21			
2018/19	353	320	227	997	247	236	182	665	74%	Presumption in favour of sustainable development & 20% Buffer

Table 17 Housing Delivery Test

- 2.7 So, the MINIMUM housing delivery requirements are not even being met, not even three quarters of it (74%) and that is not taking into account the full extent of the pandemic and the ripple effects that will have had.
- 2.8 Quite simply, the local authority has not met even the lowest target it should be meeting, year, on year, on year since at least 2018, and thus well before the pandemic and its effects which would have made things worse.
- 2.9 The Local Plan has not recognised enough sites, and the Development Control process has not granted enough permissions. The Council are not even monitoring things.

- 2.10 The Local Authority has failed with regards to housing supply, meeting demand and delivery.
- 2.11 Furthermore, the Local Authority have failed to actually ensure they have monitored this worsening situation; all of which is appalling.
- 2.12 Secondly, that despite repeated requests, the Case Officer and the Local Authority have not been able to provide any detail regarding the availability of any large executive housing plots; so well connected; which could accommodate substantial, executive level houses; with large curtilage, garden, recreation, and/or animal paddock plots.
- 2.13 Nor have they provided any detail of self-build plots, despite repeated requests as per the Planning Application Support Statement and email requests (as on 20 June 2023 – see email chain attached):

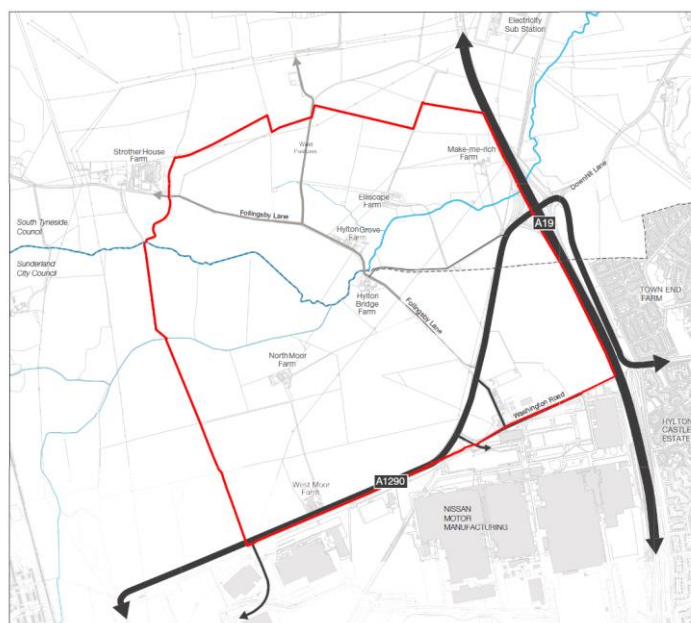
Please can you answer five queries:

- 1) Do you have any housing sites within your Borough that offer such large plots?
- 2) How many truly executive style houses have permission in this Borough?
- 3) Any of 2) that have the plot size offered here?
- 4) Any self-build plots this large?
- 5) What are the latest figure with regards self-build demand, supply and completions.

Thank you in advance.

- 2.14 It is considered that those requests have been ignored, quite simply, because such large housing plots do not exist in this Borough, and are not being provided or being planned.
- 2.15 There certainly seems to be no real interest in ensuring or monitoring housing development within this Borough.
- 2.16 The fact there is no monitoring is a huge concern.
- 2.17 The fact there seems to be no promotion of self build plots, is another concern.
- 2.18 The fact there does not seem to be any recognition that a range of types of housing is a further concern.
- 2.19 This lack of attention, monitoring, concern and supply is even more acute considering the grandiose plans and aims of the local authority.
- 2.20 South Tyneside's A19 corridor industrial area, less than a mile from the appeal site, just north of the existing large Nissan site, is targeted for huge expansion and further economic development; see Action Plan attached (overleaf):

Figure 1: IAMP AAP Boundary



- 2.21 However, it appears that no provision has been made for top level housing within the Borough – close to those industrial areas, but with the amenities that high level business men now demand for themselves and their families.
- 2.22 That is to say, big plots, for big houses to go upon them.
- 2.23 I asked the Council to demonstrate them, but the request fell on deaf ears.
- 2.24 It is obvious that the executives and high wage earners that will have to come to the area first to set up the businesses will need to be housed; yet no direct provision for them has been made. A situation which will further inflate the housing market.
- 2.25 This appeal site, and the wider site, and the hanger site, are in a superb location for such housing, close to the A19 and those industrial areas, so providing a level of proximity, but also a high level amenity that would be demanded.
- 2.26 The Green Belt designation is noted, but that is not a complete moratorium on development; decisions still have to be made in a pragmatic way, especially when there is such a large shortfall of all manner of housing.
- 2.27 Also, any development of this appeal site has to be taken in the context of the huge helicopter hanger, the much extended nursery operation to the east, the large house and garden to

the east (of the nursery owner), the existing modest stone built house to the south, the pylons, and the main road to the north; there is development all around.

- 2.28 This site is far from being the 'open countryside', it cannot be described as isolated, and thus is not inappropriate for development.
- 2.29 As the Planning Application Support Statement makes clear in its Section 2: "*This is considered to be a unique proposal to address unmet demand*".
- 2.30 The local authority did not answer the query posed:
- 2.31 *It is requested that as part of the consideration of this scheme, the local authority demonstrate whether there are any self-build /executive size plots like this in the Borough – it is opined there are none and thus positive weight should be given to this proposal as it offers something different, and in demand, to the volume houses builders and their tightly grouped little boxes on large estates.*
- 2.32 Quite simply, the case to resist this proposal is not well made, appears somewhat flimsy, and solely based on a simple but unreasonable assumption that as the site is designated under a broad-brush Green Belt swath, it must thus be resisted at all costs, and without proper exploration or balance of all salient planning factors: that is unfair, and unreasonable.

3 REBUTTAL REFUSAL REASON ONE

3.1 The first of two refusal reasons stated:

- The proposed development by virtue of its siting and scale would result in demonstrable harm to the openness and visual amenities of the Green Belt and conflict with the Green Belt purposes of checking the unrestricted sprawl of large built-up areas, safeguarding the countryside from encroachment and assisting in urban regeneration, by encouraging the recycling of derelict and other urban land. Furthermore the proposal constitutes inappropriate development in the Green Belt which is harmful by definition. It is not considered that there are very special circumstances that outweigh the Green Belt harm by way of inappropriateness and other harm arising from the proposed development. The proposal is therefore contrary to Policy EA1 of the South Tyneside Local Development Framework and the National Planning Policy Framework (NPPF).

3.2 It is considered that the local authority has not provided any actual evidence that there would be "*demonstrable harm to the openness and visual amenities of the Green Belt*".

3.3 It is worth considering an aerial view of the site and the locality – which rather demonstrates that actually there is development on all sides.



3.4 The site is the open land above the words 'Redfox Garden'.

3.5 To the north is the dual carriageway, the A184 Newcastle Road; to the east is the RedFox Nursery complex with the residential property and its garden to its north (so that green area adjoining is technically 'previously developed land' under Central Government definitions: as it is private garden outside of a settlement as per the case: *Dartmouth*), and also lots of commercial buildings and outbuildings; to the south of the appeal site is the helicopter hanger, to the south of the wider

field is despoiled land and a former colliery, with the A&A Crane and Haulage Depot and then Follingsby Industrial Estate in the photo shown, and to the west of the wider field is the small estate of houses based around roads called Follonsby Terrace, despite being detached houses sat within decent plots.

- 3.6 So: when looked at from above, and objectively, this site and the wider 'field' are far from 'open', rather they are actually enclosed by development, activity and brownfield lands on all sides.
- 3.7 It is considered in the context of its surroundings, this site is an ideal place for development; and that this site could actually be regarded as an 'infill' site.
- 3.8 It is considered there is no "*demonstrable harm to the Green Belt*" by virtue of these proposals, and that the local authority has not actually demonstrated any harm.
- 3.9 In the context of what is shown on the aerial photo, and the surrounding land uses, it is considered the appeal site offers nothing in openness or visual amenity terms to the wider Green Belt as an entity in itself.
- 3.10 It is recalled from the NPPF that, as per the refusal reason:

138. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 3.11 None of those purposes are compromised by these proposals and thus this development should not be regarded as contrary to Green Belt policy.
- 3.12 The proposal is not a "*sprawl of large built-up areas*", the built-up areas surrounding are not sprawl and are not large. The proposal is anyway restricted by the robust boundary edges and would be low in density.
- 3.13 The proposal does not involve "*neighbouring towns merging into one another*".
- 3.14 The proposal does not impinge on the aims of "*safeguarding the countryside from encroachment*", as the site itself, due to

its surroundings, and being so enclosed, cannot fairly be described as countryside.

- 3.15 The site, and wider site, is a single, open grassland area, as a wider apron to the helicopter hanger; it cannot fairly be described as "*the countryside*". It is an enclosed field at best.
- 3.16 Limbs d) and e) are obviously not relevant and are not adversely affected by this proposal.
- 3.17 So, as the Planning Application Statement also concludes, this proposal would not compromise the aims of Green Belt policy, and would not tangibly impact on openness and visual amenity due to the surrounding structures and neighbouring land uses and thus can be seen as policy compliant.
- 3.18 Even if the scheme is not seen as fully policy compliant, any impacts would be marginal at most, would retain large areas of openness as the development is so low density (the plots are so large), and thus should still be seen as acceptable on this site and within this setting and surroundings.
- 3.19 The "*very special circumstances*" are an agglomeration of all these many reasons: the site context and surroundings explored above; the local authority recognised housing shortfall across the Borough; and, the complete lack of such large, executive and/or self-build plots within this, and any other of the Tyne/Wear Boroughs.
- 3.20 There would also be net biodiversity gains, which can be ensured by planning conditions; as per the ecology work attached.
- 3.21 On a fair balance of the positives and salient planning factors and issues – this proposal should rather have been seen as acceptable.

4 REBUTTAL REFUSAL REASON TWO

4.1 The second of two refusal reasons stated:

- 2 Insufficient information has been provided with this planning application to demonstrate that the proposed development is acceptable in terms of the impact of traffic noise pollution from the nearby strategic highway network on the amenities of the future occupiers of the proposed dwellings, contrary to Policies DM1 and EA5 of the South Tyneside Local Development Framework and the National Planning Policy Framework (NPPF).

4.2 It is considered that the distances involved from the roadway to the proposed footprints of the houses are more than sufficient to mitigate any adverse impacts from "*traffic noise pollution*".

4.3 Furthermore, there is retained hedging within a tree-line along the south side of Newcastle Road to the appeal site which dampens sound.

4.4 If required planning conditions can ensure the planting is augmented and made thicker as per the suggestions in the Ecology Report, which states:

1.0.7 A habitat creation scheme has been proposed to include a new native species rich hedgerow, significant areas of mixed scrub and retention of some of the grassland to become vegetated gardens. Based on this scheme, the metric shows that the BNG targets have been met, with on-site impact post development values of 0.8652 Habitat units (+ 10.92%), and 0.4352 Hedgerow units (+569.46%).

1.0.8 Biodiversity enhancement features in the form of an integrated bat box on each new dwelling have been recommended.

4.5 It is thus considered that formal noise survey and assessment work is not required for this proposal at this site.

4.6 However, if the decision-maker is not assuaged by the above, then planning conditions can require noise survey work (with mitigation measures suggested) to ensure satisfactory levels of amenity are achieved, such as augmented or triple glazing being installed at the properties or close-boarded acoustic fencing behind the tree line, along the appeal site side from the road.

4.7 It is considered that this refusal reason is NOT outweighing and that, on the materials presented, design, layout and materials solutions can be found and implemented if required.

- 4.8 The policies cited can be applied each way.
- 4.9 As the Planning Application Statement identified, the most relevant policy is discussed below.
- 4.10 It is also worth considering the SHLAA content, which sought to find 300 windfall site across the plan period – which is a lot meaning at least 20 a year. Of course, we have no figures for that as there are no AMRs published. However it is reasonable to suggest there have been very few.

DRAFT LP POLICY 13: WINDFALL & BACKLAND DEVELOPMENTS

- 4.11 Draft Local Plan Policy 13 regarding 'Windfall & Backland Developments' states:

<p>Windfall Sites and Backland sites</p> <p>Policy 13: Windfall and Backland sites</p> <p>1. Residential development on sites that have not been allocated in the Plan will be considered positively where:</p> <p>i. The site is previously developed or is a small infill site within the main urban area or would make a positive contribution to the identified housing needs of the Borough</p> <p>ii. The site has access to sustainable modes of transport</p> <p>iii. Development would make the best and most efficient use of available land</p> <p>iv. It can be demonstrated that there will be sufficient infrastructure capacity, either existing or proposed, to support the level of development</p> <p>v. Development would make a positive contribution towards creating sustainable, healthy, safe and diverse communities that contribute positively to the character of the area</p> <p>2. The development of residential new build within the curtilage of an existing dwelling, known as Backland development, shall:</p>	<p>i. Have its own separate and independent vehicular access which does not infringe on the amenity of adjacent dwellings</p> <p>ii. Ensure it is acceptable in terms of the amenity of adjoining dwellings</p> <p>iii. Be of a form and scale that respects the local character of the area having regard to density, size and massing of existing buildings</p> <p>iv. For both the existing and proposed dwellings, provide adequate privacy, outlook, and garden space for recreational needs</p> <p>v. Ensure the setting and character of the existing dwelling is not eroded.</p> <p>8.13 Whilst it is the role of the Local Plan to provide for, and specifically allocate, sites to meet the overall housing needs, proposals for new sites which have not previously been identified in the Plan will continue to come forward for consideration throughout the Plan period. Residential proposals which come forward on sites outside of those allocated in the Local Plan are known as housing 'windfalls'.</p> <p>8.14 During the Plan period land may come available to contribute towards the Borough's housing need. Policy 13 ensures that windfall and backland sites are designed and planned appropriately.</p>	<p>8.15 The spacious nature and low density of some of South Tyneside's 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 heritage significance by eroding the unique character that makes these places special, particularly if the principles of good design are not considered. It is essential therefore, if development takes place on backland sites, that it is appropriate in all respects and that it makes a positive contribution to the environment and community to ensure the local distinctiveness and character of these areas is maintained.</p> <p>8.16 In particular, the traditionally designed bespoke houses set centrally within large private garden plots in Cleadon Plantation combine to provide a wooded garden suburb character to the area that is unique to the Borough. In the interests of preserving the distinctive character of the Cleadon Plantation, the Council will resist development proposals for infill housing unless a development proposal complies with all three of the following:</p>
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- 4.12 Under Section 1, Limb (i), it is considered that this scheme makes a *"positive contribution to the identified housing needs of the Borough"* as providing large self-build / executive / sustainable living / equestrian plots which are not found elsewhere, nor allocated currently nor within the emerging draft Local Plan.

- 4.13 It is considered that the local authority and case officer have been unable to demonstrate the up-to-date situation with regards both executive dwellings and self-build plots being available, and the length of the self-build register.
- 4.14 They have offered NOTHING in evidence on key issues which have been raised.
- 4.15 Even if there are any approved self-build sites, or plan designations, it is doubted they have such substantial curtilages commensurate with those proposed here.

DRAFT LP POLICY 19: HOUSING MIX

- 4.16 Draft Local Plan Policy 19 regarding 'Housing Mix' states:

<p>8.44 To ensure sufficient quality accommodation is available to meet current and future needs, a supply of good quality, affordable housing is required. Affordable housing should be provided onsite where practicable. Developments should be 'tenure neutral' so that affordable housing is not distinguishable from market housing by layout, design, or materials.</p> <p>8.45 In addition to the requirement of affordable housing and the split in tenure, the SHMA highlights the need for different household types, dependant on location. There is a need for additional affordable housing for one and two bedroom homes throughout most areas of the Borough but particularly Hebburn and Jarrow.</p>	<p>3. Where appropriate, increasing the supply of detached homes in the Borough</p> <p>4. Where appropriate, increasing the choice of suitable accommodation for the elderly population and those with special housing needs including bungalows and extra care housing</p> <p>5. Encouraging the inclusion of self-build and custom housebuilding plots as part of larger housing developments, where it is viable and where there is an identified need</p> <p>6. Ensuring new homes meet the needs of our aging population and are accessible to all.</p>	<p>8.47 It is important that new homes provide a mix of good quality homes, designs and tenures which will contribute towards catering for people choosing to stay or move into South Tyneside whilst delivering sustainable neighbourhoods.</p> <p>8.48 While most of the development within the Plan period will be carried out by private developers, it is still important that an appropriate mix of housing is developed to meet the housing need. The SHMA provides information on the housing need in the Borough as well as information on the type and size.</p>
<p style="text-align: center;">Housing Mix</p> <p style="text-align: center;">Policy 19: Housing Mix</p> <p>Housing development shall deliver an appropriate mix of housing types, sizes, and tenures to meet identified needs and to create and maintain mixed and balanced sustainable neighbourhoods by:</p> <ol style="list-style-type: none"> 1. Contributing to meeting affordable housing need, market housing demand and specialist housing 2. Providing an appropriate mix of house types and sizes which enhance local housing options and are acceptable for the site and its location 		
	<p>8.46 To ensure that a choice of homes is available that will address the need for homes of different types, developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term, considering the nature of the development and character of the location. The Council also recognises the need for the market to provide a choice in terms of type and mix of housing.</p>	<p>Custom and Self Build</p> <p>8.49 The Housing and Planning Act 2016 supports existing legislation for self-build and custom housebuilding by requiring Local Authorities to ensure sufficient serviced plots, with permission, are available to meet demand in their area.</p> <p>8.50 The Council has a Self and Custom Build Register, enabling people who are interested in finding suitable building plots in South Tyneside to register an interest and will support individuals who wish to build houses for their own occupation. The Council will use the information contained within the register to inform decisions regarding the type and mix of housing on individual sites.</p>

- 4.17 It is considered that the proposal accords with the relevant limbs of this policy; in particular Limb 3 which aims to be: *"increasing the supply of detached homes in the Borough"*.
- 4.18 The plots also would suit self-builders under Limb 5.

- 4.19 However this does not seem to have been taken into account by the case officer – despite being emerging policy and actually just ‘good planning’ anyway.

SUMMARY

- 4.20 Overall, it is considered that the refusal reasons do not stand up to any scrutiny and this unique proposal is local plan policy compliant and acceptable with regard to all relevant material planning considerations for the reasons discussed throughout this document.
- 4.21 National guidance and the concerns regarding a robust five year (at least) housing land supply is addressed in the next section. Wider discussion of the NPPF occurs in the Planning Support Statement in that section 5.

5 NATIONAL PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK 3 – JULY 2021

5.1 The National Planning Policy Framework (NPPF3) has been updated for a third major time and continues to be positive towards development, as did its predecessors from 2012 and 2018.

5.2 The general aspects are discussed in the Planning Application Support Statement, it would be otiose to repeat them here, but rather attention is drawn to that Section 5.

5.3 It is apposite to note that the Case Officer Report states:

As a consequence of the Council not having a demonstrable 5 year housing land supply and the Council's Housing Delivery Test results showing that the delivery of housing was substantially below the housing requirement over the previous three years, the tilted balance in NPPF paragraph 11 d) applies which states that relevant development plan policies in such circumstances are considered out-of-date and that planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

5.4 This is very important, but the Case Officer Report does not even give the figures involved.

5.5 Trying to find the Annual Monitoring Reports on the Council's website is impossible – they do not exist.

5.6 All we have is the phrase "*the delivery of housing was **substantially below the housing requirement** over the previous three years*".

5.7 Well, the local authority need to be open and up front about this, and as part of their appeal submissions actually present the targets, the completion figures and make clear just how far behind they are; as the further behind, the greater the weight which should be given to approving these proposals.

5.8 The Case Officer Report goes on to state:

This means that very significant weight must be given to the NPPF as a material consideration in deciding this planning application.

The NPPF clarifies (footnote 7) that the policies referred to are those in the NPPF (rather than those in development plans) relating to: habitat sites and/or designated as SSSI, Green Belt, AONB, National Parks, Heritage Coast, irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change.

The LPA must first determine under limb (i) whether the application of one or more of the footnote 7 policies provides a clear reason for refusing planning permission. Limb (i) is applied by taking into account only the relevant footnote 7 policies.

Some footnote 7 policies do not require all relevant considerations to be taken into account. In these cases if a footnote 7 policy in the NPPF provides a clear reason for refusal then the tilted balance is disapplied. The LPA must then determine (having regard to all relevant considerations including development plan policies) whether permission should be granted.

If a footnote 7 policy does not provide a clear reason for refusal, then the LPA must then move on to limb (ii) and apply the tilted balance. Benefits and harms identified as part of assessment of footnote 7 policies can still be weighed in the balance, but this time as part of the tilted balance exercise.

5.9 Noting that the NPPF then states that sustainable development is to be "*pursued in a positive way*" with a "*presumption in favour of sustainable development*", the relevant section stating:

The presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.
- For **plan-making** this means that:
- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- For **decision-taking** this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

⁶ As established through statements of common ground (see paragraph 27).

⁷ The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

⁸ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

5.10 It is considered that the Case Officer Report deals with things far too simplistically, simply stating:

The proposal relates to a proposal within the Green Belt, and as set out above the proposal would result in significant harm to the openness of the Green Belt..

Consequently, this would outweigh with the tilted balance in favour of sustainable development as set out in Paragraph 11(d) of the NPPF

In conclusion, having regard to the above, the proposed development would be contrary to the NPPF and to LDF Policy EA1 with regard to Green Belt impact.

- 5.11 No significant harm has been demonstrated, as large amounts of openness would remain, and as the appeal site and the wider ownership is viewed within the setting of the hanger and the other commercial / residential land uses around it.
- 5.12 Any 'harm' is thus far from 'significant'.
- 5.13 Furthermore, the detailed ecology work presented suggest a range of mitigation and improvement measures which would mean there is a net benefit in biodiversity regards, once again something that the Case Officer Report fails to take into account, and fails to give proportionate weight in the planning balance:

The applicant has submitted an Ecological Impact Appraisal (EIA) to accompany this application. The EIA identified five habitats within the site and all of these habitats are considered to be locally and nationally common and widespread and therefore of limited ecological value. It was noted that there would be some impacts upon ecology as a result of the proposal and a habitat creation scheme has been proposed to include a new native species rich hedgerow, significant areas of mixed scrub and retention of some of the grassland to become vegetated gardens. A number of mitigation measures and biodiversity enhancement features have been recommended by the EIA however it should be noted that these are not shown on the submitted plans.

5.14 The Ecology Report states:

6.6 Compensation

6.6.1 Vegetation removal

Detailed landscaping plans have not been provided at this stage, however due to the land available, the potential exists to significantly increase the biodiversity value of the site, therefore the following general recommendations have been made;

- 5.15 And the recommendations on Page 29 can be made a condition of any consent, or a condition can require such suggestions to be formalised and shown on submitted plans or as per Appendix 3. So these benefits can be secured by a simple, standard planning conditions – which is another large 'plus' in the 'for' column to support a planning approval.
- 5.16 It is thus considered that the titled balance, in the context of all the various planning factors should be in favour of approving this modest, but unique proposal.
- 5.17 In the NPPF3, the development control/management test is clear – *"permission should be granted unless...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits"*.
- 5.18 The main issue is encapsulated here – as it is considered the slight impact of the built form does not *"significantly and demonstrably outweigh the benefits"* of this scheme in making a more effective and efficient use of the lands, biodiversity benefits and bringing unique, large plots into the supply chain.

6 CONCLUSION

- 6.1 An objective analysis of this scheme against all relevant material planning considerations has considered this scheme to be acceptable on a reasonable balance of salient factors.
- 6.2 It is considered the very general and strategic planning considerations which *prima facie* may be considered to preclude the approval of planning permission for the development of this site are outweighed by a closer examination of the issues, the shortfall and the obvious benefits of better utilising this land.
- 6.3 This proposal makes a more effective and efficient use of this existing unused site.
- 6.4 The Borough needs more detached houses, that is emerging Local Plan policy, as would be developed here.
- 6.5 The Borough needs self-build plots, which are well-suited to this development.
- 6.6 The Borough has no allocated plots with large curtilages for executive, equestrian, self-sustainability / home-farming and other area-demanding uses.
- 6.7 The plot sizes and the distances between the new structures and neighbours are sufficient to ensure more than acceptable levels of privacy and amenity are retained.
- 6.8 It is clear there is now to be an emphasis on growth and positive decisions on planning applications.
- 6.9 It is Government's clear expectation is that the answer to development and growth should wherever possible be 'yes'.
- 6.10 It is considered this scheme would NOT compromise the key sustainable development principles set out in national planning policy, nor the aims and intentions of the Green Belt, and thus should be looked upon positively.
- 6.11 Or, to put it another way, would these proposals lead to such demonstrable and unacceptable harm overall so as to warrant a refusal of planning permission.
- 6.12 It is clearly the case that this is very modest and spacious development on any fair balance of all material planning considerations.
- 6.13 To resist this proposal on Green Belt or countryside grounds would be wrong in the context of the location so close to the

main road, and with structures and commercial uses surrounding.

6.14 The "*significant*" shortfall in housing delivery for over three years is obviously a huge factor in favour, as are the biodiversity net gains.

6.15 In the 'negative' column there is simply the broad brush Green Belt designation and some purportedly 'significant' impacts on openness, despite the low density and low footprint-to-plot ratio.

6.16 However in the 'positive' column there are so many things:
The fact the site/wider site is enclosed by commercial / residential developments and uses; minimising impacts on openness.

The biodiversity net gains under development, as opposed to the existing, low species count, grass cutting, which is undertaken a few times a year.

The huge industrial plans for the immediate locality with their own Green Belt release, which need commensurate housing.

The fact that there are no similar large plots like this proposed in the Borough for executive level housing or for people with equestrian requirements.

The fact that there are no self-build opportunities presented as proposed within the Borough.

The fact the rest of the wider site could also come forward for development, as could the hanger site as brownfield land (it has an expired permission upon it).

And finally, and outweighingly in itself: the huge shortfall in housing completions, the shortage of housing supply and the lack of care and attention the plan-making function has towards supply and monitoring, the shortages of which are only going to get worse.

6.17 There is so much *more* in favour in the planning balance.

6.18 Overall, putting all the material planning considerations on a fair and reasonable balance, it is therefore respectfully requested that for the reasons outlined in this statement, this appeal is upheld and planning permission is granted as:

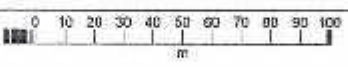
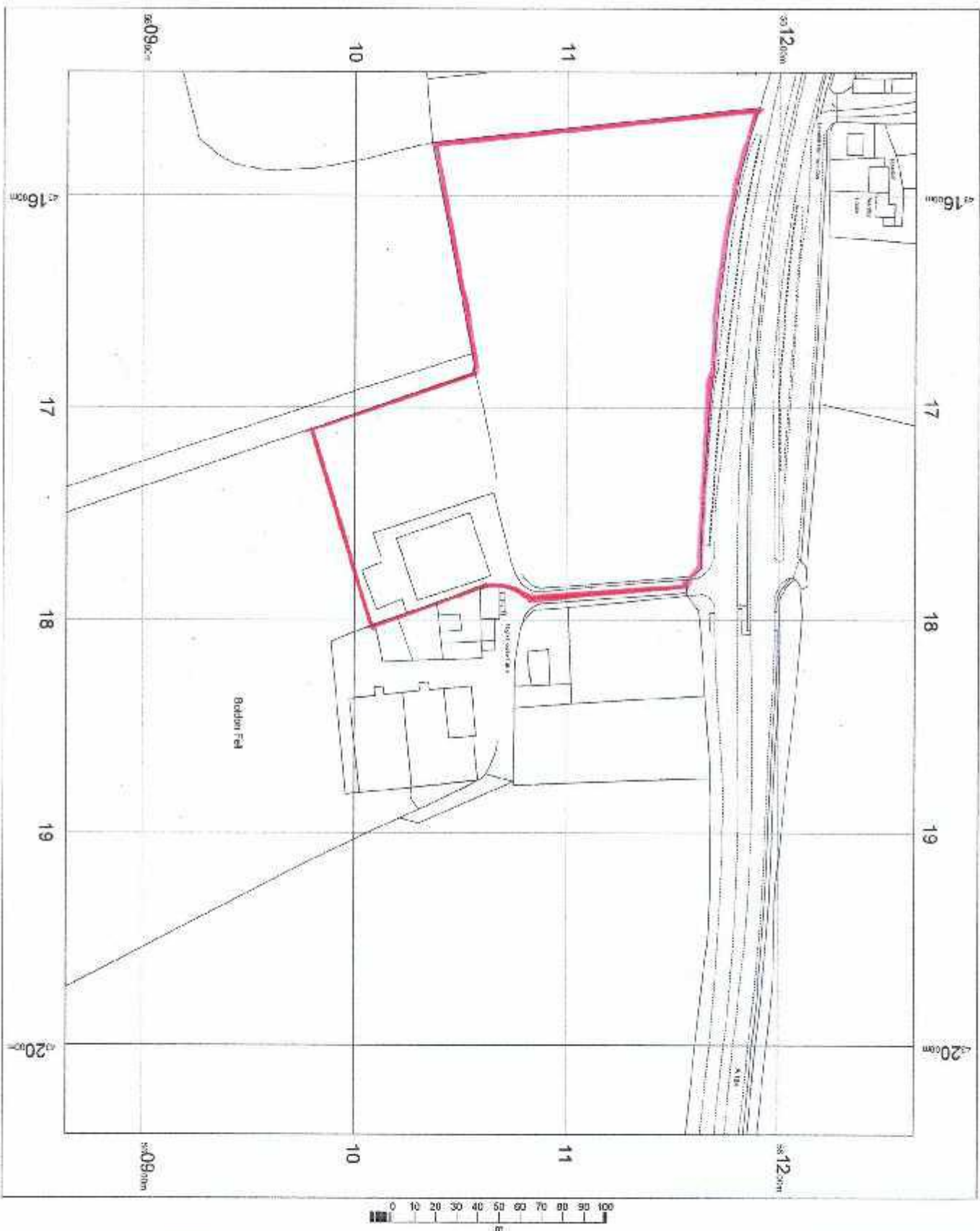
'The proposed development is acceptable, as it will not adversely affect the character and appearance of the existing neighbouring buildings, the surrounding area, the Green Belt or the countryside and provide for unique, new residential plots for detached houses, and/or executive houses, and/or self-build houses, and/or houses with large

curtilages; none of which are being adequately addressed by current land allocations and supply.

