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Response to draft local plan

Thu 2/29/2024 12:56

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

 1 attachments (43 KB)

Response to Draft Local Plan 2024 (2).docx;

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Please see response to local plan.

Response to South Tyneside Regulation 19 Draft Local Plan 2024

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.

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

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.

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

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.

Jacqueline Johnson



29.02.24

Response ID BHLF-RUCU-JV1X-8

Submitted to Sustainability Appraisal 2024
Submitted on 2024-04-23 13:09:56

Have your say

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

Section of the SA:

Employment sites

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:

Jacqueline Johnson

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:




response to local plan



Thu 2/29/2024 11:07 AM

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

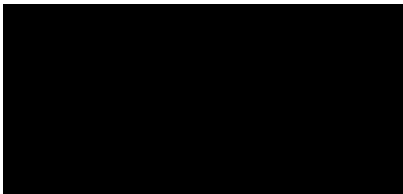
 1 attachments (43 KB)

Response to Draft Local Plan 2024 Chris Johnson.docx;

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Please see the attached response to the recently announced local plan.

Chris Johnson



29.2.24

South Tyneside Green Party Template Response to South Tyneside Regulation 19 Draft Local Plan 2024

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/sites/default/files/2023-03/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.

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.

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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

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.

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

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.

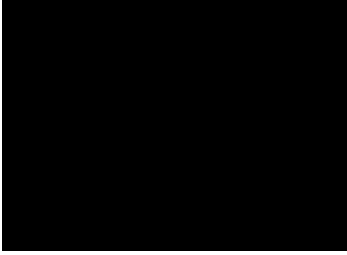
Sewage pollution causes harm to public health. Recent epidemiological studies show a close relationship between contact with polluted waters and the incidence of gastro-intestinal, eye, ear, nose and throat infections or irritations and respiratory symptoms. This is a recognised problem for surfers, 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.

Christopher Johnson



From: CHRISTOPHER JOHNSON [REDACTED]
Sent: 03 March 2024 23:12
To: Local Plan
Subject: Submission regarding Local Plan.
Attachments: Response to Draft Local Plan 2024 (2).docx

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Please see attached.

Response to South Tyneside Regulation 19 Draft Local Plan 2024

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.

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

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.

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

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.

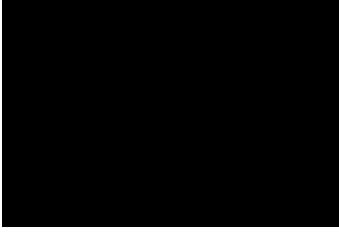
Sewage pollution causes harm to public health. Recent epidemiological studies show a close relationship between contact with polluted waters and the incidence of gastro-intestinal, eye, ear, nose and throat infections or irritations and respiratory symptoms. This is a recognised problem for surfers, 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.

Matthew Johnson



02.03.24

Response ID BHLF-RUCU-JV1M-W

Submitted to Sustainability Appraisal 2024

Submitted on 2024-04-23 13:11:14

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:

Christopher Johnson

4 What is your email address?

Email:

[REDACTED]

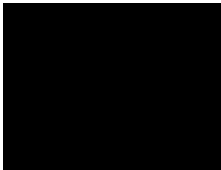
5 Who are you responding as?

Resident or Member of the General Public

Organisation:

6 What is your postal address?

Address:



Fwd: Local Plan

Sun 3/3/2024 11:58 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

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.

The 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.

The crop in this area appears to have died off and this section of the field does not appear to have been re-cultivated. 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 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 S113 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-S12

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, Anthony Pollock
Resident

South Tyneside Green Party Response to South Tyneside Regulation 19 Draft Local Plan 2024

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.

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

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-

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

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.

Response drafted by South Tyneside Green Party February 2024

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 NOT be Legally 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 there is NO need to allocate green belt sites for development, 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, there is a barn owl 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 area 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 all 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.

2 What is your name?

Name:

Mrs Martha Gowems

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]

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- 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, there is a barn owl 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 area 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 all 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.

2 What is your name?

Name:

Mr Ian Gowens

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]

LP2027- Karen King

Comments regarding proposed for developing South Fellgate greenbelt land.

Sun 3/3/2024 8:47 PM

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

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For the attention of Spatial Planning , Development Services, Regeneration and Environment, Town Hall and Civic Buildings Westoe Road, South Shields . NE33 2RL

Good afternoon .

Despite numerous unsuccessful attempts to complete the S19 documentation online I am therefore submitting my concerns via email.

My contact details are as follows:-

Mrs Karen King

Mobile :-

Email:-

I would like to raise concerns around the legal compliance and soundness of the Local Plan.

There have been several such proposals over the last 40 years regarding the development of the greenbelt .

I would firstly like to ask as to how the decision has now been mooted as to withdraw the Greenbelt Status on the proposed scheme. I note from your documentation that there needs to be evidence preparation around the decision to remove the Greenbelt status.

Previous documents, from as early as 2016 , clearly stated that land was Greenbelt .

Stating the following :-

The site comprises of the entire width of a wildlife corridor and as a result of the change in status would disrupt the wildlife corridor but the Proposal “fragments habitats” such as the pond areas – and that goes against the Lawton principle of bigger, better and more joined up. The area is alive with foxes, rabbits , hares, wildfowl , Herons and game birds.

West Hall Farm is within this proposal and has currently listed building status . The fields have also delivered artifacts of historical significance .

The proposed site is within a Mineral Safeguarding Area.

There is a huge electrical infrastructure running through the middle of the site. Are these not dangerous ?. Has a study been carried out as to the cost of removing these and using underground cables ?

There is significant risk from surface water flooding. It's suggested the 2 existing burns would receive any additional surface water. In practice, these burns already suffer significant flooding after prolonged medium rainfall.. Despite the work carried out by Northumbria Water a number of years ago the area is still prone to flooding . As climate changes are always at the forefront of everyone today it is clearly a matter of concern to the present resident on the estate who were affected this .

The following statement was in a press release in March 2020

"Edward Yuill, Managing Director of Cecil M Yuill Ltd, a partner in the Laverick Park Garden Village proposal, which has been criticised by a group of local objectors for proposing new homes on private land between the Fellgate Estate and the A184 in South Tyneside, commented, "The South Tyneside Draft Local Plan (DLP) acknowledges a housing requirement of 7,000 homes, although we feel this is too low against need and a more accurate requirement is almost 9,000 homes, and is suggesting the construction of 5,425 homes on 80 sites across the Borough."

"18 of those proposed sites are on Green Belt land, providing 2,391 homes, yet the Laverick Park Garden Community which in my view represents an eminently more sustainable option, could provide 3,000 new homes, has been ignored by South Tyneside Council."

"I am at a complete loss as to why South Tyneside Council think that it is preferable to release 18 housing sites from the Green Belt scattered in less sustainable villages where the infrastructure may simply be unable to cope, when there is an alternative at Laverick Park, which is located at one of the most sustainable locations in the Borough, contained on all four sides by major physical infrastructure and is being planned as a holistic self-sustaining new community, where new infrastructure and community facilities will be built-in from the start."

Is this the case that by changing the goalposts again just to use the greenbelt and that would solve all of South Tyneside's problems !!!

It is my understanding that the following needs to be taken into account with regard to the importance of retaining Greenbelt .

13. Protecting Green Belt land

Paragraphs 142 to 156

142. The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

143. Green Belt serves 5 purposes:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;

Jarrow has very little Green Belt to start with. This Proposal will encroach upon neighbouring Gateshead Council, Sunderland Council and the Township of Boldon Colliery.