Further, it is considered that the proposed development is in accord with national guidance, the adopted development plan and the adopted local development framework for the area and the relevant policies contained therein and the emerging plan as a more effective and efficient use of this under-used land in a Borough with a huge shortfall in allocated housing land site, far below the five year target minimums.'

6.19 Thank you for your time taken to consider these matters.

Dr Anton Lang MRTPI – October 2023



OS Mastermap
31 August 2012, ID:
BMV-00173648
maps.blackwell.co.uk

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Fw: Local Plan Objection- Susan Ridge

Thu 2/22/2024 10:55 AM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

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[Sent from Sky Yahoo Mail for iPhone](#)

Begin forwarded message:

On Wednesday, February 21, 2024, 10:09 pm [REDACTED] wrote:

Susan Ridge

21/02/2024

RESPONSE TO SOUTH TYNESIDE DRAFT LOCAL PLAN REQUIRING IMPROVEMENT.

1. Objection made specifically regarding Policy SP2: Strategy for Sustainable Development

The Draft Local Plan is based on inaccurate population projections. Census data shows a consistently falling population in South Tyneside, from 157,200 in 1991 to 152,785 in 2001, to 148,127 in 2011, to 147,800 in 2021. The Local Plan assumes a population of 151,936 for 2021, an overestimate of 4,136, and that it would continue to increase over the next 20 years.

South Tyneside Council has used a buffer of 15% of the housing requirement, although the buffer can be in the range of 5% to 20%. The buffer needs to be reduced to 5%.

The ONS 2018 housing projection is for 75,412 dwellings by 2039. The Draft Local Plan requires a total of 78,530 dwellings by 2039, some 3118 houses less.

The ONS household projection is likely to be revised down, given the population trends, thus increasing the excess housing provision in the Draft Local Plan.

This means that South Tyneside Council is able to determine its housing requirement and can take into account the restraint of the Green Belt.

2. Objection to building on the Green Belt, made specifically regarding Policies SP3 and SP5.

The Green Belt land allocation in the Draft Local Plan is for 1,862 new homes, but there is no justification for building on this precious resource. The Green Belt does not need to be built on and therefore the least harm to this resource is for no further development at all on the Green Belt, as exceptional circumstances have not been established. The Draft Local Plan must be revised in order to meet the requirement; to be sound on the basis of being justified, as an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; and on the basis of being consistent with national policy.

The National Planning Policy Framework (NPPF) states " 140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation of, or updating of plans".

As demonstrated in Objection 1 above, there is no evidence that the housing requirement for the Plan period is at a level requiring development on the Green Belt.

It has not been proven that all brownfield sites have been considered. There are underutilised sites such as areas in South Shields town centre, where previously developed land is used for car parking rather than housing. These are areas close to South Shields transport interchange and so would satisfy the need to promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport. Planners rejected over 400 possible sites across South Tyneside. Questions raised over the validity of the reasons for rejection have not been answered.

he

It has been shown that the Green Belt does not need to be built on. The least harm to this resource is for no further development at all on the Green Belt as exceptional circumstances have not been established.

3. Objection made specifically regarding Section 5 Strategic Allocations.

The Draft Local Plan must be revised because it is not consistent with the NPPF in terms of meeting the housing needs identified in the Strategic Housing Market Assessment (SHMA) and is therefore not sound.

The SHMA has identified an annual need for 209 affordable homes each year across the borough, which justifies the need for a robust affordable housing policy which will provide mechanisms to help meet this affordable need. That is around 60% of houses built. Yet the same document supports a target for 75% market and 25% affordable housing mix. The proposed proportion of affordable homes in Cleadon and East Boldon is 30%, but as median house prices in this area are £225,000, the accepted definition of affordable being 80% of market value means they will still be unaffordable to the very people requiring this provision.

The NPPF states⁶². Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

The absence of infrastructure planning in Whitburn, Cleadon and East Boldon is worrying, considering the strain on current infrastructure.

However there appears to be no sites identified in the Draft Local Plan for this type of development

4. Objection made specifically regarding Section 7 Meeting the Challenge of Climate Change, Flooding and Coastal Change.

The Draft Local Plan must be revised because it is not compliant with the Climate Change Act 2008 and Planning and Compulsory Purchase Act 2004 (as amended) duties and NPPF guidance-carbon accounting and climate mitigation

The increased carbon emissions from the development proposed in the Draft Local Plan will add to South Tyneside's carbon footprint and add to the climate change emergency. The council ignores this, despite declaring a climate emergency. 6489 homes will produce around 39,000 tonnes of CO2 per annum, 200% of the emissions STC have used as their baseline figure to reach zero carbon by 2030.

National legislation and guidance strongly stress the central role of the planning system in securing radical reductions in greenhouse gas emissions and require Local Plans to ;

* Robustly evaluate future emissions, considering different emission sources, taking into account requirements set in national legislation, and a range of development scenarios.

* Adopt proactive strategies to mitigate carbon emissions in line with the Climate Change Act, a 100% reduction by 2050.

Rainfall is forecast to increase fourfold in the next 40 years and will result in increasing water tables. Excessive rainfall in the last 2 years has resulted in flooding in fields adjacent to the planned development in Cleadon.

A major review of the Draft Local Plan is required in order to bring it into compliance with legislative requirements around climate change.

5. Objection made specifically regarding Policy 1 Promoting

Healthy Communities and Policy 2 Air Quality.

The Draft Local Plan must be revised to ensure it is justified; that these policies are able to ensure the Strategic Objectives for Promoting Healthy Communities will be achieved; and to be consistent with National Policy.

There is little in the Draft Local Plan that would fulfil the Strategic Objectives for Promoting Healthy Communities. In fact, some parts of the Plan make the situation worse, including the proposed development in areas that will promote car use, such as in Cleadon, East Boldon and Whitburn. These developments will typically have 2 cars per household, adding potentially thousands of car journeys on an already congested road system. This will have a detrimental effect on road safety and on the local environment due to noise and exhaust emissions. Some areas have air pollution

levels already in excess of World Health Organisation recommended maximums. These vehicle journeys will only make this more dangerous as there are no safe levels for these pollutants.

NPPF states in 186: "Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications".

The Plan has failed to identify these opportunities adequately and this demonstrates the Plan is not sound.

6. Objection made specifically regarding Policy 10 Disposal of Foul Water and Policy 11 Protecting Water Quality.

The Draft Local Plan must be revised to ensure it is justified, that these policies are able to ensure the Objectives for Protecting Water Quality will be achieved; and to be consistent with national policy.

The Draft Local Plan does not refer to the current significant level of sewage pollution in South Tyneside. Population levels have increased considerably in the UK since Victorian times, yet we are still using combined sewers that were constructed in the 19th century. If more housing development is permitted. Especially on green spaces, more pressure will be exerted on an already failing sewage system. However, in the consultation on the Draft Local Plan, South Tyneside Council have confirmed that no extra sewage will be added to the existing infrastructure, on the recommendation of Northumbrian Water, who have assured them that the existing system will cope!!

NPPF states "20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision :

b) infrastructure for wastewater.

The Environmental Permitting Regulations 2016 Permits to discharge untreated sewage from Combined Sewer Overflows into watercourses during heavy rainfall are issued to water companies and regulated by the Environment Agency. There is growing evidence to show that these permits are being abused. Sewage is regularly discharged into South Tyneside watercourses in moderate rainfall. This is due to a lack of capacity at the sewage treatment works caused by a lack of investment and contravenes environmental law.

Health considerations are capable of being material planning considerations. This recognised in the NPPF which includes the following statement at paragraph 91.91 "Planning policies and decisions should aim to achieve healthy, inclusive and safe places."

The health implications of exposure to the levels of sewage pollution regularly discharged into the River Tyne and on to the beaches of South Tyneside must be a material planning consideration with respect to future developments as, without an improvement in sewage treatment capacity, more development will bring about an inevitable increase in sewage pollution.

7. Objection made specifically regarding Policy 36 Protecting Trees, Woodland and Hedgerows and Appendix 3 Housing Allocations Requirements.

The Draft Local Plan must be revised to ensure it is justified, that this policy and housing allocations requirements able to ensure the Strategic Objectives for Conserving and Enhancing the National Environment will be achieved; and to be consistent with national policy.

All 3 paragraphs of Policy 36 are weak and will allow the continued felling of healthy, mature trees and hedgerows for development. Therefore an additional paragraph is required to ensure the policy is justified. " Development which results in the loss or significant damage to healthy, mature trees and native hedgerow, will not be permitted."

The Draft Local Plan Appendix 3 Housing Allocations Requirements under Key Considerations for each site states " Mature trees **should** be retained". This should be revised to read " Healthy, mature trees and hedgerows **must** be retained". This will achieve the aim of requiring developers to retain healthy mature trees and hedgerows onsite and incorporate them into designs.

Research shows that mature trees are more effective as a resource for addressing climate change. Mature trees absorb 40kg of carbon dioxide per year (ecotree.green) whereas young trees absorb around 5kg per year (carbonpirates.com)

The preservation of healthy , mature trees and hedgerows must be a priority in the Draft Local Plan. The NPPF also recognises the value of trees and hedgerows to biodiversity and to human health and wellbeing.

[Sent from Sky Yahoo Mail for iPhone](#)

On Wednesday, February 21, 2024, 1:27 pm, Planning applications

[REDACTED] wrote:

Good afternoon,

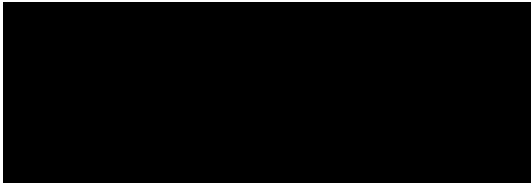
Can you please supply your full postal address and the application number so that your comments can be logged and forwarded to the Case Officer?

Also, please note that we have been unable to open your document to note your comments. Therefore, would you be able to include the comments in the body of the email reply to us so we can log this for you.

Many thanks,



South Tyneside Council



Q www.southtyneside.gov.uk

Town Hall and Civic Offices, Westoe Road, South Shields, NE33 2RL

Our South Tyneside
A place where people live healthy, happy, and fulfilled lives



WE ARE **PROUD** TO MAKE A DIFFERENCE



From: [REDACTED]

Sent: Wednesday, February 21, 2024 12:01 PM

To: Planning applications <Planningapplications@southtyneside.gov.uk>

Subject: Local Plan Objection- Susan Ridge

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South Tyneside Council, Town Hall & Civic Offices, Westoe Road, South Shields, Tyne & Wear, NE33 2RL, Tel: 0191 427 7000, Website: www.southtyneside.gov.uk

Response ID ANON-5JMM-6ZCH-M

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 14:44:39

Have your say

1 Do you have any comments to make in relation to the Scoping Report?

Comments:

Policy SP8: Fellgate Sustainable Growth Area

1. This erosion of green-belt land where there have already been other sites identified for house is unconscionable, the existing infrastructure is over capacity and what is planned will only stress it further. Community facilities have a habit of being bartered away as does affordable housing elements, in favour of Section 106 monies that the council can spend in other areas of the borough so that the impacted residents see none of it.
2. Having attended local meetings with council planners in attendance, and the poor knowledge they show I do not believe they are capable of master planning as questions have been raised on data used, especially with traffic and flooding.
3. Developers' proposals have been seen over the years for the greenbelt, some are still online, varying between 3000 houses and a business park. All should be rejected as green belt should be preserved especially in such an urban area.
4. Is this a fait-accompli then?
5. As noted previously affordable housing in the middle of a pricey estate never happens, plans have already been drawn up according to the current councillor.
 - i. This shows High Density housing nearer to the existing Fellgate Estate (not transport links as there is 1-2 buses and what local centre, this is 2-3 miles away) larger more spacious housing towards the new green belt perimeter. The existing 20mph road of Durham Drive cannot handle the extra traffic 1200 homes will produce, the metro system is over capacity at peak times, and if the council seriously believe residents will wait for a shuttle bus or use a bike, there are really deluded.
 - ii. Creation of a well-located local centre with a school, healthcare and retail facilities, how many houses will be lost for this? Is it to be developed first, how staffed, how provisioned, more traffic with employees coming to work there.
 - iii. Sustainable / active travel options to prevent the use of cars to be enhanced, how, Fellgate Metro is not a Park and Ride, there are currently consultations on more Double Yellow lines, Residents parking permit schemes are already in place. Housing of the type discussed will generally be bought by people with 1-2 cars per family if not more, this will simply not be used placing more pressure on local roads, Durham Drive, Fellgate Avenue, Leam Lane, Hedworth Lane etc. No-one currently uses the bike boxes at the metro due to thefts.
 - iv. Access roads to Durham Drive, a 20mph road, which is already a short cut from Boldon to Leam Lane, where the speed limit is generally ignored, especially by parents dropping kids off at school. The A194 is already stretched at peak times, with two lanes of traffic backed up from Mill Lane to the flyover, as this is the exit point of traffic from the new estates in Hebburn which have demonstrated that owners use cars not public transport, resulting in the council having to change the roundabout layout, and add filter lanes. The new horse crossing will become redundant when the horses need to be relocated due to the housing.
 - v. Any development will need to prevent points noted in iv above, was this not thought of with the Hebburn developments off Mill Lane? The traffic survey data used I understand is from a period just after the Covid Pandemic when traffic was still extremely light and not reflective of today.
 - vi. So, you will remove large swathes of green belt but then protect the rest and make it more biodiverse and with better habitat connectivity. What can be better connected than more Greenbelt? At which point in the future is this plan revisited to take the remaining Green-Belt for housing, to yet again protect the more affluent areas of Whitburn and Cleadon.
 - vii. Again, well connected Green & Blue infrastructure, play provision, it is already there, you are destroying it for profit!
 - viii. The development will destroy wildlife corridors, and heavily impact existing biodiversity, farmland birds, rabbits, foxes, birds of prey, stoats, voles, horses all of which are seen daily now. You cannot mitigate taking away this environment by keeping a few green corners of land that houses can't be built on.
 - ix. Fellgate was seriously flooded in 2012, resulting in large scale flood prevention measure being put in place. Earlier in 2024, the burns to be used for surface water were overflowing, what is the impact downstream to Mill Dene etc, the primrose wildlife reserve both saw flooding, capturing water off roofs which would have soaked into the water table and diverting it is this way is risky at best and downright irresponsible at worst.

In sections IV and V, it is discussed that "Deliver vehicular access roads" and ensures "there are no unacceptable impacts on highway safety."

The evidence provided, including links to the "Local Plan Policy 51 Traffic Assessment," indicates that it was stated that the calculated number of extra trips would be 100.

However, subsequent investigations from additional Traffic Assessments have suggested that this figure would be closer to 312 (AM) and 335 (PM).

The Department for Transport statistics document NTS9902a Household car availability by region (North East) for 2022 states:

No car or van 28%

One car or van 39%

Two cars or vans 33%

Hence, can we conclude from these figures that the minimum estimated number of cars or vans for the 1,327 home in the local area would be 955.

Consequently, the number of trips to and from the area is anticipated to exceed the initial 100 trips recorded in the first survey and to increase significantly in subsequent investigations.

As a result, sections IV and V are deemed unsound and may not meet legal compliance.

Based on this analysis SP8 is NOT Sound.

In a Statement made on 19 December 2023 by Michael Gove Secretary of State for Levelling Up, Housing and Communities, and Minister for Intergovernmental Relations:

"This Government is committed to protecting the Green Belt"

"Planning policy already includes strong protections to safeguard Green Belt for future generations"

"The Green Belt is vital for preventing urban sprawl and encroachment on valued countryside"

"England's cities are already less dense than those of most of our European neighbours"

"That is environmentally wasteful and economically inefficient"

We seek to support the gentle densification of urban areas in preference to the erosion of Green Belt land"

"That is why the Government is ensuring it is clear there is generally no requirement on local authorities to review or alter Green Belt boundaries if this would be the only way to meet housing need"

"Where a relevant local planning authority chooses to conduct a review, existing national policy will continue to expect that Green Belt boundaries are only altered where exceptional circumstances are fully evidenced and justified, and this should only be through the preparation or updating of plans"

"The Government is making no changes to the rules that govern what can and cannot be built on land that is Green Belt"

"We are clarifying in guidance where brownfield development in the Green Belt can occur provided the openness of Green Belt is not harmed"

2 What is your name?

Name:

Raymond Cook

3 What is your email address?

Email:

[REDACTED]

4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:

[REDACTED]

Re: Regulation 19 Local Plan Consultant Comments



Sun 3/3/2024 3:29 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

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Regulation 19 Local Plan Consultant Comments

1. Is the Plan legally compliant - NO
2. Is the content of the Plan 'sound' - NO
3. Does the Plan comply with the duty to cooperate - NO

I am a 68 year old pensioner living on Fellgate I have found the process of 'having my say' on the local plan regulation 19 to be very confusing and not user friendly. I was unable to complete the form online at one of the local South Tyneside hubs due to a system error on the South Tyneside Council serve as I was unable to access the website and complete the form online. Local residents asked for an extension due to the problems but this was declined.

Following Regulation 18 development on the Green Belt Land South of Fellgate in 2016, the Green Belt Land was identified as not being suitable for development due to having a high impact across several areas of the plan.

The Green Belt Land South of Fellgate was graded 2 or 3A agricultural land. Recent ecology studies for this broad area in support of the International Advanced Manufacturing Park have identified that there are Potential Great Crested Newt habitats within 500m of the site, and that there is a barn owl habitat on site. It is considered that developing this site would have high impact as it is of a large scale within a wildlife

corridor, and the development would impact upon the connectivity of habitat and feeding ground for farmland birds, wild birds, pheasants, swans, ducks, herons, newts, dragon files, badgers, foxes, owls, kestrels etc. This is the last allocated Green Belt Lan in Jarrow.

Please advise what has changed from 2016 to 2024?

Many thanks
Raymond Cook



Response ID ANON-RUCU-JV17-7

Submitted to Sustainability Appraisal 2024
Submitted on 2024-03-03 14:33:59

Have your say

1 Which section(s) of the SA are you responding to?

Section of the SA:

All sections are not sounds

2 Please provide any comments you wish to be considered by the Planning Inspector.

Comments:

Sustainable Development

On page 48 and 49, in column Policy SP8: Fellgate Sustainable Growth Area, item 5 it talks about the things that the Development of this new sustainable community shall deliver"

- Under the objectives of Policy SP8, it states "To ensure that there are sufficient new dwellings to meet the needs of the borough's population"

As proposed the 1,200 new homes will be built on the land south of Fellgate. In addition there are 127 houses being built west of the A184 (adjacent to Luke's Lane) this will bring an unsustainable level of growth which will have a significant detrimental impact on the local infrastructure and road network (discussed below and addressed in Policy 51). How will sustainable transport services be provided to town centres, stimulating economic growth.

In document Green Belt: Exceptional Circumstances (2024) paragraph 3.2 it states "Before concluding exceptional circumstances to justify making changes to the Green Belt, the NPPF at paragraph 141 requires that all other reasonable options for meeting the identified needs for development have been examined fully. Any exceptional circumstances will be assessed through the examination of the Plan and consider whether it:

- Makes as much use as possible of suitable brownfield sites and underutilised land

From the documenting evidence, this section is NOT Sound, as there are many brownfield and underutilised land sites that have been excluded from the plan for reasons that have not been fully justified.

In a Statement made on 19 December 2023 by Michael Gove Secretary of State for Levelling Up, Housing and Communities, and Minister for Intergovernmental Relations stated:

- "This Government is committed to protecting the Green Belt"
- "Planning policy already includes strong protections to safeguard Green Belt for future generations"
- "The Green Belt is vital for preventing urban sprawl and encroachment on valued countryside"
- "England's cities are already less dense than those of most of our European neighbours"
- "That is environmentally wasteful and economically inefficient"
- "We seek to support the gentle densification of urban areas in preference to the erosion of Green Belt land"
- "That is why the Government is ensuring it is clear there is generally no requirement on local authorities to review or alter Green Belt boundaries if this would be the only way to meet housing need"
- "Where a relevant local planning authority chooses to conduct a review, existing national policy will continue to expect that Green Belt boundaries are only altered where exceptional circumstances are fully evidenced and justified, and this should only be through the preparation or updating of plans"
- "The Government is making no changes to the rules that govern what can and cannot be built on land that is Green Belt"
- "We are clarifying in guidance where brownfield development in the Green Belt can occur provided the openness of Green Belt is not harmed"

These statements overall protect Green Belt Land. It can be determined that that the statement: "The Government is ensuring it is clear there is generally no requirement on local authorities to review or alter Green Belt boundaries if this would be the only way to meet housing need" means that there is no targets or requirements on South Tyneside to review or alter Green Belt Boundaries.

Based on this analysis and the statement from the government SP8 is NOT Sound.

3 What is your name?

Name:

Raymond Cook

4 What is your email address?

Email:



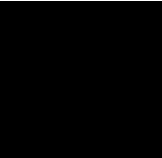
5 Who are you responding as?

Resident or Member of the General Public

Organisation:

6 What is your postal address?

Address:



RE: Regulation 19 Local Plan Consultation Commets

Michelle Cook [REDACTED]

Sun 3/3/2024 3:20 PM

To:Local Plan <Local.Plan@southtyneside.gov.uk>

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Regulation 19 Local Plan Consultation Comments

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3. Does the Plan comply with the duty to cooperate - NO

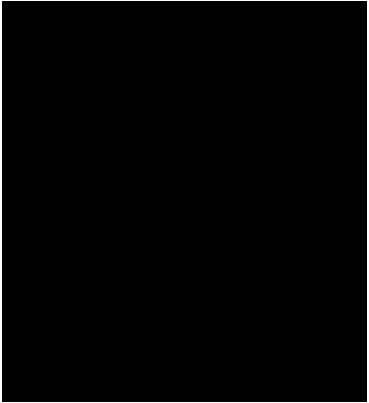
Following Regulation 18 development on the Green Belt Land South of Fellgate in 2016, the Green Belt Land was identified as not being suitable for development due to having a high impact across several areas of the plan.

The Green Belt Land South of Fellgate was graded 2 or 3A agricultural land. Recent ecology studies for this broad area in support of the International Advanced Manufacturing Park have identified that there are Potential Great Crested Newt habitats within 500m of the site, and that there is a barn own habitat on site. It is considered that developing this site would have high impact as it is of a large scale within a wildlife corridor, and the development would impact upon the connectivity of habitat and feeding ground for farmland birds, wild birds, pheasants, swans, ducks, herons, newts, dragon files, badgers, foxes, owls, kestrels etc. This is the last allocated Green Belt Land in Jarrow.

Please advise what has changed from 2016 to 2024?

Many thanks

Michelle Cook



Response ID ANON-KS7E-7C1P-N

Submitted to Habitat Regulations Assessment 2024

Submitted on 2024-03-03 14:18:18

Introduction

1 Do you have any comments relation to the HRA?

Comments:

Habitat Regulations Assessment 2024

Land south of Fellgate is a Green Belt land and in previous assessments such as the councils report "Planning the Future of South Tyneside South Tyneside Strategic Land Review Study Methodology and Results January 2018 (SLR) Ref FG16 with additional evidence in document SF072, it stated

- The site is a Green Belt.
- It is a habitat creation zone;
- it is a wildlife Corridor and a Local wildlife site.

The study recommends that the linear links between sites of habitat value should be created and promoted, the area is of open aspect and views should be retained. It is considered that developing the site would have a HIGH impact on the landscape & significant mitigation would be required to change this recommendation.

The impact analysis asks "would development on this site impact upon the 5 purposes of the Green belt: the document stated:

- Check unrestricted sprawl of the built-up- area? Result Impact
- Safeguard borough countryside from encroachment? Result Impact
- Prevent merging of south Tyneside with Sunderland, Washington, or Gateshead? Result Impact
- Preserve the special and separate characteristics of the Urban Fringe village? Result No Impact
- Assist in the regeneration of the urban area? Result No Impact

Overall Score: High Impact - Significant mitigation required. Note this assessment assumes that of there is a need to allocate green belt sites for development, then this would be undertaken through the local plan process in a manner that would NOT be contrary to the regeneration of the urban area.

Based on this assessment the current Proposal NOT Sound.

With regard to Biodiversity, the site is classed as category 2, this references:

- A wildlife site,
- Geodiversity site,
- near to a Great Crested Newt Pond,
- A wildlife corridor.
- Protected / DBAP species or inhabitants on the site?
- Lowland Fen Habitats

The site comprises the entire width of a wildlife corridor and includes part of the Calf Close Burn Local Wildlife Site. This is a linear site following the course of a small burn as it flows North across agricultural land and has the largest long-standing seedbed in the borough - See Local Wildlife and Geodiversity Appendices (2010)

Recent ecology studies for this broad area in support of the International Advanced Manufacturing Park have identified that there are Potential Great Crested Newt habitats within 500m of the site, and that there is a barn own habitat on site. It is considered that developing the site would have high impact as it is of a large scale within a wildlife corridor, and the development would impact upon the connectivity of habitat and feeding ground for farmland birds, wild birds, pheasants, swans, ducks, herons, newts, dragon flies, badgers, foxes, owls, kestrels etc.

Based on the above information the current Proposal NOT Sound.

2 What is your name?

Name:

Michelle Cook

3 What is your email address?

Email:

4 What is your postal address?

Address:



5 What is your organisation?


Myself

Objections to Local Plan

[REDACTED]

Sun 3/3/2024 12:47 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

 2 attachments (66 KB)

3.3.24 Objection re SP3 Spatial Strategy for sustainable Development.docx; 3.3.24 Objections to Draft Local Plan 2024.docx;

*** **WARNING** - This message has originated from outside the Council. Do not provide any login or password details if requested. Do not click on any links or attachments unless you are sure that the content is safe. If you are unsure about this email or its content forward it to: email.quarantine@southtyneside.gov.uk, **clearly stating your concerns in the email** ***

Dear Sir/Madam,

I wish to advise you of my objections to a number of aspects of the local plan.

My objections are shown on the attachments to this email.

My contact details are indicated below.

Regards

Ian Hudson

[REDACTED]

1. Objection made specifically regarding Policy SP2: Strategy for Sustainable Development

This policy is not justified by the evidence because it proposes an unsustainable level of growth of housing development; and is not consistent with the NPPF or with other statements of government policy.

This policy must be revised to decrease the number of homes being planned for, in order to meet the requirement to be sound on the basis of being positively prepared, so that it meets the area's objectively assessed needs and is consistent with achieving sustainable development.

In SP2 paragraph 4.9 of the Local Plan it states:

"4.9 To determine the minimum number of homes needed, a local housing need assessment has been conducted using the standard method detailed in the national planning guidance. The standard method uses a formula to identify the minimum number of homes expected to be planned for in a way which addresses projected household growth and any historic under-supply. Using this approach the local housing needs assessment has concluded that for the plan period (1st April 2023 to 31st March 2040) 309 dwellings are required every year. This produces an overall minimum housing requirement of 5,253 new homes over the Plan period. The household projections that inform the housing baseline are the 2014-based household projections. This figure could change upwards or downwards based on new data. South Tyneside's housing requirement will not be 'locked in' until the Plan is submitted to the independent Planning Inspectorate."

The Local Plan is based on inaccurate population projections. Census data show a consistently falling population in South Tyneside, from 157,200 in 1991, to 152,785 in 2001, to 148,127 in 2011, to 147,800 in 2021. Yet the Local Plan assumes a population of 151,936 for 2021, an overestimate of 4,136, and that it would continue to increase over the next 20 years.

Using the Office for National Statistics (ONS) 2014 housing projections produces a housing requirement of 309 per year, a total of 5,253 houses by 2040. The Local Plan would require a total of 77,716 dwellings in South Tyneside by 2040 whereas the 2018 ONS projection is for 75,664. Therefore the Local Plan is for 2,052 more houses than are needed.

The ONS household projection is likely to be revised down given the population trends thus increasing the excess housing provision in the Local Plan.