(c) to assist in safeguarding the countryside from encroachment;

The Proposal removes a large swathe of pure Agricultural Land.

(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.

144. The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions. Any proposals for new Green Belts should be set out in strategic policies, which should:

(a) demonstrate why normal planning and development management policies would not be adequate;

(b) set out whether any major changes in circumstances have made the adoption of this exceptional measure necessary;

(c) show what the consequences of the proposal would be for sustainable development;

(d) demonstrate the necessity for the Green Belt and its consistency with strategic policies for adjoining areas; and

(e) show how the Green Belt would meet the other objectives of the Framework.

145. Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated.

Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. 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. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

146. 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;

Significant opportunity exists to develop major Brownfield sites e.g the Romm Hass derelict site along the Jarrow riverside. Although it is suggested the site be reserved for industrial development, in practice the development direction will be in the IAMP site to the South of the Fellgate Green Belt. This is a joint / cooperative development between Sunderland and South Tyneside Councils.

(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.

147. When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should

consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

148. When defining Green Belt boundaries, plans should:

- (a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;
- (b) not include land which it is unnecessary to keep permanently open;
- (c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- (d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
- (e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
- (f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

149. If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.

150. Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

151. The National Forest and Community Forests offer valuable opportunities for improving the environment around towns and cities, by upgrading the landscape and providing for recreation and wildlife. The National Forest Strategy and an approved Community Forest Plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within the National Forest and Community Forests in the Green Belt should be subject to the normal policies for controlling development in Green Belts.

Proposals affecting the Green Belt

152. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- (a) buildings for agriculture and forestry;
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (e) limited infilling in villages;
- (f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- (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.

155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- (a) mineral extraction;
- (b) engineering operations;
- (c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- (d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- (f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

156. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources .

Can you please advise as to when any documentation will be available to support the local Authority's decision to change of landuse ?

The traffic corridors are already congested despite local improvements to the "A" class roads over a number of years. Numerous other local domestic developments have shown the transport system prone to significant traffic jams.

The proposed feeder / exit road for a significant part of the proposed site, is the existing Durham Drive to the South of Fellgate. The development of an estimated 1,200 properties and the consequential additional 2,000+ vehicles will cause not only huge impact to the existing rat-run, but also immense negative environmental harm to the existing residents.

Road Infrastructure

Using the information from Policy 51, Policy SP8 and Policy 2 with regard to the surveys carried out the evidence does not support this policy.

It is not sound or complies with the duty to cooperate Legally compliant.

There is compelling arguments that capacity improvements at the junctions A194 / B1306; A194 / A184; Durham Drive / A194; Durham Drive / Fellgate Avenue; Fellgate Avenue / Hedworth will not be achieved from the road improvements past and proposed.

there have been 3 local road network surveys carried out:

1. White Mare Pool Junction Study Ref GB01T21D46 / GB01T21B22 (AC.21.03) 22/12/2021.
 2. Local Road Network - Traffic Capacity Assessment Ref 16L02/001/004 08/05/2022.
 3. Local Road Network - Traffic Capacity Assessment Ref 16L02/002/002 20/12/2023.
1. The Survey White Mare Pool Junction Study, The Executive Summary States: "An additional test has also been undertaken of the release of 1000 to 1500 houses at the Land south of Fellgate on top of the 2019 draft allocations". It explains how the traffic flow was carried out, it stated. "Additionally, a stress test was undertaken to identify the consider the extra trips that can be accommodated on the SRN in the White Mare Pool area for new developments before any scheme is delivered" It specifically states: "The outputs present safety concern on the A184 east and A184 south when 100 additional trips per hour are included". Therefore the study tests are based on 100 addition trips and there is a safety concern.

This contradicts, the calculated number of additional trips identified in the other 2 surveys, which are discussed below.

2.- Local Road Network - Traffic Capacity Assessment Ref 16L02/001/004:

This information is very difficult to understand as a result of the paragraph numbering (used for document flow and referencing).

This paragraph numbering is wrong: From paragraph: "1.2 The study" the paragraph numbers are repeated twice: e.g 1.2.1. is used 2 twice, 1.2.2 is used twice and 1.2.3 is used twice. This makes the document difficult to read, and may present incorrect information or evidence.

Therefore, for clarity I will use the following (n) to in order to reference the correct paragraphs.

It states: "1.2.6 Junctions (No's 38 to 45) are on the Strategic Road Network and will be assessed by National Highways (working in partnership with the Council) as part of various assessments and "therefore have not been investigated further as part of this study". "Studies completed to date include the South Tyneside Infrastructure Study, A19 A185 to A194 Improvement Options, A194(M) / A184 White Mare Pool Junction Study and the A19 / A185 Howard Street Junction Study".

This means that there is no evidence of the traffic relating to Fellgate estate entry/exit onto A184.

"1.2.1(2) These studies have already resulted in the delivery of a number of schemes provided to deliver immediate capacity improvements and future capacity to facilitate the Local Plan"

There is no follow-up evidence of this statement.

3 Local Road Network - Traffic Capacity Assessment Ref 16L02/002/002 20/12/2023 Observation and clarity of communication. The Introduction paragraph numbering in this evidence document once again is wrong: From "1.2 The study" the paragraph numbers are repeated several times. e.g 1.2.1. is used 3 times, 1.2.2 is also used 3 times and 1.2.3 is used twice. This makes the document difficult to read, and may present incorrect information or evidence.

Therefore, I will use the following (n) to identify the correct paragraph. "1.2.1(3) South Tyneside Council and National Highways have a longstanding partnership of working closely together and have undertaken various studies that have led to successful delivery of a number of schemes provided to deliver immediate capacity improvements and future capacity to facilitate the Local Plan for example the A19 A194 to A185 Lane gain/lane drop scheme (Junction 41), the Lindisfarne improvement scheme (Junction 42) and A194 / Mill Lane to A194 White Mare Pool capacity improvement scheme (Junctions 47 and 48).

In addition major schemes have recently been completed at the A19 / A184 Testo's junction and at the A19 / A1290 Downhill Lane (Junction 45 and 46).

In addition, the Tyne Tunnel has recently installed ANPR cameras at the northern portal removing the requirement for vehicles to stop when passing through the Tunnel".

There is no follow up evidence that prove that these improvement schemes have been achieved or successful

"1.2.5 Junctions (No's 34 to 39) have been subject to various pieces of study work and therefore have not been investigated further as part of this study". "These studies have already resulted in the delivery of a number of schemes to provide immediate capacity improvements and future capacity to facilitate the Local Plan"

There is no follow up evidence that prove that these improvement schemes have been achieved or successful

Analysing 3. Local Road Network - Traffic Capacity Assessment Ref 16L02/002/002 20/12/2023 which is the latest and current document. Note: the same errors in the paragraph numbering exist in this documents as to its predecessor. Context: The document survey covers 33 junctions (3.1 thru 3.33) covering South Tyneside. The analysis also includes statements about the traffic count from Land South of Fellgate. It also states the Removal of double counting trips.

Analysis: Taking these figures as read:

Thirteen(13) of the 33 junctions surveyed have traffic counts from Land South of Fellgate during peak times Mon - Fri AM/PM.

The actual number of vehicle's traveling from Land South of Fellgate during peak times are: AM = 312 - PM = 335.

This is 3 times greater than the 100 additional trips per hour used in Survey 1.
The conclusion bases on the evidence:

It is fair to say as Durham Drive is an entry and exit point from this land: Durham Drive and the junctions off Durham Drive will:

- a) experience significant traffic congestion.
- b) safety issues (as already states on the 100 extra trips in the 1st survey) Note there is local access to schools on the Fellgate estate. There is also a care home nearby. Also Durham Drive is a popular walking route, which is used by many senior citizens.
- c) will significantly increase Air pollution.

Policy 51 is NOT Legal and is NOT SOUND based on the conclusions and evidence from these surveys.

Also the following policies and supporting evidence are NOT Legal and NOT Sound policies:

Policy SP8_ Fellgate Sustainable Growth Policy 2_ Air Quality.

There is additional external evidence that highlights the impact on health due to poor Air Quality: Exhibit 3 from the British Medical Association Report (BMJ 24/2/24) (Source Dr G Morley). The conclusion of this report was that an increase in cars, resulted in an increase in hospital admissions and death. Exhibit 4 from The University of Birmingham report (pub 27/3/23)

The GOV.UK website published on 13th February 2024, reiterated that there is recent advice from Central Government to use Brownfield sites wherever possible, namely:

<https://www.gov.uk/government/news/build-on-brownfield-now-gove-tells-underperforming-councils#:~:text=As%20part%20of%20its%20long,halt%20housebuilding%20on%20brownfield%20land.>

Press release

Build on brownfield now, Gove tells underperforming councils

Big city councils must prioritise brownfield development, building new homes in right places and protecting the Green Belt.

What we need is for South Tyneside to look at introducing new industry to replace what we have lost over the last 30 years . Our town centres are dying before our very eyes . The development of this area will only bring about another estate to township that will be entirely reliant upon using cars to either commute to and from work and would be of no economic benefit to our South Tyneside

Therefore it would appear that the evidence presented in the documentation indicates that these policies are not Legal and not Sound

Karen King



I am concerned about the proposal to develop on the west hall farm land and therefore object to these plans. The main reasons of concern are the extra traffic from the estate joining moor lane and Sunderland road. There is already a very busy junction at peak times from moor lane on to the main road and the volume in traffic increasing would impact of safety there and time spent travelling to work school etc The ratio of public services to population - school entry, doctor appointments, dentist appointments would be difficult to access locally with the extra addition to the village.

The nature reserve is close by and actually recent flooding on the field opposite has attracted more wildlife as an extension of a nature reserve which would be disrupted by building work.

Finally the loss of green belt we have in the area to conserve.

1

Building on West Hall Farm

Sun 3/3/2024 7:22 PM

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

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I am opposed to building on the West Hall Farm site:

The site and surrounding areas are constantly flooded even with the current vegetation coverage, and concrete and road surfaces will only add to this.

Our primary school and the 2 closest are over subscribed. There are no plans to build further KS1 & KS2 provision. Where will these extra children go when those living in the village now do not meet the criteria for admissions into reception class?

If there is a need for housing in South Tyneside, it is a need for low-cost housing. I am not convinced that any extra housing is needed. The estimated need was grossly over exaggerated last time, and still, this seems to be purely a money-making exercise. There seems to lack any real consideration for the loss of green belt, destruction of habitat, increased pressure on already buckling services and the impact on surrounding properties that will succumb to the excess water flooding onto their land.

Mrs Deborah Pullen

--

Sent from my Android phone with mail.com Mail. Please excuse my brevity.

Fellgate Greenbelt

Sun 3/3/2024 7:13 PM

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

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Good Morning,

My name is Tom Wilson. My address is [REDACTED]
email > [REDACTED]

I am sending this email in response to the public consultation that has been carried out by South Tyneside Council. I am using this email to submit my comments on the recent publication of the draft local plan after trying unsuccessfully a number of times to submit comments on the consultation platform "haveyoursay.southtyneside.gov.uk".

I have a number of concerns regarding the above mentioned local plan and would like to have my comments recorded and answered in accordance with section 2, para. 2.6 of the Scoping Report (January 2024).

I consider that the plan is not sound and in some cases not legal because >

1) It does not address the issue of already heavily congested roads in the local area. The road system around the area is often prone to heavy traffic causing significant delays. Although there is mention of creating new exits both to the west and east I see no evidence of a rational formula for working out the impact of realistically doubling the amount of vehicles using the area. This will also result in environmental harm to the residents of the local area.

2) The plan will significantly destroy a large amount of Greenbelt that is currently a habitat for diverse species of wildlife, quite a number of which are protected species. The site is the full width of the wildlife corridor between the A19 and the A194

3) Current flood relief defences are already under pressure and certain parts of the two local burns often break their banks and flood the surrounding fields. The plan suggests that these burns will be used to receive any additional surface water from the new development. This will surely result in significant flooding of the area.

4) The plan does not look at using a number of brownfield sites that exist in South Tyneside and in fact proposes to remove a large amount of Agricultural arable farming land that currently produces sustainable crops.

5) I do not believe that the plan goes anywhere near delivering the necessary local and strategic infrastructure that it claims to. It makes assumptions and various claims that do not stand up to even a cursory glance.

The supporting evidence base referred to in 4.2 & 4.3 of the scoping report does not give any evidence of substance to support the plan.

Tom Wilson

Local Plan Field at Moor Lane

Sun 3/3/2024 6:42 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>
Hello

I would like to lodge my objection to the inclusion of land at Moor Lane/Sunderland Road in Cleadon for the following reasons:

1. The land is Green Belt. In my opinion there is absolutely no reason to build on this land when there are numerous brownfield sites in the borough.
2. The South Tyneside area needs more housing that is affordable for younger people to enter the housing market. I presume any new housing in Cleadon will be at the top end of the price range for the area.
3. There will be an increase in traffic along Sunderland Road and at Moor Lane junction. This is already a very busy and dangerous stretch of road.
4. Services: when my children were at the local schools there wasn't enough places for all children to attend. I presume this hasn't changed. Additional housing will create more strain on the education system. The nearest medical centre is at East Boldon or Whitburn. Would additional facilities be provided ?? I presume not as there is no where to put them.
5. A development on this field would increase the village boundary and spoil the 'green' approach along Sunderland Road.
6. Flooding - the fields next to the one in question have been flooded for months. More housing will aggravate the problem and create more pressure on the sewage system.

Regards

Judith Robinson

Resident of Cleadon Village

Sent from my iPhone

Regulation 19 Local Plan Consultation Representation Form

Dave King

Sun 3/3/2024 6:42 PM

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

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To: email local.plan@southtyneside.gov.uk

Regulation 19 Local Plan Consultation Representation Form

For the attention of:

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

I have tried for several days to complete the online form on the South Tyneside Council website. However, I seem to have been thwarted at every attempt by a combination of downtime on the system, inability to load the forms from Council Hubs, circuitous links to reputedly additional information pages, incomplete and broken links to related pages and probably the most complicated consultation process I have ever seen. In conversation with other residents of the Fellgate area it seems I'm not the only person to have found the process a complete nightmare. It feels as if it has been designed to be as complicated as possible and frustrate contributors rather than be a simple consultation process.

I further understand that, despite numerous requests following the system faults encountered, the deadline is inflexible. Following advice, I now resort to documenting my comments here in order to comply with the closure deadline of midnight Sunday 3rd March 2024.

ALL OF MY COMMENTS RELATE TO THE PROPOSAL TO INCLUDE IN THE COUNCIL'S REVISED LOCAL PLAN AN INTENTION TO REMOVE PART OF THE GREENBELT TO THE SOUTH OF FELLGATE.