The East Boldon Neighbourhood Forum received the following statement from the Department for Levelling Up, Housing & Communities, written by Alan C Scott, Planning policy adviser on behalf of the Secretary of State:

“In 2018 the Framework introduced a standard method for calculating local housing need to make the process simple, quick and transparent. “The standard method does not impose a target; it is still up to the local authority to determine its housing requirement, and this includes taking local circumstances and restraints such as Green Belt into account”.

The NPPF paragraph 5 and 6 states:

“5. National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.

6. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.”

Michael Jenrick, then Secretary of State for Housing, Communities and Local Government, made a Written Statement 16th December 2020:

“There were many consultation responses which did not fully recognise that the standard method for assessing Local Housing Need does not present a ‘target’ in plan-making, but instead provides a starting point for determining the level of need for housing in an area. It is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made.”

Michael Gove, Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations, made a Commons Statement on 19th December 2023:

“Today’s update to the National Planning Policy Framework (NPPF)

It provides clearer protection for the Green Belt, clarity on how future housing supply should be assessed in plans and on the responsibility of urban authorities to play their full part in protecting the character of precious neighbourhoods.

The new NPPF will: facilitate flexibility for local authorities in relation to local housing need; clarify a local lock on any changes to Green Belt boundaries;

The new NPPF makes clear that the outcome of the standard method is an advisory starting point in plan making for establishing the housing requirements for an area.”

The above is supported by guidance in The House of Commons Library published on 27 August 2021 “Calculating housing need in the planning system (England)” which states in 2.4:

“A starting point, not a target? Land constraints and the standard method. The standard method is intended to be the starting point in determining how many homes an LPA can and should deliver, but is not a target. LPAs must also take account (for example) of land constraints, such as the Green Belt.”

<https://commonslibrary.parliament.uk/research-briefings/cbp-9268/>

This means that South Tyneside Council is able to determine its housing requirement and can take into account the restraint of the Green Belt.

2. Objection to development on the Green Belt, made specifically regarding Policies SP3: Spatial Strategy for Sustainable Development and SP7: Urban and Village Sustainable Growth Areas

These policies are not justified by the evidence and the case for exceptional circumstances to amend the Green Belt boundary has not been made.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt: GA1-6 and SP8.

The Green Belt land allocation in the Local Plan is for 2,308 new homes but there is no justification for building on this precious resource. The Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established. The Local Plan must be revised in order to meet the requirement to be sound on the basis of being justified, as an appropriate strategy, taking into account the reasonable alternatives and based on proportionate evidence; and on the basis of being consistent with national policy.

In the Local Plan, Policy SP3: Spatial Strategy for Sustainable Development proposes amending the Green Belt boundary to allocate additional land for housing and Policy SP7 Urban and Village Sustainable Growth Areas proposes the removal of sites from the Green Belt and allocation for housing development.

The Local Plan states in Policy SP3: Spatial Strategy for sustainable development:

“To meet the identified needs in Policy SP2 and to facilitate sustainable growth, the Plan will:

- 1. Support the sustainability of existing communities by focusing growth within the Main Urban Area including South Shields, Hebburn and Jarrow*

2. *Secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting growth which respects the distinctive character of each village*
3. *Encourage the re-use of suitable and viable brownfield land and, where appropriate, encourage higher development densities.*
4. *Ensure the delivery of housing in sustainable locations through the allocation of sites in the Main Urban Area and by amending the Green Belt boundary to allocate Urban and Village sustainable growth areas*
5. *Create a new sustainable, community within the Fellgate Sustainable Growth Area (Policy SP8) by providing homes and community facilities.*
6. *Prioritise the regeneration of South Shields Riverside, South Shields Town Centre, Fowler Street Improvement Area, and the Foreshore Improvement Area*
7. *Prioritise economic development in designated Employment Areas, including the Port of Tyne, that are accessible by a range of transport modes and allocate additional land at Wardley Colliery*
8. *Enhance and strengthen green infrastructure, ecological networks and Green Belt throughout South Tyneside and between neighbouring authorities.*

The National Planning Policy Framework (NPPF) states:

“140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period”

As demonstrated in Objection 1 above, there is no evidence that the housing requirement for the Plan period is at a level requiring development on the Green Belt. The strategic need has not been proven, for example there has been no cooperation with neighbouring local authorities which have Local Plans that intend to cumulatively build in excess of 19,000 houses above their respective ONS 2018 housing projections.

Sunderland Local Plan –	10,755 excess houses by 2033
Gateshead Local Plan –	6,337 excess houses by 2030
North Tyneside Local Plan -	2,238 excess houses by 2032

A planning appeal decision has confirmed the protected status of the Green Belt. This decision reiterates and reinforces the protection from inappropriate development given to the Green Belt in national planning policy.

Broke Hill golf course

In the Broke Hill case in Sevenoaks, Kent, the Inspector confirmed that, where planning policies protect areas of particular importance and provide a clear reason for refusing the development, the so-called “tilted balance” presumption in favour of granting planning permission does not apply.

For Broke Hill, the planning policies in this case related to protection of the Green Belt. This is especially important as Sevenoaks does not have the required five-year supply of housing land nor has it met the government’s housing delivery test for 2021. The inspector noted a number of benefits of the proposed development including provision of affordable housing. However, he concluded that notwithstanding the lack of five-year housing supply, the housing delivery test, and the benefits, this did not outweigh the harm that would be caused to the Green Belt, and were not sufficient to override national and local planning policies protecting the Green Belt. “The tilted balance is not invoked, however, because the Framework at Paragraph 11d(i) and footnote 7 protects both areas and assets of particular importance, which include the Green Belt, and provides a clear reason to dismiss the appeal.” Stephen Wilkinson, Inspector Planning Inspectorate decision Broke Hill golf course 31 January 2022

This case along with ministerial statements demonstrates that the Local Plan fails to be consistent with national planning policy to protect the Green Belt, as specified in paragraph 11 of the National Planning Policy Framework.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt.

Furthermore, the Local Plan is not justified because the NPPF states:

“141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”

Regarding paragraph “a”, it has not been proven that all brownfield sites have been considered.

There are underutilised sites such as areas in South Shields town centre where previously developed land is used for car parking rather than housing like the area at the Mill Dam in South Shields, the former Staithes House and surrounding land near the town centre has been cleared for development for decades. The large office building at Harton Quay was leased by BT Group until last year but BT Group then closed its office and redeployed its 500 staff to other parts of the North East.

These are areas close to South Shields transport interchange and so would satisfy paragraph “b” the need to promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport.

The failure to rent out office space also drawn into question the planned 200,000 sq ft of office space in the adjacent Holborn development especially as the Utilitywise office building just down river had to be converted to flats after lying empty for a long period.

Planners overlooked possible brownfield sites across South Tyneside. Questions raised over validity of the reasons for rejection have not been answered. Some examples are the health clinic site near the ambulance station on Boldon Lane, the Pickwick pub in Biddick Hall, the former Methodist church on Bede Burn Road, the former Park Hotel on Lawe Road have not been included in the Local Plan.

Immediately after the Regulation 18 consultation in 2022, planning permission was given for 446 houses on the former Hawthorn Leslie shipyard that had lain redundant for several years. This was not included in the Regulation 18 Draft Plan. A similar situation exists at the former Rohm and Hass brownfield site near Jarrow town centre that would comply with 141 a) and b). This land if designated for industry could be released for housing as the land designated for employment in the Regulation 19 Local Plan is not justified by the evidence.

A further statement which is insufficient is paragraph 4.31, Sustainable Urban and Village Extensions:

“The Council has undertaken an extensive Green Belt review to identify land which would cause the least harm to the purposes of the Green Belt, that is considered suitable for development, and that 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 at each location. Following consultation on the Plan, the Council will undertake a Green Belt boundary review which will review the entire Green Belt boundary to ensure that it has a strong and defensible boundary as required by the NPPF.”

It has been shown that the Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established.

Regarding paragraph “c”, there is no evidence that the aggregated housing assessments of the neighbouring authorities has been compared with the projected population levels of these authorities to show that there will be no overall supply. The simple statement in 4.28 in the Local Plan is insufficient:

“28. Prior to identifying land in the Green Belt the Council has, as part of Duty to Cooperate, discussed whether neighbouring authorities could accommodate additional housing. As set out in the Duty to Cooperate Statement, neighbouring authorities have confirmed that they would be unable to provide land to meet South Tyneside’s needs.”

The duty to cooperate has not been evidenced as required by guidance such as PAS – Doing your duty practice update [doing-your-duty-practice--1a3.pdf \(local.gov.uk\)](https://www.local.gov.uk/doing-your-duty-practice-1a3)

The recommendations in this have not been followed including number 10:

“10. Plans should reflect joint working and cooperation to address larger than local issues. In many cases, joint studies with other local planning authorities formed part of the evidence used to demonstrate compliance with the duty. Past cooperation put many local planning authorities in a strong position, particularly where this has resulted in the preparation of sub-regional strategies, joint studies or common methodologies on SHMA, Strategic Flood Risk Assessment, economic assessments, Green Infrastructure studies, landscape and renewables assessments, and transport studies.”

This failure is evident in the vast over provision of housing as previously shown and shared infrastructure for example the health and sewage systems between South Tyneside and Sunderland as well as employment at IAMP. This shows that the Plan is not sound.

3. Objection made regarding Sustainability Appraisal Report 2024 – Employment Land and policy SP14: Wardley Colliery

The Sustainability Appraisal Report 2024 notes that the Local Plan has increased the amount of land required for employment from the Draft Regulation 18 Local Plan. It notes that the level of employment growth underpinning this is high in the context of past trends.

This demonstrates that the Regulation 19 Draft Local Plan is not justified by the evidence base; the amount of land for employment allocated for employment is too high and more of this land needs to be utilised for housing development in existing urban areas. The removal from the Green Belt of the Wardley Colliery site in SP14 is not justified.

The Sustainability Appraisal Report states:

“Preferred Options

4.41 Within the Draft Local Plan 2019, the Council took forward the following preferred options for employment land: ■ General Employment Land – Option 2: Policy-on Scenario ■ Port and Marine Land – Option 3: Past Completions (net)

4.42 These options were selected because the Council considered them to have the most positive effects on SA objective 9 (encourage and support economic growth within South Tyneside) and SA objective 10 (increase opportunities for employment and education and improve living standards). The Council’s reasons for this were set out in the 2019 SA Report.

4.43 In the Draft Regulation 18 Local Plan (June 2022) the Council’s preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. The reasons for this were set out in detail in the 2022 Employment Land Technical Paper, which explained that in choosing this scenario the Council was being cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities.”

And

“4.45 In the Regulation 19 Draft Publication Plan, the Council’s preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP’.”

The SAR also notes the negative impact of this preferred option for employment land:

“4.26 However, negative effects were recorded against a number of environmental objectives, reflecting the impact that a high economic growth could have upon the environment due to proximity existing designations, and increased impacts on natural resources, potential impacts on biodiversity and wildlife corridors. This level of growth is also likely to require land from the Green Belt to facilitate the growth aspirations; this objective therefore scored negatively against objective 4 (Green Belt) and objective 5 (green infrastructure) due to the potential impacts on the Green Infrastructure corridor.”

The Sustainable Appraisal Non-Technical Summary states in the section assessing the Likely Effects of the Local Plan Options:

“Preferred Options

34. In the Draft Regulation 18 Local Plan (June 2022) the Council’s preferred scenario for employment land requirements over the Plan period was the Baseline

Labour Demand Scenario. In choosing this scenario the Council had been cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities. In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the 'ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP'."

4. Objection made regarding Density Report 2024 and paragraph 8.24 of the Local Plan

The Local Plan is not justified by the evidence as set out in the Density Report 2024 of housing density achieved since the last housing density report in 2018. The Local Plan in paragraph 8.24 sets a lower average housing density than has been achieved which means it is not consistent with the NPPF.

The Density Report 2024 states:

"2.3 Paragraph 125 of the NPPF highlights the importance of avoiding homes being built at low densities, where there is an anticipated shortage of land for meeting identified housing needs. Planning policies should avoid homes being built at low densities and ensure optimal use of land by using minimum density standards. These standards aim to uplift the average density of residential development and the use of these standards should be used in other parts of the plan area. Minimum density standards should also be used in a way which ensures that applications which fail to make efficient use of land be refused."

It states in the Summary

"4.1 Following the four assessments several conclusions can be drawn with regards to density patterns throughout South Tyneside. Since the previous Density study in 2018:

- The average density of sites assessed was 66 dwellings per hectare based on net site area. This is an increase of 16 dwellings per hectare since the previous study.*
- The assessments showed that density declined as site area increased and that sites less than 1 hectare had a density significantly higher than those over 1 hectare. Sites less than 1 hectare had an average density of 82 dwellings per hectare. Sites over 1 hectare had a density of 40 dwellings per hectare.*

- *In general sites with a higher yield had typically lower densities. Sites with less than 50 dwellings had an average density of 50 dwellings per hectare whereas sites with more than 250 dwellings had an average density of 28 dwellings per hectare.*
- *Sites in the urban area of South Shields had the highest densities with an average of 72 dwellings per hectare. This is likely due to the nature of the area and the large proportion of smaller sites.*
- *Compared to the standard density buffers in Policy SC3 of the adopted LDF and the Strategic Housing Land Availability Assessment higher densities were achieved across all three categories. “*

However, the Recommendations for Housing Density which have been utilised by the Regulation 19 Draft Local Plan are lower than the densities which have been achieved. The Density Report states:

“6.1 Housing yield must ultimately be determined by design. However, for the purposes of estimating housing yield as part of the Strategic Housing Land Availability Assessment and Local Plan site selection process the following density calculations are recommended:

- *Average 60 dwellings per hectare on sites within 400m in the Jarrow and Inner South Shields character areas (higher densities may also be appropriate on a site by site basis e.g. by the riverside on sites such as Holborn and Hawthorn Leslie);*
- *Average 55 dwellings per hectare on sites within 400m in the rest of the borough;*
- *Average 45 dwellings per hectare on sites between 400m – 800m in the rest of the borough; and*
- *Average 35 dwellings per hectare on sites beyond 800m in the rest of the borough.*

6.2 These densities will be used to estimate site capacities in the Strategic Housing Land Availability Assessment where other information (e.g. planning applications, information from developers etc.) is not available. Should this information be available it will be used.”

The Density Report 2024 also underestimates the housing densities which have been achieved because two very large urban brownfield sites have been excluded from the assessment:

“3.2 Whilst permission was given to 26 sites during this period only 24 sites will be used in this study. The sites at Leslie Hawthorn and Holborn have been omitted from this study as due to the nature of those sites they present an anomaly in the densities. These sites have a much higher density as to be viable sites for the developers more dwellings on site were required. These sites have a much higher proportion of flats and apartments than others of this size and location. Therefore, to be able to analyse patterns and trends in the data these 2 sites have been treated as anomalies.”

If these two sites were included in the assessment, the average density achieved would be higher and the discrepancy between this and the recommendations for average density for the Local Plan would be even greater.

5. Objection made specifically regarding Policy 18: Affordable Housing, Policy 19: Housing Mix and Policy 20: Technical Design Standards for New Homes

The Local Plan is not justified and is not consistent with the NPPF in terms of meeting the housing needs identified in the Strategic Housing Market Assessment (SHMA) 2023.

In the section on Housing Allocations the Local Plan states:

“5.4 When allocating sites to meet the housing requirement, the Plan has looked to ensure the right homes are delivered in the right places, taking into account need, demand, deliverability, sustainability and improving choice.”

The SHMA 2023 has identified an annual need for 361 affordable homes each year across the borough which justifies the need for a robust affordable housing policy which will provide mechanisms to help meet this affordable need. Yet the same document states in the Executive Summary:

“It is recommended that the current target for 75% market and 25% affordable is maintained.” And in Paragraph 7.10 states: *“The SHMA would suggest that an overall target of 25% affordable housing should continue to be applied. This will be subject to viability testing before a target can be established for affordable housing in the emerging Local Plan.”*

The proposed proportion of affordable homes in Cleadon and East Boldon is 30%, but as median house prices in this area are £225,000 the accepted definition of affordable being 80% of market value means they will still be unaffordable to the very people requiring this provision.

The NPPF states *“62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

Particular needs identified in the SHMA 2023 are:

- *“Increasing and diversifying the supply of specialist housing for older people. There is a need for 3,060 more units of accommodation for older people by 2040 comprising 1,803 C3 units, 885 C2 Extra Care units and 372 C2 Residential care units*
- *Based on an assessment of additional needs and longer-term demographics, a minimum of 5% of new dwellings should be built to M4(3) wheelchair accessible*

standard; and all other new dwellings should be built to M4(2) accessible and adaptable standard.”

However the Local Plan fails to implement these recommendations in full as Policy 20: Technical Design Standards for New Homes states:

*“1. To meet the needs of older people and people with disabilities, a minimum of 5% of new build housing in developments of 50 homes or more shall be built to Building Regulations Requirement M4(3) (wheelchair user dwellings).
2. All residential dwellings shall be designed to be built to meet Building Regulations Requirement M4(2): (Accessible and adaptable dwellings) except where it can be demonstrated that this is impractical or unviable due to site specific constraints.”*

Policy 20 introduces a condition that this target for wheelchair user dwellings (ieBuilding Regulations Requirement M4(3)) will only apply in housing developments of 50 homes or more. This means that the Local Plan is not justified by the evidence of the need for these type of homes.

6. Support for Policy 16: Houses in Multiple Occupation

We welcome Policy 16 Houses in Multiple Occupation (HMO) as this is justified by the evidence of clustering of HMOs in particular areas of the borough and the need for further measures in paragraph 2 of the policy for the Lawe Top Article 4 Direction area.

7. Objection made specifically regarding Policy 1 Promoting Healthy Communities and Policy 2 Air Quality; and SP5: Former Brinkburn Comprehensive School and SP6: Former Chuter Ede Education Centre

The Local Plan is not justified because these policies will not ensure the Strategic Objectives for Promoting Healthy Communities will be achieved; and these policies are not consistent with national policy.

The Local Plan proposes the development of several vital community open spaces, for example the playing field land at Chuter Ede and Brinkburn School, despite stating in Policy 1:

*“The Council and its partners, including the NHS, will seek to improve the health, wellbeing and quality of life of South Tyneside residents, reduce health inequalities, and to help people live longer and healthier lives. This will be achieved by:
1. Supporting new development which:
i. Increases opportunities for physical activity and active travel through the provision of good quality sport and recreation facilities and safe and accessible walking, cycling and public transport networks.”*

and

“iii. Enhances the green and blue infrastructure network and supports climate change mitigation and adaptation.”

These community open spaces must be protected and removed from the Local Plan as sites for development. The importance of these community open spaces is recognised in NPPF paragraph 98, 20-23, 26 and 92.

Building on playing fields for example at Chuter Ede has the exact opposite effect to the objective, increasing the local population while removing green space playing fields that are used for exercise.

There is little in the Local Plan that would fulfil the Strategic Objectives for Promoting Healthy Communities. In fact, some parts of the plan make the situation worse including the proposed development in areas that will promote car use such as in Cleadon, East Boldon and Whitburn. These developments will typically have two cars per household, adding potentially thousands of car journeys on an already congested road system. This will have a detrimental effect road safety and on the local environment due to noise and exhaust emissions. Some areas have air pollution levels already in excess of the World Health Organisation recommended maximums. These vehicle journeys will only make this more dangerous as there are no safe levels for these pollutants.

The Local Plan states in paragraph 6.14: *“The importance of good air quality is recognised by the World Health Organisation which produced a series of standards that have been adopted by the European Commission and subsequently the UK”.*

A Local Authority recognising this will be aware that the World Health Organisation (WHO) air quality standards were revised in 2021 and the recommended pollutant levels, to be achieved, were revised down by a considerable amount. NOTE: These are not safe levels as scientists do not consider any amount to be safe. It is inconceivable that the UK national standards will not be reduced to reflect these changes.

In the Local Plan, Policy 2: Air Quality states *“2. Where significant air quality impacts are likely to be generated by the development, an appropriate air quality assessment will be required”*. Due to the changes in WHO levels it is reasonable to predict large areas of the Borough will exceed these and the proposed developments in Policy SP7: Urban and Village Sustainable Growth Areas in particular will result in unsafe air pollution.

The council has a duty as far as reasonably practicable to ensure the health and safety of its residents. Given the above, the Local Plan must be revised to take into consideration the results of the proposed developments on air quality and specified measures that would reduce pollution levels to the minimum possible.

NPPF states in 186: *“Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities*

should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.”

The Local Plan has failed to identify these opportunities adequately and therefore is not consistent with the NPPF and this demonstrates that the Local Plan is not sound.

NPPF states: “31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned...”

The revised WHO air pollution levels are relevant and up-to-date and should be a material consideration.

8. Objection made specifically regarding Section 7: Meeting the Challenge of Climate Change, Flooding and Coastal Change

The Local Plan is not sound because it is not compliant with the Climate Change Act 2008 and Planning and Compulsory Purchase Act 2004 (as amended) duties or consistent with NPPF guidance – carbon accounting and climate mitigation.

The increased carbon emissions from the development proposed in the Local Plan will add to South Tyneside’s carbon footprint and add to the climate change emergency.

National legislation and guidance strongly stress the central role of the planning system in securing radical reductions in greenhouse gas emissions and require Local Plans to:

The policies should aim to secure radical carbon reductions in line with a trajectory for the authority area that is consistent with the UK achieving full carbon neutrality by 2050, and in the short term should test the policy options available to achieve the highest level of ambition possible to meet this goal.

As far as possible, all new development should be zero carbon given that the country’s net zero target must be met in the next 30 years. A good example from another area is Reading Council: *“The council’s 2019 Local Plan requires that all new residential developments of ten or more homes are built to zero carbon standards if possible.”* Zero carbon is an achievable standard.

Adoption of this strategy aligns with the councils own stated aims of the Economic Recovery Plan 2020 to *Catalyse green and sustainable growth by maximising the potential of our low-carbon and digital assets and expertise.*

With regards to Policy 15 much is to be welcomed. 15.1 states *Improve the condition of existing homes by enhancing energy efficiency and reducing carbon emissions in existing buildings* And 15.4 *Facilitate improvements to properties that have traditionally suffered from poor management and under-investment*

However, currently demolition is placed far too highly as an option for the current housing stock. Refitting and retrofitting is by far the less carbon intensive approach so demolition must be de-prioritised.

The Local Plan must be revised in order to bring it into compliance with legislative and policy requirements around climate change and the councils stated ambitions.

9. Objection made specifically regarding Policy 6: Renewables and Low Carbon Energy Generation

The Local Plan is not sound because this policy is not consistent with national policy.

NPPF 156 states: *“Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.”*

We welcome Policy 6 paragraph 2 supporting the inclusion of renewable energy into developments, but the text is not strong enough, and once again, will not change business as usual development approaches. A requirement to include and maximise on-site renewable energy generation needs to be folded into an overall green house gas emissions policy, as seen in the London Plan, policy S12¹.

We welcome Policy 6 paragraph 4, the inclusion of policies requiring development to connect to district heating networks, however this policy needs to be made significantly stronger. The best example of which we are aware is draft policy SI13 of the draft London Plan. As the whole of South Tyneside is located over disused mine-workings more heating schemes like the “Hebburn Minewater Project” should be invested in for housing schemes.

¹London Plan – policy S12 - www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-9-sustainable-infrastructure/policy-si2-minimising#r-SI2

10. Objection made specifically regarding Policy 10 Disposal of Foul Water and Policy 11 Protecting Water Quality

The Local Plan is not justified because these policies are not able to ensure the Objectives for Protecting Water Quality will be achieved; and is not consistent with national policy.

The Local Plan does not refer to the current significant level of sewage pollution in South Tyneside. Population levels have increased considerably in the UK since Victorian times yet we are still using combined sewers that were constructed in the 19th century. If more housing development is permitted, especially on green spaces, more pressure will be exerted on an already failing sewage system. However, in the consultation on the Draft Local Plan, South Tyneside Council confirmed that no extra sewage will be added to the existing infrastructure on the recommendations of Northumbrian Water who have assured them the existing system will cope.

NPPF states *“20.Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for: ...
b) infrastructure for ...wastewater”*

NPPF states: *“185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”*

The Environmental Permitting Regulations 2016 Permits to discharge untreated sewage from Combined Sewer Overflows into watercourses during heavy rainfall are issued to water companies and regulated by the Environment Agency. There is growing evidence to show that these permits are being abused. Sewage is regularly discharged into South Tyneside watercourses in moderate rainfall. This is due to a lack of capacity at the sewage treatment works caused by a lack of investment and contravenes environmental law.

The Environment Agency (EA) has been required to install Event Duration Monitors (EDMs) in all Combined Sewer Overflows (CSOs). These record the number of discharges and the duration of the discharges. The Whitburn system remains in breach of environmental law as of March 2021, but the EA want to wait 10 years to ‘assess’ the system.

The data supplied by the authorities needs to be treated with caution. In March 2020 the EA issued an apology after their published sewage discharge records for Whitburn for 2019 were challenged. They were forced to increase the volume of CSO

discharges for Whitburn by 10% from 683,676 cubic metres to 760,993.5 cubic metres. In March 2021 Northumbrian Water issued an apology after their published untreated sewage discharge records for Hendon Sewage treatment works for 2019 were challenged. They were forced to increase their published hours of untreated discharges in 2019 from Hendon Sewage Treatment works by 4,000% from 15 hours 52 mins to 646 hours.

Sewage pollution is a contributor to climate change. Seagrasses can absorb more carbon up to 40 times faster than terrestrial forests and these ecosystems become sources of CO₂ emissions when they are degraded or destroyed. A major driver of seagrass decline is nutrient pollution from sewage. A study has shown that 90% of the seagrass meadows in the UK have been lost to pollution. Locally, the seagrass meadows in the River Tyne estuary have been devastated by sewage flowing from nearby Combined Sewer Overflows.

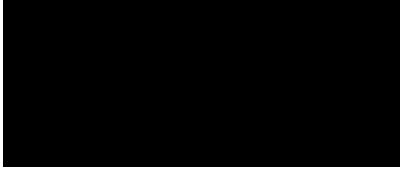
Sewage pollution causes harm to public health. Recent epidemiological studies show a close relationship between contact with polluted waters and the incidence of gastro-intestinal, eye, ear, nose and throat infections or irritations and respiratory symptoms. This is a recognised problem for surfers, kite surfers, windsurfers, sailors, kayakers and wild swimmers. Even the dog walkers, joggers and walkers who all enjoy the access to South Tyneside's riverside and beaches throughout the year are at risk from sewage pollution.

Public Health is a material planning consideration. Local authorities have important and wide-ranging public health functions, for example under the Public Health (Control of Disease) Act 1984. This legislation adopts an 'all-hazards' approach and provides South Tyneside Council with the necessary powers to control human health risks arising from infection or contamination of any form including chemicals and radiation. Statutory duties for public health were conferred on local authorities by the Health and Social Care Act 2012. Local authorities (and directors of public health acting on their behalf) now have a critical role in protecting the health of their population, both in terms of helping to prevent threats arising and in ensuring appropriate responses when things do go wrong.

Health considerations are capable of being material planning considerations. This is recognised in the NPPF which includes the following statement at paragraph 92: *"Planning policies and decisions should aim to achieve healthy, inclusive and safe places."*

The health implications of exposure to the levels of sewage pollution regularly discharged into the River Tyne and on to the beaches of South Tyneside must be a material planning consideration with respect to future developments as, without an improvement in sewage treatment capacity, more development will bring about an inevitable increase in sewage pollution.

Ian Hudson



Email



SP3 Spatial Strategy for sustainable Development

Objection – the policy has not been positively prepared to deliver sustainable development.

SP3 - To meet the identified needs in Policy SP2 and to facilitate sustainable growth, the Plan will:

1. Support the sustainability of existing communities by focusing growth within the Main Urban Area including South Shields, Hebburn and Jarrow
2. Secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting growth which respects the distinctive character of each village
3. Encourage the re-use of suitable and viable brownfield land and, where appropriate, encourage higher development densities. The following issues are relevant:-

- a. The plan includes a Strategic Housing Land Availability Assessment (SHLAA) which concluded that non-Green Belt did not deliver the residual housing requirement for the borough. **The local plan does not explain the reasons for drawing this conclusion.**
- b. The plan states that the use of suitable brownfield sites within the built-up areas should **always** be given priority over less sustainable greenfield sites. Despite this statement the local plan identifies in Table 1 that greenfield sites shall provide 1108 out of 3498 housing allocation **(32%)**.
- c. The plan refers to the South Tyneside Brownfield Register. This document identifies 69 hectares of available land and a “net dwelling range” of 2,568. The register does not define the meaning of “net dwelling range” but it is assumed, by the me, to be the number of dwellings that that area of land will support.
- d. Despite the assertion that developments on brownfield sites should be given priority **only 30 residences** on such sites are included within the plan – ref Table 2. This table also shows a residual housing requirement of 3443 homes. **The 30 residences therefore represent less than 1% of the housing requirements.**
- e. **The local plan does not explain the reasons for identifying that only 30 homes can be provided from the 2,568 residences shown in the “net dwelling range” of the brownfield register. It does not explain the criteria for dismissing the suitability of the balance i.e. in excess of 2,500 possible dwellings.**

4. The development of site GA4 is close to Boldon Flats which is one of South Tyneside Council’s nature reserves. The flightpath of migrating birds to/from the nature reserve is directly above the area of GA4. Included within the species of migrating birds are swans. Under the Wildlife and Countryside Act 1981 all swans in England, Wales, Scotland, and Northern Ireland are protected species. **The plan does not explain how these, and other migrating birds, will not be disturbed by the proposed development of site GA4.**

Objective 2

The Plan proposes increased housing on green belt;

GA4 Cleadon Village – West Hall Farm 259 houses

GA2 East Boldon – North Farm 263 houses

GA5 Whitburn – Whitburn Lodge 30 houses

GA6 Whitburn – North of Shearwater 41 houses

This is on top of the 202 houses already given planning permission at Cleadon Lane on the boundary between Cleadon and East Boldon along with 9 at the nearby Mayflower site.

The plan has not secured the sustainability of the villages as the infrastructure to support the proposed developments does not exist and there are no viable plans to improve the lack of them including.

- Lack of school places.
- Lack of medical facilities. The area the south and East of South Tyneside has been identified in the plan as having insufficient access to medical services. Colliery Court Medical Group has already stopped taking new patients.
- Lack of road capacity which already results in congestion with the associated air pollution and greenhouse gases.
- With reference to site GA4 the local plan shows a key consideration to be the exploration of opportunities of improving the existing staggered junction between the site and Sunderland Road. **Improving the staggered junction will not reduce the volume of traffic attempting to travel to and from South Shields nor ease the flow of traffic. This route is regularly used by ambulances transferring patients between the hospitals at South Shields and Sunderland. Increasing congestion on this route should be avoided.**
- **Additional traffic from site GA4 will create greater conflict at the junction of Moor Lane and Sunderland Road. A survey, of the existing properties locally to site GA4, indicates that each household owns an average of 1.6 vehicles. Based on this survey, Site GA4 will generate an additional 400 vehicles making use of the local road system. During peak times this is clearly a safety issue which is not addressed in the local plan.**
- It is anticipated that the houses of the other greenfield sites will have similar car ownership averages i.e. the greenfield households (1108) will generate an additional 1,700 vehicles on the local villages road systems.
- Lack of wastewater capacity that already results in regular sewage discharges into the environment.
- Statement 7.59 of the Local Plan indicates *“The LPA must have regard to whether there is sufficient capacity within the existing sewer network before granting planning permission to a development that will impact on that capacity. However, it is the*

responsibility of Northumbrian Water (NWL) as sewage undertaker, to ensure that there is sufficient capacity. In assessing whether there extensions/ improvements to existing wastewater, sludge or sewage treatment works, will be supported unless the adverse impact of the development significantly outweighs the need for greater capacity Where the development involves the disposal of trade effluent, a Foul Water Management Plan/ drainage assessment will be required to demonstrate how the disposal of foul water is undertaken following the disposal hierarchy. This shall include a trade effluent consent if connected to the sewerage system. Trade effluent is any liquid produced by the operations of any trade or industry including car washes. 3 is sufficient capacity, the LPA will have regard to the professional advice provided by NWL. **This statement is contradictory and fails to explain how the additional wastewater from any of the sites will be handled. In order to understand the overall requirements of the local plan is it not the responsibility of the LPA to identify how much waste water will be generated and for the water authority to identify whether, or not, they have capacity within their system to cope with that addition? Until that is done the full scope of works and sustainability of the local plan cannot be identified.**

- Risks from flooding. North Farm is in a flood risk zone 2 and 3 and West Hall Farm is a very low lying area where farm land is permanently flooded for long periods and road surface flooding occurs.

The additional developments will have a detrimental impact on the character of the villages and is counter to the purpose of the green belt as set out in the NPPF to;

- Prevent urban sprawl.
- Keep land permanently open
- Essential characteristics are openness and permanence
- Restrict urban sprawl
- Prevent neighbouring towns merging
- The local plan makes no reference to Sunderland Football Club's proposed development of a solar farm in the fields to the south and east of GA4. The development of the solar farm and GA4 would result in the complete removal of the green belt directly to the south of Cleadon Village.
- Safeguard the countryside from encroachment
- Assist urban regeneration, encouraging recycling derelict & urban land

The car dependant developments will have a detrimental effect on the environment and climate change.

The proposed developments are not consistent with the following National Planning Policy Framework sections:

NPPF Paragraph 11:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure;*

improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

and

20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

c) community facilities (such as health, education and cultural infrastructure); and

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

and

32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

Examining plans

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are

- a) 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 neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) 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; and*

- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

and

123. Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and*

- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.*

Response ID BHLF-RUCU-JV2C-M

Submitted to Sustainability Appraisal 2024

Submitted on 2024-04-23 14:53:45

Have your say

1 Which section(s) of the SA are you responding to?

Section of the SA:

Employment land

2 Please provide any comments you wish to be considered by the Planning Inspector.

Comments:

3. Objection made regarding Sustainability Appraisal Report 2024 – Employment Land and policy SP14: Wardley Colliery

The Sustainability Appraisal Report 2024 notes that the Local Plan has increased the amount of land required for employment from the Draft Regulation 18 Local Plan. It notes that the level of employment growth underpinning this is high in the context of past trends.

This demonstrates that the Regulation 19 Draft Local Plan is not justified by the evidence base; the amount of land for employment allocated for employment is too high and more of this land needs to be utilised for housing development in existing urban areas. The removal from the Green Belt of the Wardley Colliery site in SP14 is not justified.

The Sustainability Appraisal Report states:

“Preferred Options

4.41 Within the Draft Local Plan 2019, the Council took forward the following preferred options for employment land: □ General Employment Land – Option 2: Policy-on Scenario □ Port and Marine Land – Option 3: Past Completions (net)

4.42 These options were selected because the Council considered them to have the most positive effects on SA objective 9 (encourage and support economic growth within South Tyneside) and SA objective 10 (increase opportunities for employment and education and improve living standards). The Council's reasons for this were set out in the 2019 SA Report.

4.43 In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. The reasons for this were set out in detail in the 2022 Employment Land Technical Paper, which explained that in choosing this scenario the Council was being cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities.”

And

“4.45 In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP.’”

The SAR also notes the negative impact of this preferred option for employment land:

“4.26 However, negative effects were recorded against a number of environmental objectives, reflecting the impact that a high economic growth could have upon the environment due to proximity existing designations, and increased impacts on natural resources, potential impacts on biodiversity and wildlife corridors. This level of growth is also likely to require land from the Green Belt to facilitate the growth aspirations; this objective therefore scored negatively against objective 4 (Green Belt) and objective 5 (green infrastructure) due to the potential impacts on the Green Infrastructure corridor.”

The Sustainable Appraisal Non-Technical Summary states in the section assessing the Likely Effects of the Local Plan Options:

“Preferred Options

34. In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. In choosing this scenario the Council had been cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities. In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP.’”

3 What is your name?

Name:

Andrea Hewitson

4 What is your email address?

Email:

[REDACTED]

5 Who are you responding as?

Resident or Member of the General Public

Organisation:

6 What is your postal address?

Address:

[Redacted Address]

From: [REDACTED]
Sent: 03 March 2024 09:37
To: Local Plan
Subject: Re: South Tyneside Publication Draft Local Plan (Regulation 19) public consultation

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Dear Sirs,

1. Objection made specifically regarding Policy SP2: Strategy for Sustainable Development

This policy is not justified by the evidence because it proposes an unsustainable level of growth of housing development; and is not consistent with the NPPF or with other statements of government policy.

This policy must be revised to decrease the number of homes being planned for, in order to meet the requirement to be sound on the basis of being positively prepared, so that it meets the area's objectively assessed needs and is consistent with achieving sustainable development.

In SP2 paragraph 4.9 of the Local Plan it states:

"4.9 To determine the minimum number of homes needed, a local housing need assessment has been conducted using the standard method detailed in the national planning guidance. The standard method uses a formula to identify the minimum number of homes expected to be planned for in a way which addresses projected household growth and any historic under-supply. Using this approach the local housing needs assessment has concluded that for the plan period (1st April 2023 to 31st March 2040) 309 dwellings are required every year. This produces an overall minimum housing requirement of 5,253 new homes over the Plan period. The household projections that inform the housing baseline are the 2014-based household projections. This figure could change upwards or downwards based on new data. South Tyneside's housing requirement will not be 'locked in' until the Plan is submitted to the independent Planning Inspectorate."

The Local Plan is based on inaccurate population projections. Census data show a consistently falling population in South Tyneside, from 157,200 in 1991, to 152,785 in 2001, to 148,127 in 2011, to 147,800 in 2021. Yet the Local Plan assumes a population of 151,936 for 2021, an overestimate of 4,136, and that it would continue to increase over the next 20 years.

Using the Office for National Statistics (ONS) 2014 housing projections produces a housing requirement of 309 per year, a total of 5,253 houses by 2040. The Local Plan would require a total

of 77,716 dwellings in South Tyneside by 2040 whereas the 2018 ONS projection is for 75,664. Therefore the Local Plan is for 2,052 more houses than are needed.

The ONS household projection is likely to be revised down given the population trends thus increasing the excess housing provision in the Local Plan.

The East Boldon Neighbourhood Forum received the following statement from the Department for Levelling Up, Housing & Communities, written by Alan C Scott, Planning policy adviser on behalf of the Secretary of State:

"In 2018 the Framework introduced a standard method for calculating local housing need to make the process simple, quick and transparent. "The standard method does not impose a target; it is still up to the local authority to determine its housing requirement, and this includes taking local circumstances and restraints such as Green Belt into account".

The NPPF paragraph 5 and 6 states:

"5. National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.

6. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission."

Michael Jenrick, then Secretary of State for Housing, Communities and Local Government, made a Written Statement 16th December 2020:

"There were many consultation responses which did not fully recognise that the standard method for assessing Local Housing Need does not present a 'target' in plan-making, but instead provides a starting point for determining the level of need for housing in an area. It is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made."

Michael Gove, Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations, made a Commons Statement on 19th December 2023:

"Today's update to the National Planning Policy Framework (NPPF)

It provides clearer protection for the Green Belt, clarity on how future housing supply should be assessed in plans and on the responsibility of urban authorities to play their full part in protecting the character of precious neighbourhoods.

*The new NPPF will: facilitate flexibility for local authorities in relation to local housing need; clarify a local lock on any changes to Green Belt boundaries;
The new NPPF makes clear that the outcome of the standard method is an advisory starting point in plan making for establishing the housing requirements for an area."*

The above is supported by guidance in The House of Commons Library published on 27 August 2021 "Calculating housing need in the planning system (England)" which states in 2.4:

"A starting point, not a target? Land constraints and the standard method. The standard method is intended to be the starting point in determining how many homes an LPA can and should deliver, but is not a target. LPAs must also take account (for example) of land constraints, such as the Green Belt."

<https://commonslibrary.parliament.uk/research-briefings/cbp-9268/>

This means that South Tyneside Council is able to determine its housing requirement and can take into account the restraint of the Green Belt.

2. Objection to development on the Green Belt, made specifically regarding Policies SP3: Spatial Strategy for Sustainable Development and SP7: Urban and Village Sustainable Growth Areas

These policies are not justified by the evidence and the case for exceptional circumstances to amend the Green Belt boundary has not been made.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt: GA1-6 and SP8.

The Green Belt land allocation in the Local Plan is for 2,308 new homes but there is no justification for building on this precious resource. The Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established. The Local Plan must be revised in order to meet the requirement to be sound on the basis of being justified, as an appropriate strategy, taking into account the reasonable alternatives and based on proportionate evidence; and on the basis of being consistent with national policy.

In the Local Plan, Policy SP3: Spatial Strategy for Sustainable Development proposes amending the Green Belt boundary to allocate additional land for housing and Policy SP7 Urban and Village Sustainable Growth Areas proposes the removal of sites from the Green Belt and allocation for housing development.

The Local Plan states in Policy SP3: Spatial Strategy for sustainable development:

“To meet the identified needs in Policy SP2 and to facilitate sustainable growth, the Plan will:

- 1. Support the sustainability of existing communities by focusing growth within the Main Urban Area including South Shields, Hebburn and Jarrow*
- 2. Secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting growth which respects the distinctive character of each village*
- 3. Encourage the re-use of suitable and viable brownfield land and, where appropriate, encourage higher development densities.*
- 4. Ensure the delivery of housing in sustainable locations through the allocation of sites in the Main Urban Area and by amending the Green Belt boundary to allocate Urban and Village sustainable growth areas*
- 5. Create a new sustainable, community within the Fellgate Sustainable Growth Area (Policy SP8) by providing homes and community facilities.*
- 6. Prioritise the regeneration of South Shields Riverside, South Shields Town Centre, Fowler Street Improvement Area, and the Foreshore Improvement Area*
- 7. Prioritise economic development in designated Employment Areas, including the Port of Tyne, that are accessible by a range of transport modes and allocate additional land at Wardley Colliery*
- 8. Enhance and strengthen green infrastructure, ecological networks and Green Belt throughout South Tyneside and between neighbouring authorities.*

The National Planning Policy Framework (NPPF) states:

“140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period”

As demonstrated in Objection 1 above, there is no evidence that the housing requirement for the Plan period is at a level requiring development on the Green Belt. The strategic need has not been proven, for example there has been no cooperation with neighbouring local authorities which have Local Plans that intend to cumulatively build in excess of 19,000 houses above their respective ONS 2018 housing projections.

Sunderland Local Plan – 10,755 excess houses by 2033

Gateshead Local Plan – 6,337 excess houses by 2030

North Tyneside Local Plan - 2,238 excess houses by 2032

A planning appeal decision has confirmed the protected status of the Green Belt. This decision reiterates and reinforces the protection from inappropriate development given to the Green Belt in national planning policy.

Broke Hill golf course

In the Broke Hill case in Sevenoaks, Kent, the Inspector confirmed that, where planning policies protect areas of particular importance and provide a clear reason for refusing the development, the so-called “tilted balance” presumption in favour of granting planning permission does not apply.

For Broke Hill, the planning policies in this case related to protection of the Green Belt. This is especially important as Sevenoaks does not have the required five-year supply of housing land nor has it met the government’s housing delivery test for 2021. The inspector noted a number of benefits of the proposed development including provision of affordable housing. However, he concluded that notwithstanding the lack of five-year housing supply, the housing delivery test, and the benefits, this did not outweigh the harm that would be caused to the Green Belt, and were not sufficient to override national and local planning policies protecting the Green Belt. “The tilted balance is not invoked, however, because the Framework at Paragraph 11d(i) and footnote 7 protects both areas and assets of particular importance, which include the Green Belt, and provides a clear reason to dismiss the appeal.” Stephen Wilkinson, Inspector Planning Inspectorate decision Broke Hill golf course 31 January 2022

This case along with ministerial statements demonstrates that the Local Plan fails to be consistent with national planning policy to protect the Green Belt, as specified in paragraph 11 of the National Planning Policy Framework.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt.

Furthermore, the Local Plan is not justified because the NPPF states:

“141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”

Regarding paragraph “a”, it has not been proven that all brownfield sites have been considered.

There are underutilised sites such as areas in South Shields town centre where previously developed land is used for car parking rather than housing like the area at the Mill Dam in South Shields, the former Staithes House and surrounding land near the town centre has been cleared for development for decades. The large office building at Harton Quay was leased by BT Group until last year but BT Group then closed its office and redeployed its 500 staff to other parts of the North East.

These are areas close to South Shields transport interchange and so would satisfy paragraph “b” the need to promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport.

The failure to rent out office space also drawn into question the planned 200,000 sq ft of office space in the adjacent Holborn development especially as the Utilitywise office building just down river had to be converted to flats after lying empty for a long period.

Planners overlooked possible brownfield sites across South Tyneside. Questions raised over validity of the reasons for rejection have not been answered. Some examples are the health clinic site near the ambulance station on Boldon Lane, the Pickwick pub in Biddick Hall, the former Methodist church on Bede Burn Road, the former Park Hotel on Lawe Road have not been included in the Local Plan.

Immediately after the Regulation 18 consultation in 2022, planning permission was given for 446 houses on the former Hawthorn Leslie shipyard that had lain redundant for several years. This was not included in the Regulation 18 Draft Plan. A similar situation exists at the former Rohm and Hass brownfield site near Jarrow town centre that would comply with 141 a) and b). This land if designated for industry could be released for housing as the land designated for employment in the Regulation 19 Local Plan is not justified by the evidence.

A further statement which is insufficient is paragraph 4.31, Sustainable Urban and Village Extensions:

“The Council has undertaken an extensive Green Belt review to identify land which would cause the least harm to the purposes of the Green Belt, that is considered suitable for development, and that 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 at each location. Following consultation on the Plan, the Council will undertake a Green Belt boundary review which will review the entire Green Belt boundary to ensure that it has a strong and defensible boundary as required by the NPPF.”

It has been shown that the Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established.

Regarding paragraph “c”, there is no evidence that the aggregated housing assessments of the neighbouring authorities has been compared with the projected population levels of these authorities to show that there will be no overall supply. The simple statement in 4.28 in the Local Plan is insufficient:

“28. Prior to identifying land in the Green Belt the Council has, as part of Duty to Cooperate, discussed whether neighbouring authorities could accommodate additional housing. As set out in the Duty to Cooperate Statement, neighbouring authorities have confirmed that they would be unable to provide land to meet South Tyneside’s needs.”

The duty to cooperate has not been evidenced as required by guidance such as PAS – Doing your duty practice update [doing-your-duty-practice--1a3.pdf \(local.gov.uk\)](https://www.local.gov.uk/doing-your-duty-practice--1a3.pdf)

The recommendations in this have not been followed including number 10:

“10. Plans should reflect joint working and cooperation to address larger than local issues. In many cases, joint studies with other local planning authorities formed part of the evidence used to demonstrate compliance with the duty. Past cooperation put many local planning authorities in a strong position, particularly where this has resulted in the preparation of sub-regional strategies, joint studies or common methodologies on SHMA, Strategic Flood Risk Assessment, economic assessments, Green Infrastructure studies, landscape and renewables assessments, and transport studies.”

This failure is evident in the vast over provision of housing as previously shown and shared infrastructure for example the health and sewage systems between South Tyneside and Sunderland as well as employment at IAMP. This shows that the Plan is not sound.

The Plan proposes increased housing on green belt;

GA4 Cleadon Village – West Hall Farm 259 houses

GA2 East Boldon – North Farm 263 houses

GA5 Whitburn – Whitburn Lodge 30 houses

GA6 Whitburn – North of Shearwater 41 houses

This is on top of the 202 houses already given planning permission at Cleadon Lane on the boundary between Cleadon and East Boldon along with 9 at the nearby Mayflower site.

The plan has not secured the sustainability of the villages as the infrastructure to support the proposed developments does not exist and there are no viable plans to improve the lack of them including.

- Lack of school places.
- Lack of medical facilities. The area the south and East of South Tyneside has been identified in the plan as having insufficient access to medical services. Colliery Court Medical Group has already stopped taking new patients.
- Lack of road capacity which already results in congestion with the associated air pollution and greenhouse gases.
- Lack of wastewater capacity that already results in regular sewage discharges into the environment
- Risks from flooding. North Farm is in a flood risk zone 2 and 3 and West Hall Farm is a very low lying area where farm land is permanently flooded for long periods and road surface flooding occurs.

The additional developments will have a detrimental impact on the character of the villages and is counter to the purpose of the green belt as set out in the NPPF to;

- Prevent urban sprawl
- Keep land permanently open
- Essential characteristics are openness and permanence
- Restrict urban sprawl

- Prevent neighbouring towns merging
- Safeguard the countryside from encroachment
- Assist urban regeneration, encouraging recycling derelict & urban land

The car dependant developments will have a detrimental effect on the environment and climate change.

The proposed developments are not consistent with the following National Planning Policy Framework sections:

NPPF Paragraph 11:

- a. *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*

and

20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

c) community facilities (such as health, education and cultural infrastructure); and

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

and

32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

Examining plans

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are

- a. *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 neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b. *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

- c. *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; and*
- d. *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

and

123. Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and*
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.*

3. Objection made regarding Sustainability Appraisal Report 2024 – Employment Land and policy SP14: Wardley Colliery

The Sustainability Appraisal Report 2024 notes that the Local Plan has increased the amount of land required for employment from the Draft Regulation 18 Local Plan. It notes that the level of employment growth underpinning this is high in the context of past trends.

This demonstrates that the Regulation 19 Draft Local Plan is not justified by the evidence base; the amount of land for employment allocated for employment is too high and more of this land needs to be utilised for housing development in existing urban areas. The removal from the Green Belt of the Wardley Colliery site in SP14 is not justified.

The Sustainability Appraisal Report states:

“Preferred Options

4.41 Within the Draft Local Plan 2019, the Council took forward the following preferred options for employment land: ■ General Employment Land – Option 2: Policy-on Scenario ■ Port and Marine Land – Option 3: Past Completions (net)

4.42 These options were selected because the Council considered them to have the most positive effects on SA objective 9 (encourage and support economic growth within South Tyneside) and SA objective 10 (increase opportunities for employment and education and improve living standards). The Council’s reasons for this were set out in the 2019 SA Report.

4.43 In the Draft Regulation 18 Local Plan (June 2022) the Council’s preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. The reasons for this were set out in detail in the 2022 Employment Land Technical Paper, which explained that in choosing this scenario the Council was being cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities.”

And

“4.45 In the Regulation 19 Draft Publication Plan, the Council’s preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP’.”

The SAR also notes the negative impact of this preferred option for employment land:

“4.26 However, negative effects were recorded against a number of environmental objectives, reflecting the impact that a high economic growth could have upon the environment due to proximity existing designations, and increased impacts on natural resources, potential impacts on biodiversity and wildlife corridors. This level of growth is also likely to require land from the Green Belt to facilitate the growth aspirations; this objective therefore scored negatively against objective 4 (Green Belt) and objective 5 (green infrastructure) due to the potential impacts on the Green Infrastructure corridor.”

The Sustainable Appraisal Non-Technical Summary states in the section assessing the Likely Effects of the Local Plan Options:

“Preferred Options

34. In the Draft Regulation 18 Local Plan (June 2022) the Council’s preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. In choosing this scenario the Council had been cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities. In the Regulation 19 Draft Publication Plan, the Council’s preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP’.”

4. Objection made regarding Density Report 2024 and paragraph 8.24 of the Local Plan

The Local Plan is not justified by the evidence as set out in the Density Report 2024 of housing density achieved since the last housing density report in 2018. The Local Plan in paragraph 8.24 sets a lower average housing density than has been achieved which means it is not consistent with the NPPF.

The Density Report 2024 states:

“2.3 Paragraph 125 of the NPPF highlights the importance of avoiding homes being built at low densities, where there is an anticipated shortage of land for meeting identified housing needs. Planning policies should avoid homes being built at low densities and ensure optimal use of land by using minimum density standards. These standards aim to uplift the average density of residential development and the use of these standards should be used in other parts of the plan area. Minimum density standards should also be used in a way which ensures that applications which fail to make efficient use of land be refused.”

It states in the Summary

“4.1 Following the four assessments several conclusions can be drawn with regards to density patterns throughout South Tyneside. Since the previous Density study in 2018:

- The average density of sites assessed was 66 dwellings per hectare based on net site area. This is an increase of 16 dwellings per hectare since the previous study.*
- The assessments showed that density declined as site area increased and that sites less than 1 hectare had a density significantly higher than those over 1 hectare. Sites less than 1 hectare had an average density of 82 dwellings per hectare. Sites over 1 hectare had a density of 40 dwellings per hectare.*
- In general sites with a higher yield had typically lower densities. Sites with less than 50 dwellings had an average density of 50 dwellings per hectare whereas sites with more than 250 dwellings had an average density of 28 dwellings per hectare.*
- Sites in the urban area of South Shields had the highest densities with an average of 72 dwellings per hectare. This is likely due to the nature of the area and the large proportion of smaller sites.*
- Compared to the standard density buffers in Policy SC3 of the adopted LDF and the Strategic Housing Land Availability Assessment higher densities were achieved across all three categories. “*

However, the Recommendations for Housing Density which have been utilised by the Regulation 19 Draft Local Plan are lower than the densities which have been achieved. The Density Report states:

“6.1 Housing yield must ultimately be determined by design. However, for the purposes of estimating housing yield as part of the Strategic Housing Land Availability Assessment and Local Plan site selection process the following density calculations are recommended:

- Average 60 dwellings per hectare on sites within 400m in the Jarrow and Inner South Shields character areas (higher densities may also be appropriate on a site by site basis e.g. by the riverside on sites such as Holborn and Hawthorn Leslie);*
- Average 55 dwellings per hectare on sites within 400m in the rest of the borough;*
- Average 45 dwellings per hectare on sites between 400m – 800m in the rest of the borough; and*
- Average 35 dwellings per hectare on sites beyond 800m in the rest of the borough.*

6.2 These densities will be used to estimate site capacities in the Strategic Housing Land Availability Assessment where other information (e.g. planning applications, information from developers etc.) is not available. Should this information be available it will be used.”

The Density Report 2024 also underestimates the housing densities which have been achieved because two very large urban brownfield sites have been excluded from the assessment:

“3.2 Whilst permission was given to 26 sites during this period only 24 sites will be used in this study. The sites at Leslie Hawthorn and Holborn have been omitted from this study as due to the nature of those sites they present an anomaly in the densities. These sites have a much higher density as to be viable sites for the developers more dwellings on site were required. These sites have a much higher proportion of flats and apartments than others of this size and location. Therefore, to be able to analyse patterns and trends in the data these 2 sites have been treated as anomalies.”

If these two sites were included in the assessment, the average density achieved would be higher and the discrepancy between this and the recommendations for average density for the Local Plan would be even greater.

5. Objection made specifically regarding Policy 18: Affordable Housing, Policy 19: Housing Mix and Policy 20: Technical Design Standards for New Homes

The Local Plan is not justified and is not consistent with the NPPF in terms of meeting the housing needs identified in the Strategic Housing Market Assessment (SHMA) 2023.

In the section on Housing Allocations the Local Plan states:

“5.4 When allocating sites to meet the housing requirement, the Plan has looked to ensure the right homes are delivered in the right places, taking into account need, demand, deliverability, sustainability and improving choice.”

The SHMA 2023 has identified an annual need for 361 affordable homes each year across the borough which justifies the need for a robust affordable housing policy which will provide mechanisms to help meet this affordable need. Yet the same document states in the Executive Summary:

“It is recommended that the current target for 75% market and 25% affordable is maintained.” And in Paragraph 7.10 states: *“The SHMA would suggest that an overall target of 25% affordable housing should continue to be applied. This will be subject to viability testing before a target can be established for affordable housing in the emerging Local Plan.”*

The proposed proportion of affordable homes in Cleadon and East Boldon is 30%, but as median house prices in this area are £225,000 the accepted definition of affordable being 80% of market value means they will still be unaffordable to the very people requiring this provision.

The NPPF states *“62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

Particular needs identified in the SHMA 2023 are:

- *“Increasing and diversifying the supply of specialist housing for older people. There is a need for 3,060 more units of accommodation for older people by 2040 comprising 1,803 C3 units, 885 C2 Extra Care units and 372 C2 Residential care units*
- *Based on an assessment of additional needs and longer-term demographics, a minimum of 5% of new dwellings should be built to M4(3) wheelchair accessible standard; and all other new dwellings should be built to M4(2) accessible and adaptable standard.”*

However the Local Plan fails to implement these recommendations in full as Policy 20: Technical Design Standards for New Homes states:

“1. To meet the needs of older people and people with disabilities, a minimum of 5% of new build housing in developments of 50 homes or more shall be built to Building Regulations Requirement M4(3) (wheelchair user dwellings).

2. All residential dwellings shall be designed to be built to meet Building Regulations Requirement M4(2): (Accessible and adaptable dwellings) except where it can be demonstrated that this is impractical or unviable due to site specific constraints.”

Policy 20 introduces a condition that this target for wheelchair user dwellings (ie *Building Regulations Requirement M4(3)*) will only apply in housing developments of 50 homes or more. This means that the Local Plan is not justified by the evidence of the need for these type of homes.

6. Support for Policy 16: Houses in Multiple Occupation

I welcome Policy 16 Houses in Multiple Occupation (HMO) as this is justified by the evidence of clustering of HMOs in particular areas of the borough and the need for further measures in paragraph 2 of the policy for the Lawe Top Article 4 Direction area.

7. Objection made specifically regarding Policy 1 Promoting Healthy Communities and Policy 2 Air Quality; and SP5: Former Brinkburn Comprehensive School and SP6: Former Chuter Ede Education Centre

The Local Plan is not justified because these policies will not ensure the Strategic Objectives for Promoting Healthy Communities will be achieved; and these policies are not consistent with national policy.

The Local Plan proposes the development of several vital community open spaces, for example the playing field land at Chuter Ede and Brinkburn School, despite stating in Policy 1:

“The Council and its partners, including the NHS, will seek to improve the health, wellbeing and quality of life of South Tyneside residents, reduce health inequalities, and to help people live longer and healthier lives. This will be achieved by: 1. Supporting new development which: i. Increases opportunities for physical activity and active travel through the provision of good quality sport and recreation facilities and safe and accessible walking, cycling and public transport networks.”

and

“iii. Enhances the green and blue infrastructure network and supports climate change mitigation and adaptation.”

These community open spaces must be protected and removed from the Local Plan as sites for development. The importance of these community open spaces is recognised in NPPF paragraph 98, 20-23, 26 and 92.