Increased Traffic

The traffic corridors are already severely congested despite local improvements to the "A" class roads over a number of years. Numerous other local domestic developments have shown the transport system prone to significant traffic jams. There are huge tracts of building sites to the North of Fellgate, namely Mill Lane, Campbell Park Road, Reyrolle sites, Monkton Lane and the now incredible Monkton Gardens bordering the A194 and directly opposite Fellgate.

The traffic is particularly prevalent on the A194 Leam Lane where it is common on week days to have jams all the way from the Tyne Dock area of South Shields, through the roundabouts of John Reid Road, Lindisfarne, Mill Lane and Whitemare Pool. A recent single episode of a breakdown within the Northbound Tyne Tunnel caused every road in a 3-mile radius to become jammed to such an extent there were 2 hour delays of people arriving at their workplace and traffic unable to deliver children to schools.

Apparently there have been 3 traffic survey carried out since 2021. Apart from the extended timescales and the discrepancies within each survey in the estimates of numbers of additional traffic as a result of adding 1000-1500 dwellings, analysis concludes:

"There is compelling arguments that capacity improvements at the junctions A194 / B1306; A194 / A184; Durham Drive / A194; Durham Drive / Fellgate Avenue; Fellgate Avenue / Hedworth will not be achieved from the road improvements past and proposed."

Fellgate is completely enclosed by Durham Drive. There is an entrance / exit to the North from / to the A194 Leam Lane. There is a 2nd entry / exit to the East via Fellgate Avenue. Particularly during school start and finish times, Fellgate Avenue is grid-locked.

The proposed feeder / exit road for a significant part of the proposed site, is Durham Drive to the South of Fellgate. The development of an estimated 1,200 properties and the consequential additional 2,000+ vehicles will cause not only huge impact to the existing rat-run, but also immense negative environmental harm to the existing residents.

Parts of this road are virtually impassable now, not only at peak periods but at all times with the numbers of cars owned by local residents causing difficulties for traffic moving in competing directions.

A new Tri-Hub for Fire, Police and Ambulance services is under construction now at Lukes Lane Estate to the North of Fellgate. Once in operation, it is difficult to understand how these Emergency Services will be able to gain access the road networks. Increasing the traffic in the future can only jeopardise lives.

Increased Risk Of Flooding

There is significant risk from surface water flooding.

There is well documented recent history of flooding in the Fellgate area. Enormous damage to property took place in 2012. Most of the flooding was caused by water run-off from the fields on the Greenbelt, but was prevalent right across the Fellgate estate. Even the A194 main trunk road was rendered impassable with flooding to a depth of 5 to 6 feet. Since then, Northumbrian Water have developed a system of "retention ponds" on the edge of the existing Greenbelt to restrain water during extended periods of heavy rainfall and

allow a gradual release via 2 pipes into one of the nearby burns. Similar smaller systems exist within the estate area itself.

It's suggested the 2 existing burns running through the proposed site would receive any additional surface water and domestic output. In practice, these burns already suffer significant flooding after prolonged medium rainfall.

I am unaware of what calculations, if any, have been carried out into the effect of an additional 1200 properties on the existing sewerage system.

Environmental Impact

Jarrow has very little Green Belt to start with. This Proposal will encroach upon neighbouring Gateshead Council, Sunderland Council and the Township of Boldon Colliery.

The Proposal removes a large swathe of pure Agricultural Land.

There is a huge electrical infrastructure running through the middle of the site.

The proposed site is within a Mineral Safeguarding Area.

The site comprises the entire width of a wildlife corridor. Not only does it disrupt the wildlife corridor but the Proposal "fragments habitats" such as the pond areas – and that goes against the Lawton principle of bigger, better and more joined up.

Development of the IAMP between land to the South of the Greenbelt and North of the NISSAN Car Plant, has pushed wildlife further North onto the Greenbelt making the existing wildlife corridor even more important.

As well as the usual foxes, rabbits, hares, etc that are regular inhabitants to the area, there's an increasing number and variety of birdlife. The flooding retention ponds have become a magnet to ducks, heron, crane, hawks and many other species.

It is well documented that a number of species of bats exist and thrive in the area. There are Planning Applications which have been negatively affected by the existence of bats in order to protect the species.

There are no medical facilities, Dentists or Doctors Surgeries in the existing area. The proposal suggests that there will be building provision for such without consideration of how such will be staffed.

West Hall Farm is a locally listed building.

Local Junior schools are already operating at capacity.

Significant opportunity exists to develop major Brownfield sites e.g. the Rohm Hass derelict site along the Jarrow riverside. Although it is suggested the site be reserved for industrial development, in practice the development direction will be in the IAMP site to the South of the Fellgate Green Belt. This is a joint / cooperative development between Sunderland and South Tyneside Councils.

To many observers, it appears that South Tyneside Council have opted for the easy option to fulfil their suggested demand for new additional housing. In practice the development of another "township" to the South of Durham Drive Fellgate IS NOT SUSTAINABLE!

No radical change is suggested to the current road infrastructure. The Greenbelt contains highly productive agricultural land. There's a wealth of minerals in the form of shale in and around the sites. There's a large electrical structure running across the land. Fellgate currently has very little in the way of shops and

services. There is nothing to suggest that development on the Greenbelt will reinvigorate the town centres of Jarrow or Hebburn. The transport network is flimsy and limited in destinations. There is a Metro Station which is well used, but lies to the North of Fellgate and is a significant distance from the suggested development on the Greenbelt area. The current Park & Ride at the station is already oversubscribed and causes significant additional street parking for nearby residents.

In summary, the proposal to take away a very significant part of the Greenbelt sounds ridiculous in this particular area, especially when read against the Government's own stated policies and advice to the protection of such spaces, namely:

<https://www.gov.uk/guidance/national-planning-policy-framework/13-protecting-green-belt-land>

NATIONAL PLANNING POLICY FRAMEWORK

13. Protecting Green Belt land

Paragraphs 142 to 156

142. **The government attaches great importance to Green Belts.** The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; **the essential characteristics of Green Belts are their openness and their permanence.**

143. **Green Belt serves 5 purposes:**

(a) to check the unrestricted sprawl of large built-up areas;

(b) to prevent neighbouring towns merging into one another;

Jarrow has very little Green Belt to start with. This Proposal will encroach upon neighbouring Gateshead Council, Sunderland Council and the Township of Boldon Colliery.

(c) to assist in safeguarding the countryside from encroachment;

The Proposal removes a large swathe of pure Agricultural Land.

(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.

It is further noted on the GOV.UK website published on 13th February 2024, that there is recent advice from Central Government to use Brownfield sites wherever possible, namely:

<https://www.gov.uk/government/news/build-on-brownfield-now-gove-tells-underperforming-councils#:~:text=As%20part%20of%20its%20long,halt%20housebuilding%20on%20brownfield%20land>.

Press release

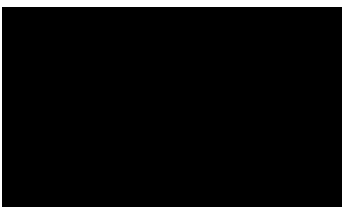
Build on brownfield now, Gove tells underperforming councils

Big city councils must prioritise brownfield development, building new homes in right places and protecting the Green Belt.

It's time for South Tyneside Council to have a rethink!