Building on playing fields for example at Chuter Ede has the exact opposite effect to the objective, increasing the local population while removing green space playing fields that are used for exercise.

There is little in the Local Plan that would fulfil the Strategic Objectives for Promoting Healthy Communities. In fact, some parts of the plan make the situation worse including the proposed development in areas that will promote car use such as in Cleadon, East Boldon and Whitburn. These developments will typically have two cars per household, adding potentially thousands of car journeys on an already congested road system. This will have a detrimental effect road safety and on the local environment due to noise and exhaust emissions. Some areas have air pollution levels already in excess of the World Health Organisation recommended maximums. These vehicle journeys will only make this more dangerous as there are no safe levels for these pollutants.

The Local Plan states in paragraph 6.14: *“The importance of good air quality is recognised by the World Health Organisation which produced a series of standards that have been adopted by the European Commission and subsequently the UK”.*

A Local Authority recognising this will be aware that the World Health Organisation (WHO) air quality standards were revised in 2021 and the recommended pollutant levels, to be achieved, were revised down by a considerable amount. NOTE: These are not safe levels as scientists do not consider any amount to be safe. It is inconceivable that the UK national standards will not be reduced to reflect these changes.

In the Local Plan, Policy 2: Air Quality states *“2. Where significant air quality impacts are likely to be generated by the development, an appropriate air quality assessment will be required”*. Due to the changes in WHO levels it is reasonable to predict large areas of the Borough will exceed these and the proposed developments in Policy SP7: Urban and Village Sustainable Growth Areas in particular will result in unsafe air pollution.

The council has a duty as far as reasonably practicable to ensure the health and safety of its residents. Given the above, the Local Plan must be revised to take into consideration the results of the proposed developments on air quality and specified measures that would reduce pollution levels to the minimum possible.

NPPF states in 186: *“Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.”*

The Local Plan has failed to identify these opportunities adequately and therefore is not consistent with the NPPF and this demonstrates that the Local Plan is not sound.

NPPF states: *“31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned...”*

The revised WHO air pollution levels are relevant and up-to-date and should be a material consideration.

8. Objection made specifically regarding Section 7: Meeting the Challenge of Climate Change, Flooding and Coastal Change

The Local Plan is not sound because it is not compliant with the Climate Change Act 2008 and Planning and Compulsory Purchase Act 2004 (as amended) duties or consistent with NPPF guidance – carbon accounting and climate mitigation.

The increased carbon emissions from the development proposed in the Local Plan will add to South Tyneside’s carbon footprint and add to the climate change emergency.

National legislation and guidance strongly stress the central role of the planning system in securing radical reductions in greenhouse gas emissions and require Local Plans to:

The policies should aim to secure radical carbon reductions in line with a trajectory for the authority area that is consistent with the UK achieving full carbon neutrality by 2050, and in the short term should test the policy options available to achieve the highest level of ambition possible to meet this goal.

As far as possible, all new development should be zero carbon given that the country's net zero target must be met in the next 30 years. A good example from another area is Reading Council: *"The council's 2019 Local Plan requires that all new residential developments of ten or more homes are built to zero carbon standards if possible." Zero carbon is an achievable standard.*

Adoption of this strategy aligns with the councils own stated aims of the Economic Recovery Plan 2020 to *Catalyse green and sustainable growth by maximising the potential of our low-carbon and digital assets and expertise.*

With regards to Policy 15 much is to be welcomed. 15.1 states *Improve the condition of existing homes by enhancing energy efficiency and reducing carbon emissions in existing buildings* And 15.4 *Facilitate improvements to properties that have traditionally suffered from poor management and under-investment*

However, currently demolition is placed far too highly as an option for the current housing stock. Refitting and retrofitting is by far the less carbon intensive approach so demolition must be de-prioritised.

The Local Plan must be revised in order to bring it into compliance with legislative and policy requirements around climate change and the councils stated ambitions.

9. Objection made specifically regarding Policy 6: Renewables and Low Carbon Energy Generation

The Local Plan is not sound because this policy is not consistent with national policy.

NPPF 156 states: *"Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning."*

We welcome Policy 6 paragraph 2 supporting the inclusion of renewable energy into developments, but the text is not strong enough, and once again, will not change business as usual development approaches. A requirement to include and maximise on-site renewable energy generation needs to be folded into an overall green house gas emissions policy, as seen in the London Plan, policy S12 (see [London Plan – policy S12 - www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-9-sustainable-infrastructure/policy-s12-minimising#r-S12](https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-9-sustainable-infrastructure/policy-s12-minimising#r-S12)).

I welcome Policy 6 paragraph 4, the inclusion of policies requiring development to connect to district heating networks, however this policy needs to be made significantly stronger. The best example of which I am aware is draft policy S113 of the draft London Plan. As the whole of South Tyneside is located over disused mine-workings more heating schemes like the "Hebburn Minewater Project" should be invested in for housing schemes.

10. Objection made specifically regarding Policy 10 Disposal of Foul Water and Policy 11 Protecting Water Quality

The Local Plan is not justified because these policies are not able to ensure the Objectives for Protecting Water Quality will be achieved; and is not consistent with national policy.

The Local Plan does not refer to the current significant level of sewage pollution in South Tyneside. Population levels have increased considerably in the UK since Victorian times yet we are still using combined sewers that were constructed in the 19th century. If more housing development is permitted, especially on green spaces, more pressure will be exerted on an already failing sewage system. However, in the consultation on the Draft Local Plan, South Tyneside Council confirmed that no extra sewage will be added to the existing infrastructure on the recommendations of Northumbrian Water who have assured them the existing system will cope.

NPPF states *“20.Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for: ...
b) infrastructure for ...wastewater”*

NPPF states: *“185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”*

The Environmental Permitting Regulations 2016 Permits to discharge untreated sewage from Combined Sewer Overflows into watercourses during heavy rainfall are issued to water companies and regulated by the Environment Agency. There is growing evidence to show that these permits are being abused. Sewage is regularly discharged into South Tyneside watercourses in moderate rainfall. This is due to a lack of capacity at the sewage treatment works caused by a lack of investment and contravenes environmental law.

The Environment Agency (EA) has been required to install Event Duration Monitors (EDMs) in all Combined Sewer Overflows (CSOs). These record the number of discharges and the duration of the discharges. The Whitburn system remains in breach of environmental law as of March 2021, but the EA want to wait 10 years to ‘assess’ the system.

The data supplied by the authorities needs to be treated with caution. In March 2020 the EA issued an apology after their published sewage discharge records for Whitburn for 2019 were challenged. They were forced to increase the volume of CSO discharges for Whitburn by 10% from 683,676 cubic metres to 760,993.5 cubic metres. In March 2021 Northumbrian Water issued an apology after their published untreated sewage discharge records for Hendon Sewage treatment works for 2019 were challenged. They were forced to increase their published hours of untreated discharges in 2019 from Hendon Sewage Treatment works by 4,000% from 15 hours 52 mins to 646 hours.

Sewage pollution is a contributor to climate change. Seagrasses can absorb more carbon up to 40 times faster than terrestrial forests and these ecosystems become sources of CO2 emissions when they are degraded or destroyed. A major driver of seagrass decline is nutrient pollution from sewage. A study has shown that 90% of the seagrass meadows in the UK have been lost to pollution. Locally, the seagrass meadows in the River Tyne estuary have been devastated by sewage flowing from nearby Combined Sewer Overflows.

Sewage pollution causes harm to public health. Recent epidemiological studies show a close relationship between contact with polluted waters and the incidence of gastro-intestinal, eye, ear, nose and throat infections or irritations and respiratory symptoms. This is a recognised problem for surfers, kite surfers, windsurfers, sailors, kayakers and wild swimmers. Even the dog walkers, joggers and walkers who all enjoy the access to South Tyneside's riverside and beaches throughout the year are at risk from sewage pollution.

Public Health is a material planning consideration. Local authorities have important and wide-ranging public health functions, for example under the Public Health (Control of Disease) Act 1984. This legislation adopts an 'all-hazards' approach and provides South Tyneside Council with the necessary powers to control human health risks arising from infection or contamination of any form including chemicals and radiation. Statutory duties for public health were conferred on local authorities by the Health and Social Care Act 2012. Local authorities (and directors of public health acting on their behalf) now have a critical role in protecting the health of their population, both in terms of helping to prevent threats arising and in ensuring appropriate responses when things do go wrong.

Health considerations are capable of being material planning considerations. This is recognised in the NPPF which includes the following statement at paragraph 92: *"Planning policies and decisions should aim to achieve healthy, inclusive and safe places."*

The health implications of exposure to the levels of sewage pollution regularly discharged into the River Tyne and on to the beaches of South Tyneside must be a material planning consideration with respect to future developments as, without an improvement in sewage treatment capacity, more development will bring about an inevitable increase in sewage pollution.

Regards
Andrea Hewitson

From: Local Plan <Local.Plan@southtyneside.gov.uk>

Date: Tuesday, 23 January 2024 at 11:08

To:

Subject: South Tyneside Publication Draft Local Plan (Regulation 19) public consultation

Dear Sir / Madam

South Tyneside Publication Draft Local Plan (Regulation 19) public consultation

South Tyneside Council has prepared a Publication Draft Local Plan 2023-2040 for consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

A Local Plan sets out the vision and a spatial framework for the future development of a Local Authority area within a plan period. Local Plans address the needs and opportunities in relation to housing, the economy, community facilities and infrastructure. They also act as a basis for protecting and enhancing the natural environment, adapting to climate change, and securing good design.

As a statutory consultee or as someone who has previously requested your details are retained on our consultee database, I am writing to inform you that public consultation on our Local Plan has been extended by **1 week**.

The consultation will now run for 7 weeks from **15th January – Sunday 3rd March 2024**.

Representations at this stage should only be made on the legal compliance and soundness of the Local Plan. That is, has the Plan been prepared in accordance with all legal and procedural requirements, and does the Plan meet the prescribed tests of soundness.

As part of this consultation, copies of the Local Plan will be placed in South Shields Town Hall and Jarrow Town Hall. The Council will also be publishing the Local Plan, supporting documents and consultation material online at www.southtyneside.gov.uk/localplan

The following formal question and answer sessions are planned at the following locations where officers will be available to deliver a short presentation and answer any questions you might have.

Date	Venue	Time
Tuesday 23rd January	Jarrow Focus, Cambrian Street, Jarrow, NE32 3QN	5pm – 7pm
Wednesday 24 th January	Hebburn Central, Glen Street, Hebburn, NE31 1AB	6pm – 8pm
Friday 26 th January	Boldon Community Association, New Road, Boldon Colliery, NE35 9DS	6pm – 8pm

Short presentations will also be given at your local Community Area Forum:

<https://southtyneside.gov.uk/article/15186/CAF-meetings>

From the start of the consultation, everyone will be able to access and download the Local Plan, supporting technical reports and evidence and response forms from our dedicated webpage.

This is also the quickest and easiest way for you to respond: haveyoursay.southtyneside.gov.uk/

The Statement of Representations Procedure for the Publication draft Local Plan can be found at:

www.southtyneside.gov.uk/localplan

Fellgate Sustainable Growth Area Supplementary Planning Document Scoping Report (2024) public consultation

The Fellgate Sustainable Growth Area will be allocated for up to 1200 new dwellings and supporting community infrastructure in the Publication draft Local Plan (2024). To ensure a comprehensive approach to the development of the site, a Masterplan, secured as part of a Supplementary Planning Document (SPD) will be required. The Scoping Report identifies the key objectives of the proposed SPD and is subject to consultation alongside the Publication draft Local Plan.

The purpose of the Scoping Report and consultation is to engage key stakeholders and the public in considering the key issues that the SPD could and should be addressing and the possible approaches, which the document can adopt to address those issues. The Fellgate Sustainable Growth Area SPD Scoping Report can be accessed:

www.southtyneside.gov.uk/localplan

We would like to receive your views on the Fellgate Sustainable Growth Area SPD Scoping Report. The consultation will also run for 7 weeks from **Monday 15 January to Sunday 3rd March 2024**.

The quickest and easiest way for you to respond is via the Fellgate Sustainable Growth Area SPD Scoping Report online consultation platform: haveyoursay.southtyneside.gov.uk/

Submitting comments:

All comments made to the consultation for the Publication draft Local Plan and/ or Fellgate Sustainable Growth Area SPD Scoping Report **must be made in writing and returned by 11.59pm on Sunday 3rd March 2024** in one of the following ways:

Consultation platform: haveyoursay.southtyneside.gov.uk/

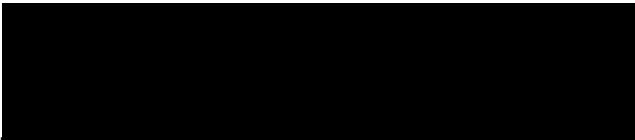
Email: Local.plan@southtyneside.gov.uk

Post: Spatial Planning, Development Services, Economic Regeneration, South Tyneside Council, Town Hall and Civic Offices, Westoe Road, South Shields, NE33 2RL.

Following the public consultation, the Local Plan will be formally submitted to the Secretary of State for its formal public Examination before an independent Planning Inspector.

If you require any further information regarding this consultation, please do not hesitate to contact the Spatial Planning Team via telephone number 0191 424 7385.

Yours faithfully



And
Senior Manager - Planning

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South Tyneside Council, Town Hall & Civic Offices, Westoe Road, South Shields, Tyne & Wear, NE33 2RL, Tel: 0191 427 7000, Website: www.southtyneside.gov.uk

Re: South Tyneside Publication Draft Local Plan (Regulation 19) public consultation

moyrafairweather@

Sun 3/3/2024 9:39 AM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

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Dear Sirs,

1. Objection made specifically regarding Policy SP2: Strategy for Sustainable Development

This policy is not justified by the evidence because it proposes an unsustainable level of growth of housing development; and is not consistent with the NPPF or with other statements of government policy.

This policy must be revised to decrease the number of homes being planned for, in order to meet the requirement to be sound on the basis of being positively prepared, so that it meets the area's objectively assessed needs and is consistent with achieving sustainable development.

In SP2 paragraph 4.9 of the Local Plan it states:

"4.9 To determine the minimum number of homes needed, a local housing need assessment has been conducted using the standard method detailed in the national planning guidance. The standard method uses a formula to identify the minimum number of homes expected to be planned for in a way which addresses projected household growth and any historic under-supply. Using this approach the local housing needs assessment has concluded that for the plan period (1st April 2023 to 31st March 2040) 309 dwellings are required every year. This produces an overall minimum housing requirement of 5,253 new homes over the Plan period. The household projections that inform the housing baseline are the 2014-based household projections. This figure could change upwards or downwards based on new data. South Tyneside's housing requirement will not be 'locked in' until the Plan is submitted to the independent Planning Inspectorate."

The Local Plan is based on inaccurate population projections. Census data show a consistently falling population in South Tyneside, from 157,200 in 1991, to 152,785 in 2001, to 148,127 in 2011, to 147,800 in 2021. Yet the Local Plan assumes a population of 151,936 for 2021, an overestimate of 4,136, and that it would continue to increase over the next 20 years.

Using the Office for National Statistics (ONS) 2014 housing projections produces a housing requirement of 309 per year, a total of 5,253 houses by 2040. The Local Plan would require a total of 77,716 dwellings in South Tyneside by 2040 whereas the 2018 ONS projection is for 75,664. Therefore the Local Plan is for 2,052 more houses than are needed.

The ONS household projection is likely to be revised down given the population trends thus increasing the excess housing provision in the Local Plan.

The East Boldon Neighbourhood Forum received the following statement from the Department for Levelling Up, Housing & Communities, written by Alan C Scott, Planning policy adviser on behalf of the Secretary of State:

"In 2018 the Framework introduced a standard method for calculating local housing need to make the process simple, quick and transparent. "The standard method does not impose a target; it is

still up to the local authority to determine its housing requirement, and this includes taking local circumstances and restraints such as Green Belt into account”.

The NPPF paragraph 5 and 6 states:

“5. National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.

6. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.”

Michael Jenrick, then Secretary of State for Housing, Communities and Local Government, made a Written Statement 16th December 2020:

“There were many consultation responses which did not fully recognise that the standard method for assessing Local Housing Need does not present a ‘target’ in plan-making, but instead provides a starting point for determining the level of need for housing in an area. It is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made.”

Michael Gove, Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations, made a Commons Statement on 19th December 2023:

“Today’s update to the National Planning Policy Framework (NPPF)

It provides clearer protection for the Green Belt, clarity on how future housing supply should be assessed in plans and on the responsibility of urban authorities to play their full part in protecting the character of precious neighbourhoods.

The new NPPF will: facilitate flexibility for local authorities in relation to local housing need; clarify a local lock on any changes to Green Belt boundaries;

The new NPPF makes clear that the outcome of the standard method is an advisory starting point in plan making for establishing the housing requirements for an area.”

The above is supported by guidance in The House of Commons Library published on 27 August 2021 “Calculating housing need in the planning system (England)” which states in 2.4:

“A starting point, not a target? Land constraints and the standard method. The standard method is intended to be the starting point in determining how many homes an LPA can and should deliver, but is not a target. LPAs must also take account (for example) of land constraints, such as the Green Belt.”

<https://commonslibrary.parliament.uk/research-briefings/cbp-9268/>

This means that South Tyneside Council is able to determine its housing requirement and can take into account the restraint of the Green Belt.

2. Objection to development on the Green Belt, made specifically regarding Policies SP3: Spatial Strategy for Sustainable Development and SP7: Urban and Village Sustainable Growth Areas

These policies are not justified by the evidence and the case for exceptional circumstances to amend the Green Belt boundary has not been made.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt: GA1-6 and SP8.

The Green Belt land allocation in the Local Plan is for 2,308 new homes but there is no justification for building on this precious resource. The Green Belt does not need to be built on and therefore

the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established. The Local Plan must be revised in order to meet the requirement to be sound on the basis of being justified, as an appropriate strategy, taking into account the reasonable alternatives and based on proportionate evidence; and on the basis of being consistent with national policy.

In the Local Plan, Policy SP3: Spatial Strategy for Sustainable Development proposes amending the Green Belt boundary to allocate additional land for housing and Policy SP7 Urban and Village Sustainable Growth Areas proposes the removal of sites from the Green Belt and allocation for housing development.

The Local Plan states in Policy SP3: Spatial Strategy for sustainable development:

“To meet the identified needs in Policy SP2 and to facilitate sustainable growth, the Plan will:

- 1. Support the sustainability of existing communities by focusing growth within the Main Urban Area including South Shields, Hebburn and Jarrow*
- 2. Secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting growth which respects the distinctive character of each village*
- 3. Encourage the re-use of suitable and viable brownfield land and, where appropriate, encourage higher development densities.*
- 4. Ensure the delivery of housing in sustainable locations through the allocation of sites in the Main Urban Area and by amending the Green Belt boundary to allocate Urban and Village sustainable growth areas*
- 5. Create a new sustainable, community within the Fellgate Sustainable Growth Area (Policy SP8) by providing homes and community facilities.*
- 6. Prioritise the regeneration of South Shields Riverside, South Shields Town Centre, Fowler Street Improvement Area, and the Foreshore Improvement Area*
- 7. Prioritise economic development in designated Employment Areas, including the Port of Tyne, that are accessible by a range of transport modes and allocate additional land at Wardley Colliery*
- 8. Enhance and strengthen green infrastructure, ecological networks and Green Belt throughout South Tyneside and between neighbouring authorities.*

The National Planning Policy Framework (NPPF) states:

“140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period”

As demonstrated in Objection 1 above, there is no evidence that the housing requirement for the Plan period is at a level requiring development on the Green Belt. The strategic need has not been proven, for example there has been no cooperation with neighbouring local authorities which have Local Plans that intend to cumulatively build in excess of 19,000 houses above their respective ONS 2018 housing projections.

Sunderland Local Plan –	10,755 excess houses by 2033
Gateshead Local Plan –	6,337 excess houses by 2030
North Tyneside Local Plan -	2,238 excess houses by 2032

A planning appeal decision has confirmed the protected status of the Green Belt. This decision reiterates and reinforces the protection from inappropriate development given to the Green Belt in national planning policy.

Broke Hill golf course

In the Broke Hill case in Sevenoaks, Kent, the Inspector confirmed that, where planning policies protect areas of particular importance and provide a clear reason for refusing the development, the so-called “tilted balance” presumption in favour of granting planning permission does not apply.

For Broke Hill, the planning policies in this case related to protection of the Green Belt. This is especially important as Sevenoaks does not have the required five-year supply of housing land nor has it met the government's housing delivery test for 2021. The inspector noted a number of benefits of the proposed development including provision of affordable housing. However, he concluded that notwithstanding the lack of five-year housing supply, the housing delivery test, and the benefits, this did not outweigh the harm that would be caused to the Green Belt, and were not sufficient to override national and local planning policies protecting the Green Belt. "The tilted balance is not invoked, however, because the Framework at Paragraph 11d(i) and footnote 7 protects both areas and assets of particular importance, which include the Green Belt, and provides a clear reason to dismiss the appeal." Stephen Wilkinson, Inspector Planning Inspectorate decision Broke Hill golf course 31 January 2022

This case along with ministerial statements demonstrates that the Local Plan fails to be consistent with national planning policy to protect the Green Belt, as specified in paragraph 11 of the National Planning Policy Framework.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt.

Furthermore, the Local Plan is not justified because the NPPF states:

"141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground."

Regarding paragraph "a", it has not been proven that all brownfield sites have been considered.

There are underutilised sites such as areas in South Shields town centre where previously developed land is used for car parking rather than housing like the area at the Mill Dam in South Shields, the former Staithes House and surrounding land near the town centre has been cleared for development for decades. The large office building at Harton Quay was leased by BT Group until last year but BT Group then closed its office and redeployed its 500 staff to other parts of the North East.

These are areas close to South Shields transport interchange and so would satisfy paragraph "b" the need to promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport.

The failure to rent out office space also drawn into question the planned 200,000 sq ft of office space in the adjacent Holborn development especially as the Utilitywise office building just down river had to be converted to flats after lying empty for a long period.

Planners overlooked possible brownfield sites across South Tyneside. Questions raised over validity of the reasons for rejection have not been answered. Some examples are the health clinic site near the ambulance station on Boldon Lane, the Pickwick pub in Biddick Hall, the former Methodist church on Bede Burn Road, the former Park Hotel on Lawe Road have not been included in the Local Plan.

Immediately after the Regulation 18 consultation in 2022, planning permission was given for 446 houses on the former Hawthorn Leslie shipyard that had lain redundant for several years. This was not included in the Regulation 18 Draft Plan. A similar situation exists at the former Rohm and Hass brownfield site near Jarrow town centre that would comply with 141 a) and b). This land if

designated for industry could be released for housing as the land designated for employment in the Regulation 19 Local Plan is not justified by the evidence.

A further statement which is insufficient is paragraph 4.31, Sustainable Urban and Village Extensions:

“The Council has undertaken an extensive Green Belt review to identify land which would cause the least harm to the purposes of the Green Belt, that is considered suitable for development, and that 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 at each location. Following consultation on the Plan, the Council will undertake a Green Belt boundary review which will review the entire Green Belt boundary to ensure that it has a strong and defensible boundary as required by the NPPF.”

It has been shown that the Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established.

Regarding paragraph “c”, there is no evidence that the aggregated housing assessments of the neighbouring authorities has been compared with the projected population levels of these authorities to show that there will be no overall supply. The simple statement in 4.28 in the Local Plan is insufficient:

“28. Prior to identifying land in the Green Belt the Council has, as part of Duty to Cooperate, discussed whether neighbouring authorities could accommodate additional housing. As set out in the Duty to Cooperate Statement, neighbouring authorities have confirmed that they would be unable to provide land to meet South Tyneside’s needs.”

The duty to cooperate has not been evidenced as required by guidance such as PAS – Doing your duty practice update [doing-your-duty-practice--1a3.pdf \(local.gov.uk\)](https://www.local.gov.uk/doing-your-duty-practice--1a3.pdf)

The recommendations in this have not been followed including number 10:

“10. Plans should reflect joint working and cooperation to address larger than local issues. In many cases, joint studies with other local planning authorities formed part of the evidence used to demonstrate compliance with the duty. Past cooperation put many local planning authorities in a strong position, particularly where this has resulted in the preparation of sub-regional strategies, joint studies or common methodologies on SHMA, Strategic Flood Risk Assessment, economic assessments, Green Infrastructure studies, landscape and renewables assessments, and transport studies.”

This failure is evident in the vast over provision of housing as previously shown and shared infrastructure for example the health and sewage systems between South Tyneside and Sunderland as well as employment at IAMP. This shows that the Plan is not sound.

The Plan proposes increased housing on green belt;

GA4 Cleadon Village – West Hall Farm 259 houses

GA2 East Boldon – North Farm 263 houses

GA5 Whitburn – Whitburn Lodge 30 houses

GA6 Whitburn – North of Shearwater 41 houses

This is on top of the 202 houses already given planning permission at Cleadon Lane on the boundary between Cleadon and East Boldon along with 9 at the nearby Mayflower site.

The plan has not secured the sustainability of the villages as the infrastructure to support the proposed developments does not exist and there are no viable plans to improve the lack of them including.

- Lack of school places.
- Lack of medical facilities. The area the south and East of South Tyneside has been identified in the plan as having insufficient access to medical services. Colliery Court Medical Group has already stopped taking new patients.

- Lack of road capacity which already results in congestion with the associated air pollution and greenhouse gases.
- Lack of wastewater capacity that already results in regular sewage discharges into the environment
- Risks from flooding. North Farm is in a flood risk zone 2 and 3 and West Hall Farm is a very low lying area where farm land is permanently flooded for long periods and road surface flooding occurs.

The additional developments will have a detrimental impact on the character of the villages and is counter to the purpose of the green belt as set out in the NPPF to;

- Prevent urban sprawl
- Keep land permanently open
- Essential characteristics are openness and permanence
- Restrict urban sprawl
- Prevent neighbouring towns merging
- Safeguard the countryside from encroachment
- Assist urban regeneration, encouraging recycling derelict & urban land

The car dependant developments will have a detrimental effect on the environment and climate change.

The proposed developments are not consistent with the following National Planning Policy Framework sections:

NPPF Paragraph 11:

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*

and

20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) community facilities (such as health, education and cultural infrastructure); and*
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.*

and

32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

Examining plans

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are

- a. 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 neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b. Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c. 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; and*
- d. Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

and

123. Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and*
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.*

3. Objection made regarding Sustainability Appraisal Report 2024 – Employment Land and policy SP14: Wardley Colliery

The Sustainability Appraisal Report 2024 notes that the Local Plan has increased the amount of land required for employment from the Draft Regulation 18 Local Plan. It notes that the level of employment growth underpinning this is high in the context of past trends.

This demonstrates that the Regulation 19 Draft Local Plan is not justified by the evidence base; the amount of land for employment allocated for employment is too high and more of this land needs to be utilised for housing development in existing urban areas. The removal from the Green Belt of the Wardley Colliery site in SP14 is not justified.

The Sustainability Appraisal Report states:

“Preferred Options

4.41 Within the Draft Local Plan 2019, the Council took forward the following preferred options for employment land: ■ General Employment Land – Option 2: Policy-on Scenario ■ Port and Marine Land – Option 3: Past Completions (net)

4.42 These options were selected because the Council considered them to have the most positive effects on SA objective 9 (encourage and support economic growth within South Tyneside) and SA objective 10 (increase opportunities for employment and education and improve living standards). The Council's reasons for this were set out in the 2019 SA Report.

4.43 In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. The reasons for this were set out in detail in the 2022 Employment Land Technical Paper, which explained that in choosing this scenario the Council was being cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities."

And

"4.45 In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the 'ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP'."

The SAR also notes the negative impact of this preferred option for employment land:

"4.26 However, negative effects were recorded against a number of environmental objectives, reflecting the impact that a high economic growth could have upon the environment due to proximity existing designations, and increased impacts on natural resources, potential impacts on biodiversity and wildlife corridors. This level of growth is also likely to require land from the Green Belt to facilitate the growth aspirations; this objective therefore scored negatively against objective 4 (Green Belt) and objective 5 (green infrastructure) due to the potential impacts on the Green Infrastructure corridor."

The Sustainable Appraisal Non-Technical Summary states in the section assessing the Likely Effects of the Local Plan Options:

"Preferred Options

34. In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. In choosing this scenario the Council had been cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities. In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the 'ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP'."

4. Objection made regarding Density Report 2024 and paragraph 8.24 of the Local Plan

The Local Plan is not justified by the evidence as set out in the Density Report 2024 of housing density achieved since the last housing density report in 2018. The Local Plan in paragraph 8.24 sets a lower average housing density than has been achieved which means it is not consistent with the NPPF.

The Density Report 2024 states:

"2.3 Paragraph 125 of the NPPF highlights the importance of avoiding homes being built at low densities, where there is an anticipated shortage of land for meeting identified housing needs. Planning policies should avoid homes being built at low densities and ensure optimal use of land by

using minimum density standards. These standards aim to uplift the average density of residential development and the use of these standards should be used in other parts of the plan area. Minimum density standards should also be used in a way which ensures that applications which fail to make efficient use of land be refused.”

It states in the Summary

“4.1 Following the four assessments several conclusions can be drawn with regards to density patterns throughout South Tyneside. Since the previous Density study in 2018:

- The average density of sites assessed was 66 dwellings per hectare based on net site area. This is an increase of 16 dwellings per hectare since the previous study.*
- The assessments showed that density declined as site area increased and that sites less than 1 hectare had a density significantly higher than those over 1 hectare. Sites less than 1 hectare had an average density of 82 dwellings per hectare. Sites over 1 hectare had a density of 40 dwellings per hectare.*
- In general sites with a higher yield had typically lower densities. Sites with less than 50 dwellings had an average density of 50 dwellings per hectare whereas sites with more than 250 dwellings had an average density of 28 dwellings per hectare.*
- Sites in the urban area of South Shields had the highest densities with an average of 72 dwellings per hectare. This is likely due to the nature of the area and the large proportion of smaller sites.*
- Compared to the standard density buffers in Policy SC3 of the adopted LDF and the Strategic Housing Land Availability Assessment higher densities were achieved across all three categories. “*

However, the Recommendations for Housing Density which have been utilised by the Regulation 19 Draft Local Plan are lower than the densities which have been achieved. The Density Report states:

“6.1 Housing yield must ultimately be determined by design. However, for the purposes of estimating housing yield as part of the Strategic Housing Land Availability Assessment and Local Plan site selection process the following density calculations are recommended:

- Average 60 dwellings per hectare on sites within 400m in the Jarrow and Inner South Shields character areas (higher densities may also be appropriate on a site by site basis e.g. by the riverside on sites such as Holborn and Hawthorn Leslie);*
- Average 55 dwellings per hectare on sites within 400m in the rest of the borough;*
- Average 45 dwellings per hectare on sites between 400m – 800m in the rest of the borough; and*
- Average 35 dwellings per hectare on sites beyond 800m in the rest of the borough.*

6.2 These densities will be used to estimate site capacities in the Strategic Housing Land Availability Assessment where other information (e.g. planning applications, information from developers etc.) is not available. Should this information be available it will be used.”

The Density Report 2024 also underestimates the housing densities which have been achieved because two very large urban brownfield sites have been excluded from the assessment:

“3.2 Whilst permission was given to 26 sites during this period only 24 sites will be used in this study. The sites at Leslie Hawthorn and Holborn have been omitted from this study as due to the nature of those sites they present an anomaly in the densities. These sites have a much higher density as to be viable sites for the developers more dwellings on site were required. These sites have a much higher proportion of flats and apartments than others of this size and location. Therefore, to be able to analyse patterns and trends in the data these 2 sites have been treated as anomalies.”

If these two sites were included in the assessment, the average density achieved would be higher and the discrepancy between this and the recommendations for average density for the Local Plan would be even greater.

5. Objection made specifically regarding Policy 18: Affordable Housing, Policy 19: Housing Mix and Policy 20: Technical Design Standards for New Homes

The Local Plan is not justified and is not consistent with the NPPF in terms of meeting the housing needs identified in the Strategic Housing Market Assessment (SHMA) 2023.

In the section on Housing Allocations the Local Plan states:

“5.4 When allocating sites to meet the housing requirement, the Plan has looked to ensure the right homes are delivered in the right places, taking into account need, demand, deliverability, sustainability and improving choice.”

The SHMA 2023 has identified an annual need for 361 affordable homes each year across the borough which justifies the need for a robust affordable housing policy which will provide mechanisms to help meet this affordable need. Yet the same document states in the Executive Summary:

“It is recommended that the current target for 75% market and 25% affordable is maintained.” And in Paragraph 7.10 states: *“The SHMA would suggest that an overall target of 25% affordable housing should continue to be applied. This will be subject to viability testing before a target can be established for affordable housing in the emerging Local Plan.”*

The proposed proportion of affordable homes in Cleadon and East Boldon is 30%, but as median house prices in this area are £225,000 the accepted definition of affordable being 80% of market value means they will still be unaffordable to the very people requiring this provision.

The NPPF states *“62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

Particular needs identified in the SHMA 2023 are:

- “Increasing and diversifying the supply of specialist housing for older people. There is a need for 3,060 more units of accommodation for older people by 2040 comprising 1,803 C3 units, 885 C2 Extra Care units and 372 C2 Residential care units*
- Based on an assessment of additional needs and longer-term demographics, a minimum of 5% of new dwellings should be built to M4(3) wheelchair accessible standard; and all other new dwellings should be built to M4(2) accessible and adaptable standard.”*

However the Local Plan fails to implement these recommendations in full as

Policy 20: Technical Design Standards for New Homes states:

“1. To meet the needs of older people and people with disabilities, a minimum of 5% of new build housing in developments of 50 homes or more shall be built to Building Regulations Requirement M4(3) (wheelchair user dwellings).

2. All residential dwellings shall be designed to be built to meet Building Regulations Requirement M4(2): (Accessible and adaptable dwellings) except where it can be demonstrated that this is impractical or unviable due to site specific constraints.”

Policy 20 introduces a condition that this target for wheelchair user dwellings (ie *Building Regulations Requirement M4(3)*) will only apply in housing developments of 50 homes or more. This means that the Local Plan is not justified by the evidence of the need for these type of homes.

6. Support for Policy 16: Houses in Multiple Occupation

I welcome Policy 16 Houses in Multiple Occupation (HMO) as this is justified by the evidence of clustering of HMOs in particular areas of the borough and the need for further measures in paragraph 2 of the policy for the Lawe Top Article 4 Direction area.

7. Objection made specifically regarding Policy 1 Promoting Healthy Communities and Policy 2 Air Quality; and SP5: Former Brinkburn Comprehensive School and SP6: Former Chuter Ede Education Centre

The Local Plan is not justified because these policies will not ensure the Strategic Objectives for Promoting Healthy Communities will be achieved; and these policies are not consistent with national policy.

The Local Plan proposes the development of several vital community open spaces, for example the playing field land at Chuter Ede and Brinkburn School, despite stating in Policy 1:

“The Council and its partners, including the NHS, will seek to improve the health, wellbeing and quality of life of South Tyneside residents, reduce health inequalities, and to help people live longer and healthier lives. This will be achieved by: 1. Supporting new development which: i. Increases opportunities for physical activity and active travel through the provision of good quality sport and recreation facilities and safe and accessible walking, cycling and public transport networks.”

and

“iii. Enhances the green and blue infrastructure network and supports climate change mitigation and adaptation.”

These community open spaces must be protected and removed from the Local Plan as sites for development. The importance of these community open spaces is recognised in NPPF paragraph 98, 20-23, 26 and 92.

Building on playing fields for example at Chuter Ede has the exact opposite effect to the objective, increasing the local population while removing green space playing fields that are used for exercise.

There is little in the Local Plan that would fulfil the Strategic Objectives for Promoting Healthy Communities. In fact, some parts of the plan make the situation worse including the proposed development in areas that will promote car use such as in Cleadon, East Boldon and Whitburn. These developments will typically have two cars per household, adding potentially thousands of car journeys on an already congested road system. This will have a detrimental effect road safety and on the local environment due to noise and exhaust emissions. Some areas have air pollution levels already in excess of the World Health Organisation recommended maximums. These vehicle journeys will only make this more dangerous as there are no safe levels for these pollutants.

The Local Plan states in paragraph 6.14: *“The importance of good air quality is recognised by the World Health Organisation which produced a series of standards that have been adopted by the European Commission and subsequently the UK”.*

A Local Authority recognising this will be aware that the World Health Organisation (WHO) air quality standards were revised in 2021 and the recommended pollutant levels, to be achieved, were revised down by a considerable amount. NOTE: These are not safe levels as scientists do not consider any amount to be safe. It is inconceivable that the UK national standards will not be reduced to reflect these changes.

In the Local Plan, Policy 2: Air Quality states “2. *Where significant air quality impacts are likely to be generated by the development, an appropriate air quality assessment will be required*”. Due to the changes in WHO levels it is reasonable to predict large areas of the Borough will exceed these and the proposed developments in Policy SP7: Urban and Village Sustainable Growth Areas in particular will result in unsafe air pollution.

The council has a duty as far as reasonably practicable to ensure the health and safety of its residents. Given the above, the Local Plan must be revised to take into consideration the results of the proposed developments on air quality and specified measures that would reduce pollution levels to the minimum possible.

NPPF states in 186: “*Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.*”

The Local Plan has failed to identify these opportunities adequately and therefore is not consistent with the NPPF and this demonstrates that the Local Plan is not sound.

NPPF states: “31. *The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned...*”

The revised WHO air pollution levels are relevant and up-to-date and should be a material consideration.

8. Objection made specifically regarding Section 7: Meeting the Challenge of Climate Change, Flooding and Coastal Change

The Local Plan is not sound because it is not compliant with the Climate Change Act 2008 and Planning and Compulsory Purchase Act 2004 (as amended) duties or consistent with NPPF guidance – carbon accounting and climate mitigation.

The increased carbon emissions from the development proposed in the Local Plan will add to South Tyneside's carbon footprint and add to the climate change emergency.

National legislation and guidance strongly stress the central role of the planning system in securing radical reductions in greenhouse gas emissions and require Local Plans to:

The policies should aim to secure radical carbon reductions in line with a trajectory for the authority area that is consistent with the UK achieving full carbon neutrality by 2050, and in the short term should test the policy options available to achieve the highest level of ambition possible to meet this goal.

As far as possible, all new development should be zero carbon given that the country's net zero target must be met in the next 30 years. A good example from another area is Reading Council: *"The council's 2019 Local Plan requires that all new residential developments of ten or more homes are built to zero carbon standards if possible."* Zero carbon is an achievable standard.

Adoption of this strategy aligns with the councils own stated aims of the Economic Recovery Plan 2020 to *Catalyse green and sustainable growth by maximising the potential of our low-carbon and digital assets and expertise.*

With regards to Policy 15 much is to be welcomed. 15.1 states *Improve the condition of existing homes by enhancing energy efficiency and reducing carbon emissions in existing buildings* And 15.4 *Facilitate improvements to properties that have traditionally suffered from poor management and under-investment*

However, currently demolition is placed far too highly as an option for the current housing stock. Refitting and retrofitting is by far the less carbon intensive approach so demolition must be de-prioritised.

The Local Plan must be revised in order to bring it into compliance with legislative and policy requirements around climate change and the councils stated ambitions.

9. Objection made specifically regarding Policy 6: Renewables and Low Carbon Energy Generation

The Local Plan is not sound because this policy is not consistent with national policy.

NPPF 156 states: *"Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning."*

We welcome Policy 6 paragraph 2 supporting the inclusion of renewable energy into developments, but the text is not strong enough, and once again, will not change business as usual development approaches. A requirement to include and maximise on-site renewable energy generation needs to be folded into an overall green house gas emissions policy, as seen in the London Plan, policy S12 (see London Plan – policy S12 - www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-9-sustainable-infrastructure/policy-si2-minimising#r-SI2).

I welcome Policy 6 paragraph 4, the inclusion of policies requiring development to connect to district heating networks, however this policy needs to be made significantly stronger. The best example of which I am aware is draft policy SI13 of the draft London Plan. As the whole of South Tyneside is located over disused mine-workings more heating schemes like the "Hebburn Minewater Project" should be invested in for housing schemes.

10. Objection made specifically regarding Policy 10 Disposal of Foul Water and Policy 11 Protecting Water Quality

The Local Plan is not justified because these policies are not able to ensure the Objectives for Protecting Water Quality will be achieved; and is not consistent with national policy.

The Local Plan does not refer to the current significant level of sewage pollution in South Tyneside. Population levels have increased considerably in the UK since Victorian times yet we are still using combined sewers that were constructed in the 19th century. If more housing development is permitted, especially on green spaces, more pressure will be exerted on an already failing sewage system. However, in the consultation on the Draft Local Plan, South Tyneside Council confirmed that no extra sewage will be added to the existing infrastructure on the recommendations of Northumbrian Water who have assured them the existing system will cope.

NPPF states “*20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for: ...*

b) infrastructure for ...wastewater”

NPPF states: “*185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.*”

The Environmental Permitting Regulations 2016 Permits to discharge untreated sewage from Combined Sewer Overflows into watercourses during heavy rainfall are issued to water companies and regulated by the Environment Agency. There is growing evidence to show that these permits are being abused. Sewage is regularly discharged into South Tyneside watercourses in moderate rainfall. This is due to a lack of capacity at the sewage treatment works caused by a lack of investment and contravenes environmental law.

The Environment Agency (EA) has been required to install Event Duration Monitors (EDMs) in all Combined Sewer Overflows (CSOs). These record the number of discharges and the duration of the discharges. The Whitburn system remains in breach of environmental law as of March 2021, but the EA want to wait 10 years to ‘assess’ the system.

The data supplied by the authorities needs to be treated with caution. In March 2020 the EA issued an apology after their published sewage discharge records for Whitburn for 2019 were challenged. They were forced to increase the volume of CSO discharges for Whitburn by 10% from 683,676 cubic metres to 760,993.5 cubic metres. In March 2021 Northumbrian Water issued an apology after their published untreated sewage discharge records for Hendon Sewage treatment works for 2019 were challenged. They were forced to increase their published hours of untreated discharges in 2019 from Hendon Sewage Treatment works by 4,000% from 15 hours 52 mins to 646 hours.

Sewage pollution is a contributor to climate change. Seagrasses can absorb more carbon up to 40 times faster than terrestrial forests and these ecosystems become sources of CO₂ emissions when they are degraded or destroyed. A major driver of seagrass decline is nutrient pollution from sewage. A study has shown that 90% of the seagrass meadows in the UK have been lost to pollution. Locally, the seagrass meadows in the River Tyne estuary have been devastated by sewage flowing from nearby Combined Sewer Overflows.

Sewage pollution causes harm to public health. Recent epidemiological studies show a close relationship between contact with polluted waters and the incidence of gastro-intestinal, eye, ear, nose and throat infections or irritations and respiratory symptoms. This is a recognised problem for surfers, kite surfers, windsurfers, sailors, kayakers and wild swimmers. Even the dog walkers, joggers and walkers who all enjoy the access to South Tyneside’s riverside and beaches throughout the year are at risk from sewage pollution.

Public Health is a material planning consideration. Local authorities have important and wide-ranging public health functions, for example under the Public Health (Control of Disease) Act 1984. This legislation adopts an ‘all-hazards’ approach and provides South Tyneside Council with the necessary powers to control human health risks arising from infection or contamination of any form including chemicals and radiation. Statutory duties for public health were conferred on local authorities by the Health and Social Care Act 2012. Local authorities (and directors of public health acting on their behalf) now have a critical role in protecting the health of their population, both in

terms of helping to prevent threats arising and in ensuring appropriate responses when things do go wrong.

Heath considerations are capable of being material planning considerations. This is recognised in the NPPF which includes the following statement at paragraph 92: *“Planning policies and decisions should aim to achieve healthy, inclusive and safe places.”*

The health implications of exposure to the levels of sewage pollution regularly discharged into the River Tyne and on to the beaches of South Tyneside must be a material planning consideration with respect to future developments as, without an improvement in sewage treatment capacity, more development will bring about an inevitable increase in sewage pollution.

Regards
Movra Fairweather


From: Local Plan <Local.Plan@southtyneside.gov.uk>
Date: Tuesday, 23 January 2024 at 11:08
To:
Subject: South Tyneside Publication Draft Local Plan (Regulation 19) public consultation

Dear Sir / Madam

South Tyneside Publication Draft Local Plan (Regulation 19) public consultation

South Tyneside Council has prepared a Publication Draft Local Plan 2023-2040 for consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A Local Plan sets out the vision and a spatial framework for the future development of a Local Authority area within a plan period. Local Plans address the needs and opportunities in relation to housing, the economy, community facilities and infrastructure. They also act as a basis for protecting and enhancing the natural environment, adapting to climate change, and securing good design.

As a statutory consultee or as someone who has previously requested your details are retained on our consultee database, I am writing to inform you that public consultation on our Local Plan has been extended by **1 week**.

The consultation will now run for 7 weeks from **15th January – Sunday 3rd March 2024**.

Representations at this stage should only be made on the legal compliance and soundness of the Local Plan. That is, has the Plan been prepared in accordance with all legal and procedural requirements, and does the Plan meet the prescribed tests of soundness.

As part of this consultation, copies of the Local Plan will be placed in South Shields Town Hall and Jarrow Town Hall. The Council will also be publishing the Local Plan, supporting documents and consultation material online at www.southtyneside.gov.uk/localplan

The following formal question and answer sessions are planned at the following locations where officers will be available to deliver a short presentation and answer any questions you might have.

Date	Venue	Time
Tuesday 23rd January	Jarrow Focus, Cambrian Street, Jarrow, NE32 3QN	5pm – 7pm
Wednesday 24 th January	Hebburn Central, Glen Street, Hebburn, NE31 1AB	6pm – 8pm
Friday 26 th January	Boldon Community Association, New Road, Boldon Colliery, NE35 9DS	6pm – 8pm

Short presentations will also be given at your local Community Area Forum:

<https://southtyneside.gov.uk/article/15186/CAF-meetings>

From the start of the consultation, everyone will be able to access and download the Local Plan, supporting technical reports and evidence and response forms from our dedicated webpage.

This is also the quickest and easiest way for you to respond: haveyoursay.southtyneside.gov.uk/

The Statement of Representations Procedure for the Publication draft Local Plan can be found at:

www.southtyneside.gov.uk/localplan

Fellgate Sustainable Growth Area Supplementary Planning Document Scoping Report (2024) public consultation

The Fellgate Sustainable Growth Area will be allocated for up to 1200 new dwellings and supporting community infrastructure in the Publication draft Local Plan (2024). To ensure a comprehensive approach to the development of the site, a Masterplan, secured as part of a Supplementary Planning Document (SPD) will be required. The Scoping Report identifies the key objectives of the proposed SPD and is subject to consultation alongside the Publication draft Local Plan.

The purpose of the Scoping Report and consultation is to engage key stakeholders and the public in considering the key issues that the SPD could and should be addressing and the possible approaches, which the document can adopt to address those issues. The Fellgate Sustainable Growth Area SPD Scoping Report can be accessed:

www.southtyneside.gov.uk/localplan

We would like to receive your views on the Fellgate Sustainable Growth Area SPD Scoping Report. The consultation will also run for 7 weeks from **Monday 15 January to Sunday 3rd March 2024**.

The quickest and easiest way for you to respond is via the Fellgate Sustainable Growth Area SPD Scoping Report online consultation platform: haveyoursay.southtyneside.gov.uk/

Submitting comments:

All comments made to the consultation for the Publication draft Local Plan and/ or Fellgate Sustainable Growth Area SPD Scoping Report **must be made in writing and returned by 11.59pm on Sunday 3rd March 2024** in one of the following ways:

Consultation platform: haveyoursay.southtyneside.gov.uk/

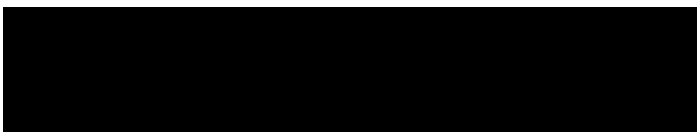
Email: Local.plan@southtyneside.gov.uk

Post: Spatial Planning, Development Services, Economic Regeneration, South Tyneside Council, Town Hall and Civic Offices, Westoe Road, South Shields, NE33 2RL.

Following the public consultation, the Local Plan will be formally submitted to the Secretary of State for its formal public Examination before an independent Planning Inspector.

If you require any further information regarding this consultation, please do not hesitate to contact the Spatial Planning Team via telephone number 0191 424 7385.

Yours faithfully



Andrew Inch
Senior Manager - Planning

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South Tyneside Council, Town Hall & Civic Offices, Westoe Road, South Shields, Tyne & Wear, NE33 2RL, Tel: 0191 427 7000,
Website: www.southtyneside.gov.uk

Response ID BHLF-RUCU-JV2R-3

Submitted to Sustainability Appraisal 2024

Submitted on 2024-04-23 14:54:40

Have your say

1 Which section(s) of the SA are you responding to?

Section of the SA:

Employment land

2 Please provide any comments you wish to be considered by the Planning Inspector.

Comments:

Objection made regarding Sustainability Appraisal Report 2024 – Employment Land and policy SP14: Wardley Colliery The Sustainability Appraisal Report 2024 notes that the Local Plan has increased the amount of land required for employment from the Draft Regulation 18 Local Plan. It notes that the level of employment growth underpinning this is high in the context of past trends. This demonstrates that the Regulation 19 Draft Local Plan is not justified by the evidence base; the amount of land for employment allocated for employment is too high and more of this land needs to be utilised for housing development in existing urban areas. The removal from the Green Belt of the Wardley Colliery site in SP14 is not justified. The Sustainability Appraisal Report states: “Preferred Options 4.41 Within the Draft Local Plan 2019, the Council took forward the following preferred options for employment land: □ General Employment Land – Option 2: Policy-on Scenario □ Port and Marine Land – Option 3: Past Completions (net) 4.42 These options were selected because the Council considered them to have the most positive effects on SA objective 9 (encourage and support economic growth within South Tyneside) and SA objective 10 (increase opportunities for employment and education and improve living standards). The Council's reasons for this were set out in the 2019 SA Report. 4.43 In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. The reasons for this were set out in detail in the 2022 Employment Land Technical Paper, which explained that in choosing this scenario the Council was being cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities.” And “4.45 In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP’.” The SAR also notes the negative impact of this preferred option for employment land: “4.26 However, negative effects were recorded against a number of environmental objectives, reflecting the impact that a high economic growth could have upon the environment due to proximity existing designations, and increased impacts on natural resources, potential impacts on biodiversity and wildlife corridors. This level of growth is also likely to require land from the Green Belt to facilitate the growth aspirations; this objective therefore scored negatively against objective 4 (Green Belt) and objective 5 (green infrastructure) due to the potential impacts on the Green Infrastructure corridor.” The Sustainable Appraisal Non-Technical Summary states in the section assessing the Likely Effects of the Local Plan Options: “Preferred Options 34. In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. In choosing this scenario the Council had been cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities. In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP’.”

3 What is your name?

Name:

Moyra Fairweather

4 What is your email address?

Email:

[REDACTED]

5 Who are you responding as?

Resident or Member of the General Public

Organisation:

6 What is your postal address?

Address:

[REDACTED]

From: [REDACTED]
Sent: 03 March 2024 09:36
To: Local Plan
Subject: South Tyneside Publication Draft Local Plan (Regulation 19) public consultation

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Dear Sirs,

1. Objection made specifically regarding Policy SP2: Strategy for Sustainable Development

This policy is not justified by the evidence because it proposes an unsustainable level of growth of housing development; and is not consistent with the NPPF or with other statements of government policy.

This policy must be revised to decrease the number of homes being planned for, in order to meet the requirement to be sound on the basis of being positively prepared, so that it meets the area's objectively assessed needs and is consistent with achieving sustainable development.

In SP2 paragraph 4.9 of the Local Plan it states:

"4.9 To determine the minimum number of homes needed, a local housing need assessment has been conducted using the standard method detailed in the national planning guidance. The standard method uses a formula to identify the minimum number of homes expected to be planned for in a way which addresses projected household growth and any historic under-supply. Using this approach the local housing needs assessment has concluded that for the plan period (1st April 2023 to 31st March 2040) 309 dwellings are required every year. This produces an overall minimum housing requirement of 5,253 new homes over the Plan period. The household projections that inform the housing baseline are the 2014-based household projections. This figure could change upwards or downwards based on new data. South Tyneside's housing requirement will not be 'locked in' until the Plan is submitted to the independent Planning Inspectorate."

The Local Plan is based on inaccurate population projections. Census data show a consistently falling population in South Tyneside, from 157,200 in 1991, to 152,785 in 2001, to 148,127 in 2011, to 147,800 in 2021. Yet the Local Plan assumes a population of 151,936 for 2021, an overestimate of 4,136, and that it would continue to increase over the next 20 years.

Using the Office for National Statistics (ONS) 2014 housing projections produces a housing requirement of 309 per year, a total of 5,253 houses by 2040. The Local Plan would require a total of 77,716 dwellings in South Tyneside by 2040 whereas the 2018 ONS projection is for 75,664. Therefore the Local Plan is for 2,052 more houses than are needed.

The ONS household projection is likely to be revised down given the population trends thus increasing the excess housing provision in the Local Plan.

The East Boldon Neighbourhood Forum received the following statement from the Department for Levelling Up, Housing & Communities, written by Alan C Scott, Planning policy adviser on behalf of the Secretary of State:

“In 2018 the Framework introduced a standard method for calculating local housing need to make the process simple, quick and transparent. “The standard method does not impose a target; it is still up to the local authority to determine its housing requirement, and this includes taking local circumstances and restraints such as Green Belt into account”.

The NPPF paragraph 5 and 6 states:

“5. National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.

6. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.”

Michael Jenrick, then Secretary of State for Housing, Communities and Local Government, made a Written Statement 16th December 2020:

“There were many consultation responses which did not fully recognise that the standard method for assessing Local Housing Need does not present a ‘target’ in plan-making, but instead provides a starting point for determining the level of need for housing in an area. It is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made.”

Michael Gove, Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations, made a Commons Statement on 19th December 2023:

“Today’s update to the National Planning Policy Framework (NPPF)

It provides clearer protection for the Green Belt, clarity on how future housing supply should be assessed in plans and on the responsibility of urban authorities to play their full part in protecting the character of precious neighbourhoods.

The new NPPF will: facilitate flexibility for local authorities in relation to local housing need; clarify a local lock on any changes to Green Belt boundaries;

The new NPPF makes clear that the outcome of the standard method is an advisory starting point in plan making for establishing the housing requirements for an area.”

The above is supported by guidance in The House of Commons Library published on 27 August 2021 “Calculating housing need in the planning system (England)” which states in 2.4:

“A starting point, not a target? Land constraints and the standard method. The standard method is intended to be the starting point in determining how many homes an LPA can and should deliver, but is not a target. LPAs must also take account (for example) of land constraints, such as the Green Belt.”

<https://commonslibrary.parliament.uk/research-briefings/cbp-9268/>

This means that South Tyneside Council is able to determine its housing requirement and can take into account the restraint of the Green Belt.

2. Objection to development on the Green Belt, made specifically regarding Policies SP3: Spatial Strategy for Sustainable Development and SP7: Urban and Village Sustainable Growth Areas

These policies are not justified by the evidence and the case for exceptional circumstances to amend the Green Belt boundary has not been made.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt: GA1-6 and SP8.

The Green Belt land allocation in the Local Plan is for 2,308 new homes but there is no justification for building on this precious resource. The Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established. The Local Plan must be revised in order to meet the requirement to be sound on the basis of being justified, as an appropriate strategy, taking into account the reasonable alternatives and based on proportionate evidence; and on the basis of being consistent with national policy.

In the Local Plan, Policy SP3: Spatial Strategy for Sustainable Development proposes amending the Green Belt boundary to allocate additional land for housing and Policy SP7 Urban and Village Sustainable Growth Areas proposes the removal of sites from the Green Belt and allocation for housing development.

The Local Plan states in Policy SP3: Spatial Strategy for sustainable development:

“To meet the identified needs in Policy SP2 and to facilitate sustainable growth, the Plan will:

- 1. Support the sustainability of existing communities by focusing growth within the Main Urban Area including South Shields, Hebburn and Jarrow*
- 2. Secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting growth which respects the distinctive character of each village*
- 3. Encourage the re-use of suitable and viable brownfield land and, where appropriate, encourage higher development densities.*

4. *Ensure the delivery of housing in sustainable locations through the allocation of sites in the Main Urban Area and by amending the Green Belt boundary to allocate Urban and Village sustainable growth areas*
5. *Create a new sustainable, community within the Fellgate Sustainable Growth Area (Policy SP8) by providing homes and community facilities.*
6. *Prioritise the regeneration of South Shields Riverside, South Shields Town Centre, Fowler Street Improvement Area, and the Foreshore Improvement Area*
7. *Prioritise economic development in designated Employment Areas, including the Port of Tyne, that are accessible by a range of transport modes and allocate additional land at Wardley Colliery*
8. *Enhance and strengthen green infrastructure, ecological networks and Green Belt throughout South Tyneside and between neighbouring authorities.*

The National Planning Policy Framework (NPPF) states:

“140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period”

As demonstrated in Objection 1 above, there is no evidence that the housing requirement for the Plan period is at a level requiring development on the Green Belt. The strategic need has not been proven, for example there has been no cooperation with neighbouring local authorities which have Local Plans that intend to cumulatively build in excess of 19,000 houses above their respective ONS 2018 housing projections.

Sunderland Local Plan –	10,755 excess houses by 2033
Gateshead Local Plan –	6,337 excess houses by 2030
North Tyneside Local Plan -	2,238 excess houses by 2032

A planning appeal decision has confirmed the protected status of the Green Belt. This decision reiterates and reinforces the protection from inappropriate development given to the Green Belt in national planning policy.

Broke Hill golf course

In the Broke Hill case in Sevenoaks, Kent, the Inspector confirmed that, where planning policies protect areas of particular importance and provide a clear reason for refusing the development, the so-called “tilted balance” presumption in favour of granting planning permission does not apply.