From:

David King





Representation to Local Plan Consultation

Sun 3/3/2024 6:28 PM

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

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Good Evening,

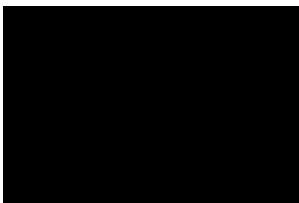
Please see list of concerns in respect of the Regulation 19 Plan

Significant improvement is required to White mare Pool roundabout, the increase in housing in the area has not been supported by improvements to the Strategic Road Network.

Designated Open Space link on the interactive map is not working when using the address search

There is a large parcel of land allocated at Red House Road - this allocation is not correct the land has housing built on it (Barratt's former Bedewell Industrial Estate)

Regards Toni Sambridge



Draft Local Plan Comments

Sun 3/3/2024 5:39 PM

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

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Dear Sirs,

I am opposed to the the proposed designation of greenfield agricultural land for residential development surrounding Cleadon. In particular the field adjacent north of Moor Lane and west of Sunderland Road.

When Sunderland Football Club proposed to develop greenfield on the edge of the village in 2003, our then Deputy Prime Minister, John Prescott, rejected Sunderland's plans claiming the new elements would "cause significant harm to the openness and visual amenity of this sensitive part of the green belt." (Northern Echo, November 2023).

This has not changed. The remaining green belt in this area remains sensitive. Although agricultural it nonetheless supports local wildlife. I often see curlews, swifts and many other bird species searching for food as well as owls and bats in the evenings, including the Moor Lane/ Sunderland Road field.

I would expect that having these green spaces so close to the Boldon Flats wildlife site is the reason why the Flats are such a wonderful habitat /place, as the surrounding fields, including this field, provide much needed food for the wildlife. It's loss would be detrimental to supporting local wildlife.

It is also important to preserve agricultural land in the area. We should be growing and shopping local.

This field also helps to clearly delineate the local residential areas (villages) and provides not only visual amenity but much needed green spaces for residents and visitors (including tourists) to enjoy.

These green fields including the field proposed for development are an important part of the area. The open space allows the local footpaths and village to be enjoyed. The field is situated opposite a very popular spot for walkers, from opposite here you can continue walking to the coast along the Cut Throat Dean. To build on this green field would impact the enjoyment and well being of tourists and potentially reduce visitors to the area.

I recommend that South Tyneside revisit the local plan and identify brownfield sites (not including gardens) and vacant land/ buildings that could be remediated, if required, redeveloped/ renovated and not damage our "sensitive green belt." Instead protecting the tranquil spaces of our local area for locals and visitors alike, as highlighted by your own website ([Towns & villages - Visit South Tyneside](#)).

Using such green field sites for building goes against the holistic principals of sustainability ([The principles · What is sustainable development · Sustainable Development Commission \(sd-commission.org.uk\)](#)).

This is an opportunity for South Tyneside Council to not negatively impact the local community and local environment and aid the wider climate crisis.

Kind Regards,
Kirsty How

Sent from Yahoo Mail on Android

(No subject)

Sun 3/3/2024 5:23 PM

To: Local Plan <Local.Plan@southtyneside.gov.uk>; Cllr Jay Potts <

Sent from [Outlook for iOS](#)

Subject: Fellgate Submission Regulation 19

Hi

Please can add this to your list for consideration at Regulation 19

We are two of the ward councillors representing Fellgate and Hedworth Ward.

We both have extensive knowledge of this lovely area, the area we were brought up in and still reside.

We both fully understand the pressures and issues by some of our local residents and neighbours who have shared with us their experience and thoughts in respect of housing needs and their requests for parks, playgrounds and open spaces.

We have very limited health provision; 3 Schools and 3 small retail shopping areas.

We have read the documents and discussed it widely gathering opinions from many sources and while there is a number of differing perspectives on this, we would like to share our unbiased views.

The plan does not in our opinion meet the community's requirements, it is assuming and unconvincing in terms of understanding local needs and priorities for our residents.

We do not deny that there is a need for more homes to meet the housing targets set by Government.

The council wants to ensure that everyone has the opportunity to live in a decent home, at a price they can afford, in a community they are proud of - we entirely approve and endorse this approach.

The Council posted the consultation on its website, held in person events across the borough, offered to support residents individually, extended the deadline however

some people have found the on line forms difficult to complete.

We personally prefer printed documents as do many of our residents also do and find this a useful and effective way to read this complex material.

The plan suggests a school within the site but there is nothing regarding Childcare provision, the government is introducing free child places from aged 2 have we planned for this ?

The Fellgate plan is very much reliance on large private developers.

Should the economy go into a downturn, where property prices may fall, what will/could happen to these plans?

Should a risk assessment of this possibility not have been taken into consideration?

There is no guarantee we will not return to recession in the uk particularly due to world events beyond our control, how will housing numbers then be achieved if builders do not come forward ?

The plan states how many homes will be built in each year approx 330?

It does not say how many will be affordable at each year of any development, this site will take many years

for complete of 1200 homes.

Would this mean that the 'affordable housing' proportion of the total cannot be monitored year on year?

Could it all at end of the build ?

We know even now there is a need for affordable housing both private and social.

We have many people on housing waiting lists.

We can not see homes for Older or disabled persons, supported living accommodation included on this site.

A site of this scale should address needs of all residents intergenerational and accessible living arrangements are a must.

Although the site is privately owned by a number of different groups it envisioned that there will be the loss to the community of a 5 generations of Farming and their family. They may lose their home/lively hood with the loss of stables where over 50 riding horses regularly using them. This business supports the health and wellbeing of many in our community.

The issues of climate change avoidance and mitigation has not been in our opinion looked at effectively. Fellgate flood defences put in after "Thunder Thursday 2010 " which went on to win national awards for its groundbreaking work has 10 years later proven to be less than effective after recent storms, the Dene or Burn as others call it has been breached a number of times recently.

This can only get worse as more houses, school buildings, shops etc are added to the drainage system. Assurances round flood defence being suffice to cope in 1/100 year events may assure those who don't live on Fellgate but they don't help those who lived through the devastating affects of the flooding.

Traffic congestion will most likely increase, while acknowledging the main entrance is at the Lakeside junction, we can not prevent drivers from using the existing road infrastructure through Hedworth and Calf Close which at peak times are already heavily trafficked.

Due to the site being adjacent to Fellgate Estate there is no opportunity to open access points onto A19 or A183 thus making A194 the only good accessible road for this site. An estimate of 2000 cars has been suggested, this will cause increased congestion and the exhaust pollution may cause health issues.

Thank you for taking the time to consider our thoughts.

Many Thanks

Cllr's Huntley & Potts

Audrey x

From: Andy Ritchie [REDACTED]
Sent: 03 March 2024 13:19
To: Local Plan
Subject: Local Plan - Fellgate Sustainable Growth Area

<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>

Dear Sirs / Madam

I would like to object to process currently being undertaken by the council in relation to the proposed Fellgate Sustainable Growth Area. There is a strong objection to the plan by residents and collectively believe that the process is not sufficient for the following reasons:

No evidence of what has changed since it was listed as red and protected in 2016.

Sustainability

Traffic congestion

Failure to protect farmland birds

Adverse harm being caused to unfettered land No evidence of any physical compensation for lost land.

Not only does the plan disrupt the wildlife corridor, but the current plan fragments habitats such as the pond area.

This goes 'against the Lawton principle' of bigger, better and 'more joined up'.

The lack of consideration of the link between urbanisation and asthma as a result of the loss of greenbelt and increase in traffic.