For Broke Hill, the planning policies in this case related to protection of the Green Belt. This is especially important as Sevenoaks does not have the required five-year supply of housing land nor has it met the government’s housing delivery test for 2021. The inspector noted a number of benefits of the proposed development including provision of affordable housing. However, he concluded that notwithstanding the lack of five-year housing supply, the housing delivery test, and the benefits, this did not outweigh the harm that would be caused to the Green Belt, and were not sufficient to override national and local planning policies protecting the Green Belt. “The tilted balance is not invoked, however, because the Framework at Paragraph 11d(i) and footnote 7

protects both areas and assets of particular importance, which include the Green Belt, and provides a clear reason to dismiss the appeal.” Stephen Wilkinson, Inspector Planning Inspectorate decision Broke Hill golf course 31 January 2022

This case along with ministerial statements demonstrates that the Local Plan fails to be consistent with national planning policy to protect the Green Belt, as specified in paragraph 11 of the National Planning Policy Framework.

The Local Plan must be revised to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt.

Furthermore, the Local Plan is not justified because the NPPF states:

“141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”

Regarding paragraph “a”, it has not been proven that all brownfield sites have been considered.

There are underutilised sites such as areas in South Shields town centre where previously developed land is used for car parking rather than housing like the area at the Mill Dam in South Shields, the former Staithes House and surrounding land near the town centre has been cleared for development for decades. The large office building at Harton Quay was leased by BT Group until last year but BT Group then closed its office and redeployed its 500 staff to other parts of the North East.

These are areas close to South Shields transport interchange and so would satisfy paragraph “b” the need to promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport.

The failure to rent out office space also drawn into question the planned 200,000 sq ft of office space in the adjacent Holborn development especially as the Utilitywise office building just down river had to be converted to flats after lying empty for a long period.

Planners overlooked possible brownfield sites across South Tyneside. Questions raised over validity of the reasons for rejection have not been answered. Some examples are the health clinic site near the ambulance station on Boldon Lane, the Pickwick pub in Biddick Hall, the former Methodist church on Bede Burn Road, the former Park Hotel on Lawe Road have not been included in the Local Plan.

Immediately after the Regulation 18 consultation in 2022, planning permission was given for 446 houses on the former Hawthorn Leslie shipyard that had lain redundant for several years. This was not included in the Regulation 18 Draft Plan. A similar situation exists at the former Rohm and Hass brownfield site near Jarrow town centre that would comply with 141 a) and b). This land if designated for industry could be released for housing as the land designated for employment in the Regulation 19 Local Plan is not justified by the evidence.

A further statement which is insufficient is paragraph 4.31, Sustainable Urban and Village Extensions:

“The Council has undertaken an extensive Green Belt review to identify land which would cause the least harm to the purposes of the Green Belt, that is considered suitable for development, and that 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 at each location. Following consultation on the Plan, the Council will undertake a Green Belt boundary review which will review the entire Green Belt boundary to ensure that it has a strong and defensible boundary as required by the NPPF.”

It has been shown that the Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established.

Regarding paragraph “c”, there is no evidence that the aggregated housing assessments of the neighbouring authorities has been compared with the projected population levels of these authorities to show that there will be no overall supply. The simple statement in 4.28 in the Local Plan is insufficient:

“28. Prior to identifying land in the Green Belt the Council has, as part of Duty to Cooperate, discussed whether neighbouring authorities could accommodate additional housing. As set out in the Duty to Cooperate Statement, neighbouring authorities have confirmed that they would be unable to provide land to meet South Tyneside’s needs.”

The duty to cooperate has not been evidenced as required by guidance such as PAS – Doing your duty practice update [doing-your-duty-practice--1a3.pdf \(local.gov.uk\)](https://www.local.gov.uk/doing-your-duty-practice--1a3.pdf)

The recommendations in this have not been followed including number 10:

“10. Plans should reflect joint working and cooperation to address larger than local issues. In many cases, joint studies with other local planning authorities formed part of the evidence used to demonstrate compliance with the duty. Past cooperation put many local planning authorities in a strong position, particularly where this has resulted in the preparation of sub-regional strategies, joint studies or common methodologies on SHMA, Strategic Flood Risk Assessment, economic assessments, Green Infrastructure studies, landscape and renewables assessments, and transport studies.”

This failure is evident in the vast over provision of housing as previously shown and shared infrastructure for example the health and sewage systems between South Tyneside and Sunderland as well as employment at IAMP. This shows that the Plan is not sound.

The Plan proposes increased housing on green belt;

GA4 Cleadon Village – West Hall Farm 259 houses

GA2 East Boldon – North Farm 263 houses

GA5 Whitburn – Whitburn Lodge 30 houses

GA6 Whitburn – North of Shearwater 41 houses

This is on top of the 202 houses already given planning permission at Cleadon Lane on the boundary between Cleadon and East Boldon along with 9 at the nearby Mayflower site.

The plan has not secured the sustainability of the villages as the infrastructure to support the proposed developments does not exist and there are no viable plans to improve the lack of them including.

- Lack of school places.
- Lack of medical facilities. The area the south and East of South Tyneside has been identified in the plan as having insufficient access to medical services. Colliery Court Medical Group has already stopped taking new patients.
- Lack of road capacity which already results in congestion with the associated air pollution and greenhouse gases.
- Lack of wastewater capacity that already results in regular sewage discharges into the environment
- Risks from flooding. North Farm is in a flood risk zone 2 and 3 and West Hall Farm is a very low lying area where farm land is permanently flooded for long periods and road surface flooding occurs.

The additional developments will have a detrimental impact on the character of the villages and is counter to the purpose of the green belt as set out in the NPPF to;

- Prevent urban sprawl
- Keep land permanently open
- Essential characteristics are openness and permanence
- Restrict urban sprawl
- Prevent neighbouring towns merging
- Safeguard the countryside from encroachment
- Assist urban regeneration, encouraging recycling derelict & urban land

The car dependant developments will have a detrimental effect on the environment and climate change.

The proposed developments are not consistent with the following National Planning Policy Framework sections:

NPPF Paragraph 11:

- a) *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*

and

20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);

c) community facilities (such as health, education and cultural infrastructure); and

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

and

32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

Examining plans

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are

- a) 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 neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) 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; and*
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

and

123. Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and*
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.*

3. Objection made regarding Sustainability Appraisal Report 2024 – Employment Land and policy SP14: Wardley Colliery

The Sustainability Appraisal Report 2024 notes that the Local Plan has increased the amount of land required for employment from the Draft Regulation 18 Local Plan. It notes that the level of employment growth underpinning this is high in the context of past trends.

This demonstrates that the Regulation 19 Draft Local Plan is not justified by the evidence base; the amount of land for employment allocated for employment is too high and more of this land needs to be utilised for housing development in existing urban areas. The removal from the Green Belt of the Wardley Colliery site in SP14 is not justified.

The Sustainability Appraisal Report states:

“Preferred Options

4.41 Within the Draft Local Plan 2019, the Council took forward the following preferred options for employment land: ■ General Employment Land – Option 2: Policy-on Scenario ■ Port and Marine Land – Option 3: Past Completions (net)

4.42 These options were selected because the Council considered them to have the most positive effects on SA objective 9 (encourage and support economic growth within South Tyneside) and SA objective 10 (increase opportunities for employment and education and improve living standards). The Council’s reasons for this were set out in the 2019 SA Report.

4.43 In the Draft Regulation 18 Local Plan (June 2022) the Council’s preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. The reasons for this were set out in detail in the 2022 Employment Land Technical Paper, which explained that in choosing this scenario the Council was being cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities.”

And

“4.45 In the Regulation 19 Draft Publication Plan, the Council’s preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP’.”

The SAR also notes the negative impact of this preferred option for employment land:

“4.26 However, negative effects were recorded against a number of environmental objectives, reflecting the impact that a high economic growth could have upon the environment due to proximity existing designations, and increased impacts on natural resources, potential impacts on biodiversity and wildlife corridors. This level of growth is also likely to require land from the Green Belt to facilitate the growth aspirations; this objective therefore scored negatively against objective 4 (Green Belt) and objective 5 (green infrastructure) due to the potential impacts on the Green Infrastructure corridor.”

The Sustainable Appraisal Non-Technical Summary states in the section assessing the Likely Effects of the Local Plan Options:

“Preferred Options

34. In the Draft Regulation 18 Local Plan (June 2022) the Council’s preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. In choosing this scenario the Council had been cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities. In the Regulation 19 Draft Publication Plan, the Council’s preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP’.”

4. Objection made regarding Density Report 2024 and paragraph 8.24 of the Local Plan

The Local Plan is not justified by the evidence as set out in the Density Report 2024 of housing density achieved since the last housing density report in 2018. The Local Plan in paragraph 8.24 sets a lower average housing density than has been achieved which means it is not consistent with the NPPF.

The Density Report 2024 states:

“2.3 Paragraph 125 of the NPPF highlights the importance of avoiding homes being built at low densities, where there is an anticipated shortage of land for meeting identified housing needs. Planning policies should avoid homes being built at low densities and ensure optimal use of land by using minimum density standards. These standards aim to uplift the average density of residential development and the use of these standards should be used in other parts of the plan area. Minimum density standards should also be used in a way which ensures that applications which fail to make efficient use of land be refused.”

It states in the Summary

“4.1 Following the four assessments several conclusions can be drawn with regards to density patterns throughout South Tyneside. Since the previous Density study in 2018:

- The average density of sites assessed was 66 dwellings per hectare based on net site area. This is an increase of 16 dwellings per hectare since the previous study.*
- The assessments showed that density declined as site area increased and that sites less than 1 hectare had a density significantly higher than those over 1 hectare. Sites less than 1 hectare had an average density of 82 dwellings per hectare. Sites over 1 hectare had a density of 40 dwellings per hectare.*
- In general sites with a higher yield had typically lower densities. Sites with less than 50 dwellings had an average density of 50 dwellings per hectare whereas sites with more than 250 dwellings had an average density of 28 dwellings per hectare.*

- *Sites in the urban area of South Shields had the highest densities with an average of 72 dwellings per hectare. This is likely due to the nature of the area and the large proportion of smaller sites.*
- *Compared to the standard density buffers in Policy SC3 of the adopted LDF and the Strategic Housing Land Availability Assessment higher densities were achieved across all three categories.*

However, the Recommendations for Housing Density which have been utilised by the Regulation 19 Draft Local Plan are lower than the densities which have been achieved. The Density Report states:

“6.1 Housing yield must ultimately be determined by design. However, for the purposes of estimating housing yield as part of the Strategic Housing Land Availability Assessment and Local Plan site selection process the following density calculations are recommended:

- *Average 60 dwellings per hectare on sites within 400m in the Jarrow and Inner South Shields character areas (higher densities may also be appropriate on a site by site basis e.g. by the riverside on sites such as Holborn and Hawthorn Leslie);*
- *Average 55 dwellings per hectare on sites within 400m in the rest of the borough;*
- *Average 45 dwellings per hectare on sites between 400m – 800m in the rest of the borough; and*
- *Average 35 dwellings per hectare on sites beyond 800m in the rest of the borough.*

6.2 These densities will be used to estimate site capacities in the Strategic Housing Land Availability Assessment where other information (e.g. planning applications, information from developers etc.) is not available. Should this information be available it will be used.”

The Density Report 2024 also underestimates the housing densities which have been achieved because two very large urban brownfield sites have been excluded from the assessment:

“3.2 Whilst permission was given to 26 sites during this period only 24 sites will be used in this study. The sites at Leslie Hawthorn and Holborn have been omitted from this study as due to the nature of those sites they present an anomaly in the densities. These sites have a much higher density as to be viable sites for the developers more dwellings on site were required. These sites have a much higher proportion of flats and apartments than others of this size and location. Therefore, to be able to analyse patterns and trends in the data these 2 sites have been treated as anomalies.”

If these two sites were included in the assessment, the average density achieved would be higher and the discrepancy between this and the recommendations for average density for the Local Plan would be even greater.

5. Objection made specifically regarding Policy 18: Affordable Housing, Policy 19: Housing Mix and Policy 20: Technical Design Standards for New Homes

The Local Plan is not justified and is not consistent with the NPPF in terms of meeting the housing needs identified in the Strategic Housing Market Assessment (SHMA) 2023.

In the section on Housing Allocations the Local Plan states:

“5.4 When allocating sites to meet the housing requirement, the Plan has looked to ensure the right homes are delivered in the right places, taking into account need, demand, deliverability, sustainability and improving choice.”

The SHMA 2023 has identified an annual need for 361 affordable homes each year across the borough which justifies the need for a robust affordable housing policy which will provide mechanisms to help meet this affordable need. Yet the same document states in the Executive Summary:

“It is recommended that the current target for 75% market and 25% affordable is maintained.” And in Paragraph 7.10 states: *“The SHMA would suggest that an overall target of 25% affordable housing should continue to be applied. This will be subject to viability testing before a target can be established for affordable housing in the emerging Local Plan.”*

The proposed proportion of affordable homes in Cleadon and East Boldon is 30%, but as median house prices in this area are £225,000 the accepted definition of affordable being 80% of market value means they will still be unaffordable to the very people requiring this provision.

The NPPF states *“62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

Particular needs identified in the SHMA 2023 are:

- *“Increasing and diversifying the supply of specialist housing for older people. There is a need for 3,060 more units of accommodation for older people by 2040 comprising 1,803 C3 units, 885 C2 Extra Care units and 372 C2 Residential care units*
- *Based on an assessment of additional needs and longer-term demographics, a minimum of 5% of new dwellings should be built to M4(3) wheelchair accessible standard; and all other new dwellings should be built to M4(2) accessible and adaptable standard.”*

However the Local Plan fails to implement these recommendations in full as Policy 20: Technical Design Standards for New Homes states:

“1. To meet the needs of older people and people with disabilities, a minimum of 5% of new build housing in developments of 50 homes or more shall be built to Building Regulations Requirement M4(3) (wheelchair user dwellings).

2. All residential dwellings shall be designed to be built to meet Building Regulations Requirement M4(2): (Accessible and adaptable dwellings) except where it can be demonstrated that this is impractical or unviable due to site specific constraints.”

Policy 20 introduces a condition that this target for wheelchair user dwellings (ie *Building Regulations Requirement M4(3)*) will only apply in housing developments of 50 homes or more. This means that the Local Plan is not justified by the evidence of the need for these type of homes.

6. Support for Policy 16: Houses in Multiple Occupation

I welcome Policy 16 Houses in Multiple Occupation (HMO) as this is justified by the evidence of clustering of HMOs in particular areas of the borough and the need for further measures in paragraph 2 of the policy for the Lawe Top Article 4 Direction area.

7. Objection made specifically regarding Policy 1 Promoting Healthy Communities and Policy 2 Air Quality; and SP5: Former Brinkburn Comprehensive School and SP6: Former Chuter Ede Education Centre

The Local Plan is not justified because these policies will not ensure the Strategic Objectives for Promoting Healthy Communities will be achieved; and these policies are not consistent with national policy.

The Local Plan proposes the development of several vital community open spaces, for example the playing field land at Chuter Ede and Brinkburn School, despite stating in Policy 1:

“The Council and its partners, including the NHS, will seek to improve the health, wellbeing and quality of life of South Tyneside residents, reduce health inequalities, and to help people live longer and healthier lives. This will be achieved by: 1. Supporting new development which: i. Increases opportunities for physical activity and active travel through the provision of good quality sport and recreation facilities and safe and accessible walking, cycling and public transport networks.”

and

“iii. Enhances the green and blue infrastructure network and supports climate change mitigation and adaptation.”

These community open spaces must be protected and removed from the Local Plan as sites for development. The importance of these community open spaces is recognised in NPPF paragraph 98, 20-23, 26 and 92.

Building on playing fields for example at Chuter Ede has the exact opposite effect to the objective, increasing the local population while removing green space playing fields that are used for exercise.

There is little in the Local Plan that would fulfil the Strategic Objectives for Promoting Healthy Communities. In fact, some parts of the plan make the situation worse including the proposed development in areas that will promote car use such as in Cleadon, East Boldon and Whitburn. These developments will typically have two cars per household, adding potentially thousands of car journeys on an already congested road system. This will have a detrimental effect road safety and on the local environment due to noise and exhaust emissions. Some areas have air pollution levels already in excess of the World Health Organisation recommended maximums. These vehicle journeys will only make this more dangerous as there are no safe levels for these pollutants.

The Local Plan states in paragraph 6.14: *“The importance of good air quality is recognised by the World Health Organisation which produced a series of standards that have been adopted by the European Commission and subsequently the UK”.*

A Local Authority recognising this will be aware that the World Health Organisation (WHO) air quality standards were revised in 2021 and the recommended pollutant levels, to be achieved, were revised down by a considerable amount. NOTE: These are not safe levels as scientists do not consider any amount to be safe. It is inconceivable that the UK national standards will not be reduced to reflect these changes.

In the Local Plan, Policy 2: Air Quality states *“2. Where significant air quality impacts are likely to be generated by the development, an appropriate air quality assessment will be required”*. Due to

the changes in WHO levels it is reasonable to predict large areas of the Borough will exceed these and the proposed developments in Policy SP7: Urban and Village Sustainable Growth Areas in particular will result in unsafe air pollution.

The council has a duty as far as reasonably practicable to ensure the health and safety of its residents. Given the above, the Local Plan must be revised to take into consideration the results of the proposed developments on air quality and specified measures that would reduce pollution levels to the minimum possible.

NPPF states in 186: *“Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.”*

The Local Plan has failed to identify these opportunities adequately and therefore is not consistent with the NPPF and this demonstrates that the Local Plan is not sound.

NPPF states: *“31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned...”*

The revised WHO air pollution levels are relevant and up-to-date and should be a material consideration.

8. Objection made specifically regarding Section 7: Meeting the Challenge of Climate Change, Flooding and Coastal Change

The Local Plan is not sound because it is not compliant with the Climate Change Act 2008 and Planning and Compulsory Purchase Act 2004 (as amended) duties or consistent with NPPF guidance – carbon accounting and climate mitigation.

The increased carbon emissions from the development proposed in the Local Plan will add to South Tyneside’s carbon footprint and add to the climate change emergency.

National legislation and guidance strongly stress the central role of the planning system in securing radical reductions in greenhouse gas emissions and require Local Plans to:

The policies should aim to secure radical carbon reductions in line with a trajectory for the authority area that is consistent with the UK achieving full carbon neutrality by 2050, and in the short term should test the policy options available to achieve the highest level of ambition possible to meet this goal.

As far as possible, all new development should be zero carbon given that the country’s net zero target must be met in the next 30 years. A good example from another area is Reading Council: *“The council’s 2019 Local Plan requires that all new residential developments of ten or more homes are built to zero carbon standards if possible.” Zero carbon is an achievable standard.*

Adoption of this strategy aligns with the councils own stated aims of the Economic Recovery Plan 2020 to *Catalyse green and sustainable growth by maximising the potential of our low-carbon and digital assets and expertise.*

With regards to Policy 15 much is to be welcomed. 15.1 states *Improve the condition of existing homes by enhancing energy efficiency and reducing carbon emissions in existing buildings* And 15.4 *Facilitate improvements to properties that have traditionally suffered from poor management and under-investment*

However, currently demolition is placed far too highly as an option for the current housing stock. Refitting and retrofitting is by far the less carbon intensive approach so demolition must be de-prioritised.

The Local Plan must be revised in order to bring it into compliance with legislative and policy requirements around climate change and the councils stated ambitions.

9. Objection made specifically regarding Policy 6: Renewables and Low Carbon Energy Generation

The Local Plan is not sound because this policy is not consistent with national policy.

NPPF 156 states: *“Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.”*

We welcome Policy 6 paragraph 2 supporting the inclusion of renewable energy into developments, but the text is not strong enough, and once again, will not change business as usual development approaches. A requirement to include and maximise on-site renewable energy generation needs to be folded into an overall green house gas emissions policy, as seen in the London Plan, policy S12 (see London Plan – policy S12 - www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-9-sustainable-infrastructure/policy-s12-minimising#r-S12).

I welcome Policy 6 paragraph 4, the inclusion of policies requiring development to connect to district heating networks, however this policy needs to be made significantly stronger. The best example of which I am aware is draft policy SI13 of the draft London Plan. As the whole of South Tyneside is located over disused mine-workings more heating schemes like the “Hebburn Minewater Project” should be invested in for housing schemes.

10. Objection made specifically regarding Policy 10 Disposal of Foul Water and Policy 11 Protecting Water Quality

The Local Plan is not justified because these policies are not able to ensure the Objectives for Protecting Water Quality will be achieved; and is not consistent with national policy.

The Local Plan does not refer to the current significant level of sewage pollution in South Tyneside. Population levels have increased considerably in the UK since Victorian times yet we are still using combined sewers that were constructed in the 19th century. If more housing development is permitted, especially on green spaces, more pressure will be exerted on an already failing sewage system. However, in the consultation on the Draft Local Plan, South Tyneside Council confirmed that no extra sewage will be added to the existing infrastructure on the recommendations of Northumbrian Water who have assured them the existing system will cope.

NPPF states “*20.Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for: ...
b) infrastructure for ...wastewater*”

NPPF states: “*185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.*”

The Environmental Permitting Regulations 2016 Permits to discharge untreated sewage from Combined Sewer Overflows into watercourses during heavy rainfall are issued to water companies and regulated by the Environment Agency. There is growing evidence to show that these permits are being abused. Sewage is regularly discharged into South Tyneside watercourses in moderate rainfall. This is due to a lack of capacity at the sewage treatment works caused by a lack of investment and contravenes environmental law.

The Environment Agency (EA) has been required to install Event Duration Monitors (EDMs) in all Combined Sewer Overflows (CSOs). These record the number of discharges and the duration of the discharges. The Whitburn system remains in breach of environmental law as of March 2021, but the EA want to wait 10 years to ‘assess’ the system.

The data supplied by the authorities needs to be treated with caution. In March 2020 the EA issued an apology after their published sewage discharge records for Whitburn for 2019 were challenged. They were forced to increase the volume of CSO discharges for Whitburn by 10% from 683,676 cubic metres to 760,993.5 cubic metres. In March 2021 Northumbrian Water issued an apology after their published untreated sewage discharge records for Hendon Sewage treatment works for 2019 were challenged. They were forced to increase their published hours of untreated discharges in 2019 from Hendon Sewage Treatment works by 4,000% from 15 hours 52 mins to 646 hours.

Sewage pollution is a contributor to climate change. Seagrasses can absorb more carbon up to 40 times faster than terrestrial forests and these ecosystems become sources of CO2 emissions when they are degraded or destroyed. A major driver of seagrass decline is nutrient pollution from sewage. A study has shown that 90% of the seagrass meadows in the UK have been lost to pollution. Locally, the seagrass meadows in the River Tyne estuary have been devastated by sewage flowing from nearby Combined Sewer Overflows.


Sewage pollution causes harm to public health. Recent epidemiological studies show a close relationship between contact with polluted waters and the incidence of gastro-intestinal, eye, ear, nose and throat infections or irritations and respiratory symptoms. This is a recognised problem for surfers, kite surfers, windsurfers, sailors, kayakers and wild swimmers. Even the dog walkers, joggers and walkers who all enjoy the access to South Tyneside’s riverside and beaches throughout the year are at risk from sewage pollution.

Public Health is a material planning consideration. Local authorities have important and wide-ranging public health functions, for example under the Public Health (Control of Disease) Act 1984. This legislation adopts an 'all-hazards' approach and provides South Tyneside Council with the necessary powers to control human health risks arising from infection or contamination of any form including chemicals and radiation. Statutory duties for public health were conferred on local authorities by the Health and Social Care Act 2012. Local authorities (and directors of public health acting on their behalf) now have a critical role in protecting the health of their population, both in terms of helping to prevent threats arising and in ensuring appropriate responses when things do go wrong.

Health considerations are capable of being material planning considerations. This is recognised in the NPPF which includes the following statement at paragraph 92: *"Planning policies and decisions should aim to achieve healthy, inclusive and safe places."*

The health implications of exposure to the levels of sewage pollution regularly discharged into the River Tyne and on to the beaches of South Tyneside must be a material planning consideration with respect to future developments as, without an improvement in sewage treatment capacity, more development will bring about an inevitable increase in sewage pollution.

Regards
Russell Hewitson



Response ID BHLF-RUCU-JV27-8

Submitted to Sustainability Appraisal 2024

Submitted on 2024-04-23 14:51:31

Have your say

1 Which section(s) of the SA are you responding to?

Section of the SA:

Employment land

2 Please provide any comments you wish to be considered by the Planning Inspector.

Comments:

3. Objection made regarding Sustainability Appraisal Report 2024 – Employment Land and policy SP14: Wardley Colliery

The Sustainability Appraisal Report 2024 notes that the Local Plan has increased the amount of land required for employment from the Draft Regulation 18 Local Plan. It notes that the level of employment growth underpinning this is high in the context of past trends.

This demonstrates that the Regulation 19 Draft Local Plan is not justified by the evidence base; the amount of land for employment allocated for employment is too high and more of this land needs to be utilised for housing development in existing urban areas. The removal from the Green Belt of the Wardley Colliery site in SP14 is not justified.

The Sustainability Appraisal Report states:

“Preferred Options

4.41 Within the Draft Local Plan 2019, the Council took forward the following preferred options for employment land: □ General Employment Land – Option 2: Policy-on Scenario □ Port and Marine Land – Option 3: Past Completions (net)

4.42 These options were selected because the Council considered them to have the most positive effects on SA objective 9 (encourage and support economic growth within South Tyneside) and SA objective 10 (increase opportunities for employment and education and improve living standards). The Council's reasons for this were set out in the 2019 SA Report.

4.43 In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. The reasons for this were set out in detail in the 2022 Employment Land Technical Paper, which explained that in choosing this scenario the Council was being cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities.”

And

“4.45 In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP.’”

The SAR also notes the negative impact of this preferred option for employment land:

“4.26 However, negative effects were recorded against a number of environmental objectives, reflecting the impact that a high economic growth could have upon the environment due to proximity existing designations, and increased impacts on natural resources, potential impacts on biodiversity and wildlife corridors. This level of growth is also likely to require land from the Green Belt to facilitate the growth aspirations; this objective therefore scored negatively against objective 4 (Green Belt) and objective 5 (green infrastructure) due to the potential impacts on the Green Infrastructure corridor.”

The Sustainable Appraisal Non-Technical Summary states in the section assessing the Likely Effects of the Local Plan Options:

“Preferred Options

34. In the Draft Regulation 18 Local Plan (June 2022) the Council's preferred scenario for employment land requirements over the Plan period was the Baseline Labour Demand Scenario. In choosing this scenario the Council had been cognisant of the constraints imposed by the Green Belt and the very high value placed on this resource by local communities. In the Regulation 19 Draft Publication Plan, the Council's preferred scenario for employment land requirements over the Plan period is the Policy-on Labour Demand Scenario. As explained in the 2023 Employment Land Technical Paper, the level of employment growth underpinning this scenario, which seeks to capture the impacts of IAMP on the general employment land market, is high in the context of past trends. The 2023 ELR advises that the IAMP proposals are expected to create significant employment opportunities in the wider supply chain. However, the ELR does caution that the ability to fully take advantage of these opportunities will depend on the ‘ability to offer good quality employment sites, with good access to the strategic road network and in close proximity to the IAMP.’”

3 What is your name?

Name:

Russell Hewitson

4 What is your email address?

Email:

[REDACTED]

5 Who are you responding as?

Resident or Member of the General Public

Organisation:

6 What is your postal address?

Address:

Spatial Planning Objection - East Boldon

Mon 2/5/2024 4:28 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

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As a resident of [REDACTED] East Boldon I wanted to express my concerns about the councils plans to expand the village by building over 400 new homes, increasing the population up to 26%

Not only will this have a detrimental effect on the environment and natural habitats of wildlife but it will compromise the character of our beautiful, historical village. In addition, we do not have the infrastructure in the way of health care, schools, roads and sewage to deal with a significant increase in population. Please see my points below in more detail -

1. SP2 –Strategy for Sustainable development to meet identified need

Object to 2.2 – the basis for the calculation of the number of new homes proposed is not sound or credible.

It uses out of date statistics to calculate the number of homes needed and this results in an overestimate. The number of homes proposed is based on the 2014 household projections, which have been shown to be an overestimate by the 2021 Census.

2. SP3 Spatial Strategy for sustainable development

Object to 3.2- the policy has not been positively prepared to deliver sustainable development in the East Boldon Neighbourhood Plan area.

There are currently 1,860 homes in the EBNP area and the addition of 474 new homes will bring an unsustainable level of growth which will have a detrimental impact on the local infrastructure of the area and on the distinctive character of the village.

Object to 3.4 – the policy is not justified, uses out of date evidence and exceptional circumstances case to amend the Green Belt boundary has not been made.

The issue was considered by the Independent Examiner for the East Boldon Neighbourhood Plan, who considered that it was appropriate to retain the Green Belt around the village in order to meet housing need in the plan area.

3. SP7: Urban and Village sustainable Growth Areas

Object to GA2 – Land at North Farm This proposal is not justified and is not effective in delivering sustainable development.

It is in conflict with the adopted

East Boldon Neighbourhood Plan as it is outside the settlement boundary approved in the plan. The Green Belt Review Site Assessment for this site is not correct as it says development will only have a moderate impact. 263 new homes on the site will have a considerable impact as evidenced by the Traffic Assessment and Infrastructure development Plan.