My wife and I are residents of the Fellgate and Hedworth ward

Mr & Mrs Ritchie



Thank and Kind regards

Sent from my iPad

Draft Local Plan 2023 - 2040 Objections

Brenda Forrest [REDACTED]

Sat 3/2/2024 1:52 P...

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

📎 1 attachments (22 KB)

South Tyneside Local Plan Objections.docx;

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Objection – Sustainability

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

Housing Requirement

The Local Plan is based on inaccurate population projections.

Using the Office for National Statistics (ONS) 2014 housing projections a total of 77,716 dwellings will be required in South Tyneside by 2040 but the more recent 2018 ONS projections (75,664) show a requirement of 2,052 *fewer* dwellings by 2040.

The population in the Boldons and Cleadon areas is ageing, in fact Census data shows a consistently falling population in South Tyneside; in 1991 **157,200**, in 2001 **152,785**, in 2011 **148,127**, and in 2021 **147,800**. Yet the Local Plan assumes a population of 151,936 for 2021, an overestimate of 4,136, and assumes it would continue to increase, not decrease as the past census figures show, over the next 20 years.

Despite these falling population figures, *planning permission has already given* for 202 houses at Cleadon Lane and 9 at the nearby Mayflower site.

Unoccupied properties

No account has been taken of the large number of the currently unoccupied properties in the area.

Social Housing / Affordable Housing

Properties in Cleadon and the Boldons could *not* be described as *affordable housing*.

Infrastructure

The infrastructure to support the proposed developments does not exist and there are no viable plans to improve the lack of them. These include:

Lack of school places.

Lack of medical facilities.

Colliery Court Medical Group supplies medical services to the Boldons and Cleadon. Colliery Court has already stopped taking new patients. This is before the additional 211 houses for which planning permission has already been given.

Lack of road capacity

There has been congestion in Boldon for a number of years. Apart from the large number of traffic lights there is also the problem of the metro/train crossings. The additional 211 houses are near the East Boldon metro station; the metros run frequently and there are already queues when the barriers are down before adding possibly another 422 cars to the area from the 211 houses. These additional houses are also near the shops, there is currently difficulty with on road parking, passing delivery vehicles etc. Planning permission for further housing will add yet more vehicles to the already congested road system.

Lack of wastewater capacity

There are regular discharges of untreated sewage into the sea at Whitburn, nothing has been done to stop or reduce this. At the meeting held by the at Cleadon Village, it was stated that Northumbrian Water has sufficient capacity to cope with the proposed housing development. If that is the case, then the current discharges must be unnecessary but no action has been taken by the council to stop this.

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 Environment and climate change.

The air quality in Boldon has been measured in the past and was of poor quality. The car dependent housing developments for which permission has already been given will increase air pollution and greenhouse gases further. Permission to build even more houses will further exacerbate the situation.

Distinctive Character of Each Village

Cleadon and the Boldons are already at saturation point, with the villages almost merging into one another. Any further development would not respect the distinctive character of each village.

Brown Field Sites

There are a number of industrial and commercial sites in the South Tyneside area which are no longer in use. A number of these sites are within the transport hub and would therefore be suitable for housing development.

Objection – Increased Housing on the Green Belt

According to 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*”.

Michael Gove, Secretary of State for Levelling Up, Housing and Communities and Minister for Intergovernmental Relations, made this 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 proposed development on the green belt in Moor Lane is on *agricultural land* which is currently used for growing crops. Using this land to build houses which are not required is not sensible.

A planning appeal decision (Broke Hill golf course) 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.

In summary, there is no evidence that the housing requirement for the Plan period is at a level requiring development on the Green Belt.

Summary

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

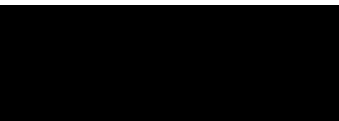
Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and *make sufficient provision for:*

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BrenBrenda Forrest



Email :



I have also attached a word copy of the above.

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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.

Brenda Forrest




Email



Objection to proposal to build 1200 homes on the Greenbelt at Fellgate

[REDACTED]
Fri 3/1/2024 8:31 PM

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

 2 attachments (3 MB)

Document-page2_2024-03-01_202008.pdf; Document-page1_2024-03-01_201710.pdf;

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Please find attached my objections to the above. Please receive this directly for the supplementary document and the local plan

Regards

Pat and David Mellish

The proposed developments at Fellgate , Jarrow.

I list below the reasons why I am opposed to the proposed development of 1200 houses adjacent to Fellgate Estate.

From a resident of Fellgate's point of view

For.....

- Provide approx. A third of the housing needed in the borough
- Sale of land for development Tidy profit for the developers with out spending extra clean up on existing brown field land.

Against.....

- Reduces the greenbelt on the outskirts of the borough.
- Greatly endangers the future release to developers of the remaining greenbelt after this development

materialises, which will result in South Tyneside and Gateshead becoming one borough.

- Build houses on land which is now farmed by a tenant farmer who will lose his livelihood and possibly home. The tenant farmer can trace his family back circa 200 years of farming this land. He may keep his house but will have no means of earning a living from there. Stables and a livery business will also be displaced.

○ Adds extreme extra pressure on an already highly congested road system, bearing in mind that 140 plus houses are presently to be built on the opposite side of the carriageway who will also use the Mill Lane roundabout for exit/access.

- Extra congestion harms the atmosphere even further and further adds to carbon pollution, even though South

Tyneside boasts of going green, cleaner air and eliminating pollution.

- The minor roads incorporated into the new plans for access purposes are too small and not wide enough to take

the extra traffic. The planners, at the recent planning meeting, emitted to mention an added roundabout/access on Fellgate Estate itself, until challenged by the local councillor to disclose this. The planners were invited to come and look around the area so they could actually see rather than visualise where and how unreasonable that proposal is.

- The main road, A194, incorporated into the new plan for access purposes is already highly congested especially in rush hour. This road has just been expanded in places to try and counteract the major congestion issues at present but still cannot relieve the congestion.

○ According to the latest figures, South Tyneside's and surrounding boroughs population has reduced therefore why is so much extra housing needed.

- South Tyneside is generally a poorer borough, with many schools having a high uptake of free school meals.

Generally, younger people looking to get on the property ladder would be unable to afford a house in any of these new 'affordable' housing developments in this area. Any social housing planned is meagre in ratio to the new houses planned.

- Schools in this area are generally under rolled...why do we need another?

- We all ready have a thriving community centre.

- New housing proposals (3 storey town houses) visibly detracts from the surrounding countryside and will hugely

affect the vista and privacy of the existing tenants.

- Recently installed, expensive flood defences will be at capacity with increased housing.

- The proposed development will further reduce the natural drainage on existing fields therefore putting huge

pressure on the newly installed flood defences adding to a risk of a reoccurrence of flooding in the existing houses on the estate. Can the planners guarantee that flooding will not occur again in existing Fellgate houses? House insurers will be asking this question. Any further flooding in existing houses because of this planned development will be directly accountable by the planners who have been made aware of the present residents worries about this.

- No study has taken place to assess the impact on wildlife etc on this land deemed for development, (which was admitted during the meeting). Foxes, hedgehogs, newts and bats have all been spotted in and around Fellgate estate as well as other wildlife. New development will see this wildlife displaced.

It seems highly unfair that Fellgate bear the brunt of new houses while other sites, previously highlighted for housing development, have now been reprieved. We would like to know the reason why? What or whom deems their greenbelt more precious/saveable than ours?. It appears too coincidental that these areas, apart from being far more affluent areas than Fellgate, contain far more wealthier folk who have been able to draw a large amount of media attention and engage their own planning law representatives at their own cost . The council planners have apparently agreed to a reduced amount of new houses in the East Boldon, Cleadon and Whitburn area, where far more empty land and greenbelt land is available, because the areas' private planning representatives have drawn up alternative plans for housing which has been agreed by the council planners therefore greatly reducing their proposed quota and dumping it onto greenbelt land at Fellgate. By the time these houses have been built and the roads leading to and from the estate to Shields, through the Tyne Tunnel

northbound, up the A194 leading on to the motorway and south are gridlocked, and the council and the highways are scratching their heads looking for a solution to reduce congestion.....it will be too late. We, as Fellgate residents, have endured many road disruptions recently and in fact, this period at present, is the first time for a stretch when roadworks are not in place. The planners, who I doubt know the area at all, apart from on a plan, need to come and see just what they are doing to our area. I doubt any of them live around here or really care what happens as it won't affect them or their lives, just 'the little skint people'.

I, and many others do not want to live on Fellgate anymore because of this development. I walked around the perimeter of the estate last night, as I and many other people do, and envisaged how it will look in the future. There will be no view of the countryside left, just town houses etc as far as the eye can see, and let's face it, once the greenbelt is completely gone and houses et al built all over it, we will be part of the borough of Gateshead.

The special circumstances that allow the planners to remove part of our greenbelt for housing development is surely open to contention and interpretation ; how is that special circumstance defined, who decides that it is a special circumstance, are the decision makers independent, are they led by the planners/the developers, are they influenced by more vocal and influential tenants in more affluent area? Those that make the biggest noise are heard the most. According to Michael Gove, all brownbelt land should be taken into consideration before any greenbelt land is used. The council planners reckon this has happened but, at previous meetings ,it has been suggested that brownland in our borough is available but deemed contaminated therefore too expensive to clean prior to any housing development. Therefore the greenbelt land is being used because of the cost elsewhere....not because the brown belt land is unsuitable, it's just more expensive. Money should not be the reason why greenbelt land is being picked off as that isn't surely a ... 'special circumstance'.... According to the National Planning Policy Framework, Protecting the Greenbelt section, one of the aims of protecting greenbelt land is to prevent the uniting of two areas ie towns ... does this include uniting two boroughs? Also aims to 'safeguard the countryside from encroachment' and not utilise greenbelt land 'if it affects and significantly changes the areas character'. I think the above lists shows that it will significantly change the area for the worse and I am not alone in this opinion.

I do not want to be anot in my backyard person.... However, there is a lot of land between Cleadon and East Boldon, Cleadon and Whitburn....which has remained untouched through all of these recent .. hands off our greenbelt...campaigns. Why is that? People of Fellgate would like an explanation please. Surely it would be more fair to spread the new housing developments throughout the borough rather than dump them all in to one area. Or is that also a financial decision too.?

The planners at the meeting suggested that congestion at a nearby major roundabout, which is one of the causes of daily traffic jams, could be adjusted to control the extra traffic that this Fellgate future development would cause, but when challenged to explain how that would/could happen, they could not or would not answer. The White Mare Pool roundabout has just been fully reopened last year after a years worth of daily disruption and congestion as the two lanes previously could not cope with the amount of traffic. A third filter lane was added, approx, 100 yards from the roundabout to take some of the strain. Traffic jams, however, are still daily occurrences especially during rush hour and the school run times. I would be very interested to know how that roundabout could be improved to contend with the extra traffic, and at what expense.

I have written to Kate Osbourne as our MP and contacted Countryfile and Michael Gove MP also to share the high feelings of frustration from Fellgate residents. So much for 'levelling up'

Pat Mellish



Increased Housing at East Boldon and Cleadon

Sun 3/3/2024 12:39 PM

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

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Can i first say that most people in Cleadon and Boldon are not giving opinions or being asked about your Local plan as they are 1. unaware and 2. do not have the necessary skills to respond in a manner that you have advised . Especially the elderly.

There is far to much to read and understand.

It's your responsibility to ensure All residents are fully informed and also can reply in a very easy manner unlike the lengthy process that you want everyone to adopt.

Basically you are discriminating against elderly people that have a right to know about your mad planning ideas and a right to an easy stress free way to reply.

The statistics on feedback you get is therefore badly distorted as not everyone is given a fair chance to respond.

Regarding your plan, I think it is very badly thought out

1. You gave East Boldon residents a vote on building on green belt and you are now ignoring that vote result.
 2. Extra Traffic can not be coped with on the Boldon roads which are gridlocked at peak times.
 3. Traffic Pollution will be Increased very significantly in East Boldon.
 4. Sewerage systems do not work now and that is a fact ignored by the council, with more housing comes more raw sewerage dumped into the sea at Whitburn.
 5. No Doctors, Dentists or schools to cope with extra people.
 6. With circa 250 houses already planned for land at " Obriens site" you have already exceeded the numbers of new houses recommended by government in East Boldon.
 7. Stop planning for New housing !
instead plan for Better roads bypassing Boldon, Better parking at East Boldon metro so the surrounding streets are not big car parks. Better pathways, Better street lighting, Better weedkilling, Better roads with no potholes, Better Road drainage which actually works.
- There is no Actual Plans for improvement, just plans to destroy greenbelt !!
8. Loss of greenbelt land forever.
 9. Get it into your head that East Boldon is a village !! it's not a Metropolis.

Yours sincerely

Ron Forbister

From: Neil Armstrong [REDACTED]
Sent: 03 March 2024 10:27
To: Local Plan
Cc: Emma Armstrong
Subject: Regulation 19 Local Plan Fellgate

<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> Dear Sirs

I would like to object to process currently being undertaken by the council in relation to the local plan. There is a strong objection to the plan by residents and collectively believe that the process is not sufficient for the following reasons:

No evidence of what has changed since it was listed as red and protected in 2016.

Sustainability

Traffic congestion

Failure to protect farmland birds

Adverse harm being caused to unfettered land No evidence of any physical compensation for lost land.

Not only does the plan disrupt the wildlife corridor, but the current plan fragments habitats such as the pond area.

This goes 'against the Lawton principle' of bigger, better and 'more joined up'.

The lack of consideration of the link between urbanisation and asthma as a result of the loss of greenbelt and increase in traffic.

My wife and I are residents of the Fellgate and Hedworth ward

Mr & Mrs Armstrong



Thank and Kind regards

Thank you in advance Sent from my iPhone

objection to planned building work on Fellgate Estate

Sun 3/3/2024 9:31 AM

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

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Hello there

Due to a recent bereavement I haven't been able to follow up my attempts to find information regarding planned building work on the Fellgate Estate, Jarrow. I have cut and pasted my objections with help from the save the Fellgate Estate campaign.

I just want to make it clear that I am objecting to the proposal to build on land on the Fellgate Estate for the following reasons. These are my reasons too

1. Lack of accessible information - website has faulty links, cannot be accessed from south Tyneside hubs, no hard copies available, missing documents.
2. Repeated requests for extensions refused despite all of the access issues.
3. In the 2016 plan the Fellgate greenbelt was deemed not suitable for development - what has changed?
4. Impacts on local habitats including farm birds which have migrated from other developed areas, flora and fauna, lack of robust environmental survey.
5. Impacts on sustainable public transport which is already unable to cope with demand.
6. Impact on health of existing residents as a result of increased traffic and emissions, exacerbated by removal of greenbelt which reduces existing impacts.
7. Impact on local road infrastructure which is unable to cope with existing demand - frequent gridlocks across proposed access routes to new estate.
8. Consideration of access routes for emergency services through gridlocked roads, especially with the proposed new tri-station in Hebburn.
9. Impact on secondary school provision across Jarrow and Hebburn with schools at capacity and no plans for additional secondary school places.
10. Lack of GP access - plans show proposed GP surgery but current surgeries are over capacity with insufficient GPs available to support the already existing local community.