4. SP16 Housing Supply and Delivery

Object to 16.2 – Provision of at least 263 homes in the EBNP area -the policy is not sound or justified. This figure does not include 202 homes given conditional approval at Cleadon Lane or 9 homes with permission at Mayflower Glass. It is not based on housing need but on an arbitrary allocation of land. The total number of new homes planned will result in 26% increase in the size of the village and as result the distinctiveness of the village will be lost. The infrastructure of the village is inappropriate for this increase in size.

GA2 Land at North Farm, Boker Lane, Boldon (263houses)

This proposal is not justified and is not effective in delivering sustainable development. We object to this site being allocated for housing for the following reasons:

CONTRADICTION OF THE NEIGHBOURHOOD PLAN

The development of the site is a major reversal of the East Boldon Neighbourhood Plan agreed at referendum in 2021.

LOSS OF VILLAGE IDENTITY

The Green Belt Review Site Assessment undervalues the importance of the site.

The development of the site will reduce the gap, in terms of distance, between Boldon and South Shields and the open space and separation along Boker Lane will be lost, effectively merging East and West Boldon.

INCREASED RISK OF FLOODING

There is a risk of surface water flooding for this site (it is located within Flood Zones 2 and 3) and the development of the site will have significant negative effects towards the climate change objective.

DAMAGE TO THE ENVIRONMENT

The site is within the wildlife corridor, is located within 50m of a SSSI and 250 m of a local wildlife site and nature reserve. The Sustainability Appraisal (SA) states that a significant negative effect is expected in relation to the objective of conserving and enhancing biodiversity.

LOSS OF AGRICULTURAL LAND

The development of the site which is in agricultural use would result in the loss of Grade 3 agricultural land and the SA states that is therefore considered to have a significant negative effect in relation to the objective of protecting our soils and promoting efficient land use.

OVERLOAD ON INFRASTRUCTURE

The development of 263 houses on this site will have a major impact on the infrastructure of the village including the need for an extra 66 extra primary school places and 33 extra secondary school places. The Infrastructure Delivery Plan indicates a lack of capacity in local primary schools.

EXTREME INCREASE IN TRAFFIC - ALREADY OVER CAPACITY

The Traffic Capacity Assessment shows that the site would contribute significant additional capacity through the A184/ Boker Lane junction, which is already over capacity at the evening peak. When the impact of full barrier closure at the Tiledsheds level crossing is included the impact on this junction is even greater. Similar impact is forecast for the Sunderland Road/ Station Road junction.

Best Wishes

Rachel Adamson-Brown



South Tyneside Council Plan

Caroline Attanayake [REDACTED]

Mon 2/5/2024 12:39 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

<div style="color: black; background-color: #ffff99; background-clip: padding-box; border: 2px solid black; margin: 5px; padding: 5px; font-family: Arial; font-size: 11pt;">*** WARNING - This message has originated from outside the Council. Do not provide any login or password details if requested. Do not click on any links or attachments unless you are sure that the content is safe. If you are unsure about this email or its content forward it to: email.quarantine@southtyneside.gov.uk, clearly stating your concerns in the email </div>

Sent from my iPhone

My views remain the same, your plan is not sustainable. Above all East Boldon and West Boldon Cleadon are villages why spoil damage these communities.

Damage it will , the building of an excessive number of homes 474 without a doubt will make the villages become one huge urban sprawl.

The Green belt must be protected, the wild life preserved.

Not to mention the infrastructure medical facilities, school places, road network would need to be addressed the infrastructure as it is now is under considerable pressure without adding more.

It would be much better to make a plan which includes the precise detail of the assessment of the need all these homes would have in terms of necessary services and infrastructure .

However in order to preserve village life , building should be at a minimum and the existing infrastructure should be maintained .

LP1847- Andrea George

Local Plan

Andrea George [REDACTED]

Sun 3/3/2024 11:41 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>

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As a resident of STC of over 34 years please see my response to South Tyneside Council Local Plan 2024 with particular attention to the comments relating to my direct observations of tractors spraying and subsequently killing crops on the green belt field on Moor Lane site.

During lockdown I directly observed, with another person, three trenches in the footpath around the corner of Moor Lane and Sunderland Road - the boundary of the above identified greenbelt land. In the bottom of each trench was what appeared to be a supply pipe with a pressurised regulator leading from a utility network feed. Markers on the fence were aligned with the direction of the apparent service utility regulator outlets and the fence rails were broken at these intersections.

The considerable expense of installation of these Utility and services infrastructure up to and into the otherwise undeveloped Green Belt site gives every indication that the development of this Green Belt site appears to have been predetermined some years ago and as such invalidates the consultation process.

Theatre need for housing has been viewed as the generation of an income source to increase the Council's available funds to improve its financial security.

In fact the Council already has ownership of a single ok of housing which are not subject to accountability in relation to occupancy or income recovery.

Many properties have been held vacant for a number of years for different reasons including identified specific decant scenarios which have not progressed; dwellings where major works have been completed and action has not been taken to require the returning tenant to move back within a set time period in at least one instance leading to two properties being unavailable to those on the housing register, and no HRA or GF income being receipted.

Some properties have been held as decants on an ongoing basis rather than being sought as necessary.

While there is a 'minded to' decision relating to management of the Council's housing stock, the use and management of these resources must be subject to stringent policy and procedure if there is to be increased availability of housing from existing stock and an increase in funds to the HRA and GF financial streams.

And Council owned properties have subsequently remained vacant without being occupied and housing those in need, without the receipt of gross rent to the Housing Revenue account and without the receipt of Council Tax to the General Fund.

Building more privately owned houses on Green Belt land is a short term vision and attempt to increase revenue when with increased accountability of management the council's existing stock a faster and increased revenue stream can be achieved while improving resident customer satisfaction for those in owner occupied properties particularly those residing near the Green Belt assets, and to those who would be in a position to be housed more punctually into existing council owned properties.

South Tyneside Council local plan states that target numbers for housing provision are set by central government.

This assertion does not reflect or take account of the option to South Tyneside Council to provide its own evidence and work to those figures in terms of appropriate housing need in sectors within residential communities, economic growth, social infrastructure development, other community support, provision for environmental sustainability and reducing the impact on climate change.

It is noted in the local plan that South Tyneside Council states in the section on Economic Growth that there is an increasing population. Where is the evidence to support the alleged current growth in population?

Many of the identified development sites include the removal of existing youth centres and outdoor recreational space.

At present, there is an unprecedented rise in antisocial behaviour in the borough - evidence through liaison with STH Community Safety and Tenancy Enforcement Team and instructions to Legal Services.

Removing these diversions may result in a further increase in ASB. Chuter Ede and Perth Green youth activity centres are proposed for alternative housing provision.

How does the council intend to reduce the impact on increased antisocial behaviour when removing the provision of youth facilities?

Many of the identified sites are on greenfield sites on the periphery of the Local Authority boundary.

Many of these areas are not in need of regeneration and the projected population does not support an increase in housing provision to the extent that is proposed in the local plan.

Development on the scale will furthermore adversely impact the environment, further flood risk in areas already prone to flooding, destruction of wildlife habitat and impact on climate change.

This appears to be at odds with the council's declaration of a climate emergency in July 2019.

In March 2020, a tree of approximately 30ft, and which was several metres outside the steel palisade boundary of the brownfield site of the Sandpiper View development, was cut down.

What assurances can the council give that any development will make genuine attempts to retain trees, shrubs and wildlife habitats on sites identified for potential development.

The proposal of a highways flyover at Tiledshed Crossing to facilitate housing development in the neighbouring area will lead to the increase of both air and noise pollution from vehicles in this area. The effects of air and noise pollution resulting from the construction of the flyover on the A19 over Testo's roundabout Should be analysed and referenced prior to consideration of any further similar development.

Setting aside the short term increase in land transaction income and Council Tax revenue, how does the council intend to sustain economic growth from potential development in the identified areas for potential development on green belt land on the council boundary?

There is a risk that the provision of housing in these areas will boost the economic growth of local authorities such as Sunderland including Washington and Gateshead which already have accessible retail shopping areas which may well be a preferential retail option rather than travelling into the south Shields town centre area.

What investment is proposed for the regeneration of South Shields Town Centre to make this a realistic alternative?

West Hall Farm site identified as G9 GA9 and SP5 within local plan documents.

Direct Observations.

This land was arable farmland and the whole of this site was previously used for successful crop growth.

Prior to the first lockdown late one night I observed three tractors in the section of this field adjacent to Moor Lane spraying the crop closest to the road.

The crop in this area subsequently died and this section of the field does not appear to have been re-cultivated, the grass in this section appears to have been intended since that intervention.

The quality of the soil in this section may have been downgraded as a result of that intervention and if so, further intervention to return the quality of the soil to its former condition should be investigated rather than any long term decisions being made on the soil's current grade.

During lockdown I directly observed, with another person, three trenches in the footpath around the corner of Moor Lane and Sunderland Road - the boundary of the above identified greenbelt land.

In the bottom of each trench was what appeared to be a supply pipe with a pressurised regulator leading from a utility network feed. Markers on the fence were aligned with the direction of the apparent regulator outlets and the fence rails were broken at these intersections.

What are the groundworks which have taken place in the footpath, and verge leading into the above site identified for development and why were these works carried out?

I would request that the council defer the Local Plan consultation process until the review of Greenfield regulation is finalised. A precedent that has been set by other local authorities.

Why are Greenfield sites in the Cleadon area subject to decisions made by the East Boldon Forum Neighbourhood Area when the greatest impact and interest is with residents of Cleadon?

I am also sharing observations of other local residents on the Local Plan below.

I have no affiliation to any political party and in reproducing these comments there is no intention to infer any such affiliation.

1. Objection made specifically regarding Policy SP2: Strategy for Sustainable Development

We object to the proposed unsustainable level of growth of housing development. South Tyneside Council must make a robust case to the planning inspectorate and the government to decrease the number of homes planned for. The Local Plan must be revised in order to meet the requirement to be sound on the basis of being positively prepared, so that it meets the area's objectively assessed needs and is consistent with achieving sustainable development.

In SP2 paragraph 4.12 of the Local Plan it states "The household projections that inform the housing baseline are the 2014-based household projections. This figure could change upwards or downwards based on new data. South Tyneside's housing requirement will not be 'locked in' until The Plan is submitted to the independent Planning Inspectorate."

Using the Office for National Statistics (ONS) 2014 housing projections produces a housing requirement of 321 per year, a total of 6489 houses by 2039. The Local Plan, as it stands after accounting for existing housing commitments and a 15% buffer, would require a total of 78,530 dwellings in South Tyneside by 2039 whereas the 2018 ONS projection is for 75,412 dwellings, some 3,118 houses less.

The ONS household projection is likely to be revised down given the population trends thus increasing the excess housing provision in the Local Plan.

The East Boldon Neighbourhood Forum received the following statement from the Department for Levelling Up, Housing & Communities, written by Alan C Scott, Planning policy adviser on behalf of the Secretary of State:

"In 2018 the Framework introduced a standard method for calculating local housing need to make the process simple, quick and transparent. "The standard method does not impose a target; it is still up to the local authority to determine its housing requirement, and this includes taking local circumstances and restraints such as Green Belt into account,..."

This means that South Tyneside Council is able to determine its housing requirement and can take into account the restraint of the Green Belt.

The Local Plan is based on inaccurate population projections. Census data show a consistently falling population in South Tyneside, from 157,200 in 1991, to 152,785 in 2001, to 148,127 in 2011, to 147,800 in 2021. Yet the Local Plan assumes a population of 151,936 for 2021, an overestimate of 4,136, and that it would continue to increase over the next 20 years.

South Tyneside Council has used a buffer of 15% of the housing requirement although the buffer can be in the range of 5% to 20%. The buffer needs to be reduced to 5%.

2. Objection to building on the Green Belt, made specifically regarding Policies SP3 and SP5

The Green Belt land allocation in the Local Plan is for 1,862 new homes but there is no justification for building on this precious resource. The Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established. The Local Plan must be revised in order to meet the requirement to be sound on the basis of being justified, as an appropriate strategy, taking into account the reasonable alternatives and based on proportionate evidence; and on the basis of being consistent with national policy.

In the Local Plan, Policy SP3: Spatial Strategy for Sustainable Development proposes amending the Green Belt boundary to allocate additional land for housing and Policy SP5 Urban and Village Sustainable Growth Areas proposes the removal of sites from the Green Belt and allocation for housing development.

The National Planning Policy Framework (NPPF) states "140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans."

As demonstrated in Objection 1 above, there is no evidence that the housing requirement for the Plan period is at a level requiring development on the Green Belt.

A recent planning appeal decision has confirmed the protected status of the Green Belt. This decision reiterates and reinforces the protection from inappropriate development given to the Green Belt in national planning policy.

Broke Hill golf course

In the Broke Hill case in Sevenoaks, Kent, the Inspector confirmed that, where planning policies protect areas of particular importance and provide a clear reason for refusing the development, the so-called "tilted balance" presumption in favour of granting planning permission does not apply.

For Broke Hill, the planning policies in this case related to protection of the Green Belt. This is especially important as Sevenoaks does not have the required five-year supply of housing land nor has it met the government's housing delivery test for 2021. The inspector noted a number of benefits of the proposed development including provision of affordable housing. However, he concluded that notwithstanding the lack of five-year housing supply, the housing delivery test, and the benefits, this did not outweigh the harm that would be caused to the Green Belt, and were not sufficient to override national and local planning policies protecting the Green Belt. "The tilted balance is not invoked, however, because the Framework at Paragraph 11d(i) and footnote 7 protects both areas and assets of particular importance, which include the Green Belt, and provides a clear reason to dismiss the appeal." Stephen Wilkinson, Inspector Planning Inspectorate decision Broke Hill golf course 31 January 2022

This case should give confidence to South Tyneside Council that they can, and should, invoke the protection of the Green Belt, as specified in paragraph 11 of the National Planning Policy Framework, as sufficient reason to refuse permission for planning applications seeking to build on Green Belt land and to revise the Local Plan to remove the proposed amendment to the Green Belt boundary to allocate additional land for housing and to withdraw all of the sites proposed for removal from the Green Belt.

Furthermore, the Local Plan is not justified because the NPPF states "141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

- a) makes as much use as possible of suitable brownfield sites and underutilised land;
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground."

Regarding paragraph "a", it has not been proven that all brownfield sites have been considered. There are underutilised sites such as areas in South Shields town centre where previously developed land is used for car parking rather than housing. These are areas close to South Shields transport interchange and so would satisfy paragraph "b" the need to promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport.

Planners rejected over 400 possible sites across South Tyneside. Questions raised over validity of the reasons for rejection have not been answered. Some of the sites stated as 'rejected' in documents, such as the Neon Club site, have been granted planning permission; the health clinic site near the ambulance station, Boldon Lane, The Pickwick in Biddick Hall have not been included in the Local Plan.

Regarding paragraph "c", there is no evidence that the aggregated housing assessments of the neighbouring authorities has been compared with the projected population levels of these authorities to show that there will be no overall supply. The simple statement in 4.32 in the Local Plan is insufficient: "Prior to identifying land in the Green Belt the Council has, as part of Duty to Cooperate, discussed whether neighbouring authorities could accommodate additional housing. As set out in the Duty to Cooperate Statement, neighbouring authorities have confirmed that they would be unable to provide land to meet South Tyneside's needs."

A further statement which is insufficient is paragraph 4.35, Sustainable Urban and Village Extensions: "The Council has undertaken an extensive Green Belt review to identify land which would cause the least harm to the purposes of the Green Belt, that is considered suitable for development, and that 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 at each location. Following consultation on the Plan, the Council will undertake a Green Belt boundary review which will review the entire Green Belt boundary to ensure that it has a strong and defensible boundary as required by the NPPF."

It has been shown that the Green Belt does not need to be built on and therefore the least harm to this resource is no further development at all on the Green Belt and exceptional circumstances have not been established.

3. Objection made specifically regarding Section 5 Strategic Allocations

The Draft Local Plan must be revised because it is not consistent with the NPPF in terms of meeting the housing needs identified in the Strategic Housing Market Assessment (SHMA) and is therefore not sound.

In the section on Housing Allocations the Draft Local Plan states:

"5.3 When allocating sites to meet the housing requirement, the Plan has looked to ensure the right homes are delivered in the right places, taking into account need, demand, deliverability, sustainability and improving choice."

The SHMA has identified an annual need for 209 affordable homes each year across the borough which justifies the need for a robust affordable housing policy which will provide mechanisms to help meet this affordable need. That is around 60% of houses built. Yet the same document supports a target for 75% market and 25% affordable housing mix. The proposed proportion of affordable homes in Cleadon and East Boldon is 30%, but as median house prices in this area are £225,000 the accepted definition of affordable being 80% of market value means they will still be unaffordable to the very people requiring this provision.

The NPPF states "62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)."

Particular needs identified in the SHMA are: "Increasing and diversifying the supply of specialist housing for older people. There is a need for 1,908 more units of accommodation for older people by 2039 including sheltered/retirement, Extra Care, co-housing and residential care. Based on an assessment of additional needs and longer-term demographics, a minimum of 6.8% of new dwellings should be built to M4(3) wheelchair accessible standard; and all other new dwellings should be built to M4(2) accessible and adaptable standard."

However there appears to be no sites identified in the Local Plan for this type of development.

4. Objection made specifically regarding Section 7 Meeting the Challenge of Climate Change, Flooding and Coastal Change

The Local Plan must be revised because it is not compliant with the Climate Change Act 2008 and Planning and Compulsory Purchase Act 2004 (as amended) duties and NPPF guidance – carbon accounting and climate mitigation.

The increased carbon emissions from the development proposed in the Local Plan will add to South Tyneside's carbon footprint and add to the climate change emergency. The council ignores this despite declaring a climate emergency. 6489 homes will produce around 39,000 tonnes of CO2 per annum, 200% of the emissions STC have used as their baseline figure to reach zero carbon by 2030. National legislation and guidance strongly stress the central role of the planning system in securing radical reductions in greenhouse gas emissions and require Local Plans to:

1. Take into account baseline emissions
2. Robustly evaluate future emissions, considering different emission sources, taking into account requirements set in national legislation, and a range of development scenarios
3. Adopt proactive strategies to mitigate carbon emissions inline with the Climate Change Act, a 100% reduction by 2050.

The Local Plan fails to do any of these things, and is therefore unsound and challengeable.

The Local Plan should include an audit of the carbon emissions inherent in new development. The policies should aim to secure radical carbon reductions in line with a trajectory for the authority area that is consistent with the UK achieving full carbon neutrality by 2050, and in the short term should test the policy options available to achieve the highest level of ambition possible to meet this goal.

As far as possible, all new development should be zero carbon given that the country's net zero target must be met in the next 30 years. A good example from another area is Reading Council: "

A major review of the Local Plan is required in order to bring it into compliance with legislative and policy requirements around climate change.

5. Objection made specifically regarding Policy 6: Renewables and Low Carbon Energy Generation

The Local Plan must be revised in order to improve this policy so that it is consistent with national policy.

The Local Plan fails to include a reference to the following, whereas it was included in in the 2019 Draft Local Plan:

NPPF 156 states: "Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning."

We welcome Policy 6 paragraph 2 supporting the inclusion of renewable energy into developments, but the text is not strong enough, and once again, will not change business as usual development approaches. A requirement to include and maximise on-site renewable energy generation needs to be folded into an overall green house gas emissions policy, as seen in the London Plan, policy S121.

We welcome Policy 6 paragraph 4, the inclusion of policies requiring development to connect to district heating networks, however this policy needs to be made significantly stronger. The best example of which we are aware is draft policy SI13 of the draft London Plan. As the whole of South Tyneside is located over disused mineworkings more heating schemes like the "Hebburn Minewater Project" should be invested in housing schemes.

1 London Plan – policy S12 – www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-9-sustainable-infrastructure/policy-si2-minimising#r-SI2

The council's 2019 Local Plan requires that all new residential developments of ten or more homes are built to zero carbon standards if possible. Zero carbon is an achievable standard that, until recently, was intended to be a national requirement in UK building

regulations."

6. Objection made specifically regarding Policy 1 Promoting Healthy Communities and Policy 2 Air Quality

The Local Plan must be revised to ensure it is justified, that these policies are able to ensure the Strategic Objectives for Promoting Healthy Communities will be achieved; and to be consistent with national policy.

The Local Plan proposes the development of several vital community open spaces, for example the Disco Field in Boldon Colliery, despite stating in Policy 1:

To improve and promote strong, vibrant, and healthy communities which encourage positive health related behaviours, reduce health inequalities, and support good physical and mental health and wellbeing, the Council and its Partners, including the NHS, will: 1. Ensure that development: i. Increases physical activity and active travel through the provision of good quality, safe and accessible open spaces, playing fields and sports facilities, and enhances environments to encourage walking and cycling and the use of public transport.

These community open spaces must be protected and removed from the Local Plan as sites for development. The importance of these community open spaces is recognised in NPPF paragraph 96, 20-23, 26 and 92.

Building on playing fields for example at Chuter Ede has the exact opposite effect to the objective, increasing the local population while removing green space playing fields that are used for exercise.

There is little in the Local Plan that would fulfil the Strategic Objectives for Promoting Healthy Communities. In fact, some parts of the plan make the situation worse including the proposed development in areas that will promote car use such as in Cleadon, East Boldon and Whitburn. These developments will typically have two cars per household, adding potentially thousands of car journeys on an already congested road system. This will have a detrimental effect road safety and on the local environment due to noise and exhaust emissions. Some areas have air pollution levels already in excess of the World Health Organisation recommended maximums. These vehicle journeys will only make this more dangerous as there are no safe levels for these pollutants.

The Local Plan states in paragraph 6.11: "The importance of good air quality is recognised by the World Health Organisation (WHO) which produced a series of standards that have been adopted by the European Commission and subsequently the UK".

A Local Authority recognising this will be aware that the WHO air quality standards were revised in 2021 and the recommended pollutant levels, to be achieved, were revised down by a considerable amount. NOTE: These are not safe levels as scientists do not consider any amount to be safe. It is inconceivable that the UK national standards will not be reduced to reflect these changes.

Paragraph 6.14: states "Where relevant, development that may result in a detrimental effect on air quality in the Borough will need to be supported by an air quality assessment". Due to the changes in WHO levels it is reasonable to predict large areas of the Borough will exceed these and the proposed developments will result in unsafe air pollution.

The council has a duty as far as reasonably practicable to ensure the health and safety of its residents. Given the above, the Local Plan must be revised to take into consideration the results of the proposed developments on air quality and specified measures that would reduce pollution levels to the minimum possible.

NPPF states in 186: "Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications."

The Plan has failed to identify these opportunities adequately and this demonstrates that the Plan is not sound.

NPPF states: "31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned..."

The revised WHO air pollution levels are relevant and up-to-date and should be a material consideration.

7. Objection made specifically regarding Policy 10 Disposal of Foul Water and Policy 11 Protecting Water Quality

The Local Plan must be revised to ensure it is justified, that these policies are able to ensure the Objectives for Protecting Water Quality will be achieved; and to be consistent with national policy.

The Local Plan does not refer to the current significant level of sewage pollution in South Tyneside. Population levels have increased considerably in the UK since Victorian times yet we are still using combined sewers that were constructed in the 19th century. If more housing development is permitted, especially on green spaces, more pressure will be exerted on an already failing sewage system. However, in the consultation on the Local Plan, South Tyneside Council have confirmed that no extra sewage will be added to the existing infrastructure on the recommendations of Northumbrian Water who have assured them the existing system will cope.

NPPF states "20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for: ...

b) infrastructure for ...wastewater"

NPPF states: "185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development."

The Environmental Permitting Regulations 2016 Permits to discharge untreated sewage from Combined Sewer Overflows into watercourses during heavy rainfall are issued to water companies and regulated by the Environment Agency. There is growing evidence to show that these permits are being abused. Sewage is regularly discharged into South Tyneside watercourses in moderate rainfall.

This is due to a lack of capacity at the sewage treatment works caused by a lack of investment and contravenes environmental law.

The Environment Agency (EA) has been required to install Event Duration Monitors (EDMs) in all Combined Sewer Overflows (CSOs). These record the number of discharges and the duration of the discharges. The Whitburn system remains in breach of environmental law as of March 2021, but the EA want to wait 10 years to 'assess' the system.

The data supplied by the authorities needs to be treated with caution. In March 2020 the EA issued an apology after their published sewage discharge records for Whitburn for 2019 were challenged. They were forced to increase the volume of CSO discharges for Whitburn by 10% from 683,676 cubic metres to 760,993.5 cubic metres. In March 2021 Northumbrian Water issued an apology after their published untreated sewage discharge records for Hendon Sewage treatment works for 2019 were challenged. They were forced to increase their published hours of untreated discharges in 2019 from Hendon Sewage Treatment works by 4,000% from 15 hours 52 mins to 646 hours.

Sewage pollution is a contributor to climate change. Seagrasses can absorb more carbon up to 40 times faster than terrestrial forests and these ecosystems become sources of CO2 emissions when they are degraded or destroyed. A major driver of seagrass decline is nutrient pollution from sewage. A study has shown that 90% of the seagrass meadows in the UK have been lost to pollution. Locally, the seagrass meadows in the River Tyne estuary have been devastated by sewage flowing from nearby Combined Sewer Overflows. Sewage pollution causes harm to public health. Recent epidemiological studies show a close relationship between contact with polluted waters and the incidence of gastro-intestinal, eye, ear, nose and throat infections or irritations and respiratory symptoms. This is a recognised problem for surfers, kite surfers, windsurfers, sailors, kayakers and wild swimmers. Even the dog walkers, joggers and walkers who all enjoy the access to South Tyneside's riverside and beaches throughout the year are at risk from sewage pollution. Public Health is a material planning consideration. Local authorities have important and wide-ranging public health functions, for example under the Public Health (Control of Disease) Act 1984. This legislation adopts an 'all-hazards' approach and provides South Tyneside Council with the necessary powers to control human health risks arising from infection or contamination of any form including chemicals and radiation. Statutory duties for public health were conferred on local authorities by the Health and Social Care Act 2012. Local authorities (and directors of public health acting on their behalf) now have a critical role in protecting the health of their population, both in terms of helping to prevent threats arising and in ensuring appropriate responses when things do go wrong. Health considerations are capable of being material planning considerations. This is recognised in the NPPF which includes the following statement at paragraph 91. 91: "Planning policies and decisions should aim to achieve healthy, inclusive and safe places." The health implications of exposure to the levels of sewage pollution regularly discharged into the River Tyne and on to the beaches of South Tyneside must be a material planning consideration with respect to future developments as, without an improvement in sewage treatment capacity, more development will bring about an inevitable increase in sewage pollution.

8. Objection made specifically regarding Policy 36 Protecting Trees, Woodland and Hedgerows and Appendix 3 Housing Allocations Requirements

The Local Plan must be revised to ensure it is justified, that this policy and housing allocations requirements able to ensure the Strategic Objectives for Conserving and Enhancing the Natural Environment will be achieved; and to be consistent with national policy. The Local Plan Policy 36 paragraph 1 states: "Trees, woodland and hedges of significant amenity or biodiversity value shall be suitably retained as an integral part of the design of the development, except where their long-term survival is compromised by their condition or where there are clear or exceptional benefits in accepting their loss." The significant number of healthy mature trees and hedges which have been removed in the borough due to development and also to street tree removal for tarmac pavements, makes it clear that this exception for clear or exceptional benefits will continue to allow healthy, mature tree and hedge loss.

Therefore paragraph 1 must be amended to remove the wording: "or where there are clear or exceptional benefits in accepting their loss." This wording is open to interpretation and misuse which will lead to further healthy, mature tree and hedge loss.

All 3 paragraphs of Policy 36 are weak and will allow the continued felling of healthy, mature trees and hedgerows for development. Therefore an additional paragraph is required to ensure the policy is justified: "Development which results in the loss or significant damage to healthy, mature trees and native hedgerow, will not be permitted."

The Local Plan Appendix 3 Housing Allocations Requirements under Key Considerations for each site states: "Mature trees should be retained." This wording does not give mature trees and hedgerows adequate protection and must be revised in the key consideration for every site put forward for development within the Local Plan to read "Healthy, mature trees and hedgerows must be retained." This will achieve the aim of requiring developers to retain healthy, mature trees and hedgerows onsite and incorporate them into designs. Paragraph 11.33 of the Local Plan states the importance of mature trees yet gives developers the option of felling mature trees if they replant new trees. Research shows mature trees are more effective as a resource for addressing climate change: mature trees absorb 40kg of carbon dioxide per year (ecotree.green) whereas young trees absorb around 5kg per year (carbonpirates.com). The NPPF emphasises that responding to climate change is central to sustainable development and recognises that mature trees play an important role in mitigating climate change and adaptation to the adverse impacts of climate change. Therefore preservation of healthy mature trees and hedgerows must be a priority in the Local Plan. The NPPF also recognises the value of trees and hedgerows to biodiversity and to human health and wellbeing.

Climate Change documents within the Planning Policy Guidance (PPG) put emphasis on addressing climate change as being one of the core land use planning principles which the NPPF expects to underpin both plan-making and decision-taking. To be found sound Local Plans need to reflect this principle and include proactive strategies to adapt to climate change in line with the provisions and objectives of Climate Change Act 2008.

I look forward to your response.

Many thanks, Andrea George
Resident