Kind Regards

Judith Burford

Sent via BT Email App

Moor lane

Sun 3/3/2024 1:43 PM

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

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As a local resident I object to any development on our Green belt area

Plenty of other sites available

Especially with SFC committing to their Solar Panels taking a huge chunk of Green in this area

Seek further alternatives that is obtainable

Kindest regards

Cheryl Kennedy

Sent from [Outlook for iOS](#)

Local plan



Sat 3/2/2024 4:06 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>

To whom this may concern,

As a resident of Cleadon since 1987 I'm appalled about what you want to do to the Greenbelt .

Are you living in the same world, we need to protect the Greenbelt and not build houses nobody wants our population is decreasing in South Tyneside .We need our farmland to feed us have you not seen what the Russians are doing what about food security .

We pay the highest Council tax in the Borough is it our fault this Council is in serious debt ,don't use the Greenbelt to buy your way out of the debt you have created .

As a responsible Council do the right thing don't blame others you are ultimately responsible for what is built and where ,take responsibility and do the right thing leave the farmland alone in Cleadon.

Kind regards Carole Forster

Sent from my iPad

Proposed houses on greenbelt Moor lane/Sunderland rd

Janice Robertson [REDACTED]

Sat 3/2/2024 7:46 PM

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

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I wish to object to the proposed building of houses on the Greenbelt on the field adjacent to Moor Lane Cleadon. This is arable land and the growing of crops helps prevent flooding. My house is near the flats and my garden has been rendered virtually unusable due to being waterlogged. The problem has been getting progressively worse each Autumn/Winter.

Since the new land drains were put in on the land situated, directly above the proposed solar farm the flooding is worse and now the lower field floods. Maybe if crops were planted instead of solar panels maybe the water would be soaked up. I have solar panels on my roof, so am not against them per se, just not on this arable greenbelt land.

If the proposed houses are built, where will children go to school? Both Cleadon and East Boldon schools are oversubscribed. There is a lack of NHS dentists/doctors etc. There is also, the problem with the discharge of raw sewage into the sea.

Regards,
Janice

Representation for Section 19 Consultation - Site H.8 Egerton Road, Former Creameries

Cllr Jim Yare [REDACTED]

Sat 3/2/2024 5:09 PM

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

Cc: Cllr Andrew Guy [REDACTED]

Message classification: **Not Protectively Marked**

Dear Local Plan Team,

We write to express concerns regarding the proposed development of site H.8 Egerton Road, the former Creameries site.

This representation is in addition to those raised by our colleagues in relation to the draft Local Plan as a whole, and highlight specific concerns in relation the site referenced above.

We believe there are several issues with the current proposal that need to be addressed:

1. **Lack of Consultation:** There has been no invitation for consultation as required under Section 18 of the Planning and Compulsory Purchase Act 2004. This has denied residents and businesses in the area the opportunity to voice their concerns and influence the draft plan.
2. **Miscommunication:** On at least two occasions, we were advised that there were no new housing allocation sites. This information was even shared in a public forum, leading to confusion and mistrust among community members.
3. **Impact on Local Businesses:** The proposed housing allocation poses a significant risk to the valuable businesses located on Egerton Road. These businesses, which lease their premises from a commercial landowner, provide employment and contribute to the local economy. The proposed development could jeopardize their leases and livelihoods.
4. **Inappropriate Conduct by Senior Officer:** We are gravely concerned that a senior officer has allowed site H.8 to appear in the Regulation 19 consultation without prior notice or discussion.
5. **Breach of the Statement of Community Involvement:** We believe the council has breached its own plan on consultation as set out in its Statement of Community Involvement (2022). This plan is a legal requirement under Section 19 of the Planning and Compulsory Purchase Act 2004, and failing to adhere to it puts the authority in breach of this legislation.
6. **Changes to Site Proposal:** The new proposal expands the development area to include the Associated Creameries building and the public land to the south, which was not part of the original SA9 site.
7. **Expired Planning Permission:** The previous planning permission for the demolition of industrial buildings and construction of 30 dwellings has expired. Furthermore, the development lines did not include the green space between the industrial buildings and Forth Court.
8. **Significant Changes Since SA9:** Since the issuance of SA9 14 years ago, the site has undergone significant changes. It is now home to five profitable businesses and a number of mature and newly planted trees. The grounds on which SA9 and the now expired planning permission were granted have materially changed.

For the reasons detailed above, we do not believe the proposed plan with reference to this site is sound, legally compliant, or in compliance with the duty to cooperate for the following reasons:

- **Positively prepared** – Disregard for impact on local businesses fails to account for the sustainable development of the immediate area.
- **Justified** – No reasonable alternatives have been considered with public input due to the lack of inclusion for this site in the published section 18 draft plan.
- **Effective** – This development has received approval over a smaller footprint and under more favourable circumstances, and has failed to materialise, giving little confidence that plans will be fulfilled.
- **Consistent with national policy** – As detailed above, at several points this site has failed to consider both local and national requirements.

We request that these concerns be taken into consideration as a representation and addressed appropriately.

Myself and Cllr. Andrew Guy also wish to speak at the Examination in Public.

Yours sincerely,

Cllr. Jim Yare

Green Party Councillor for West Park



A: South Tyneside Council, South Shields Town Hall, Westoe Rd, NE33 2RL

www.southtyneside.gov.uk


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Views are my own, and not of South Tyneside Council, or South Tyneside Green Party. Published and promoted by Jim Yare, c/o STGP, 214 Mowbray Rd, South Shields, NE33 3BE.

Response to Draft Local Plan 2024

Sun 3/3/2024 10:50 AM

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

 1 attachments (19 KB)

Local Plan Response.docx;

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Dear Sirs

We attach our objection to the above Plan.

Yours faithfully
Peter W Taylor and Margaret D A Taylor



DRAFT LOCAL PLAN 2024

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

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.
- 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 Plan does not demonstrate exceptional circumstances required to justify the proposed removal of the above areas from the Green Belt and is therefore not sound.

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.*

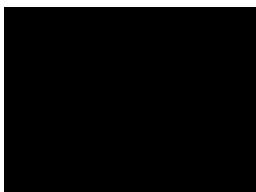
and

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.*

Peter W Taylor

Margaret D A Taylor



Response ID BHLF-RUCU-JV1Q-1

Submitted to Sustainability Appraisal 2024

Submitted on 2024-04-23 13:35:11

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:

Jennie and Ann West

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:



Objection to the Local Plan

From Ann West 

Date Sat 3/2/2024 8:04 PM

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

 1 attachments (182 KB)

South-Tyneside-Green-Party-Response-to-Local-Plan-2024.pdf;

<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>

We the below wish to submit an objection to the Local Plan as it stands and as detailed by the attached Green Party objections, which we agree with and heartedly support.

As residents of Cleadon we are already experiencing problems related to a shortfall in the provision of infrastructure such as congested roads, lack of health services, fully subscribed schools, sewage overspill/inadequate sewage works and seasonal flooding.

The 204 houses that are to be built on the brownfield/industrial site on Cleadon Lane will stretch these services further without adding the additional proposed housing on the Green Belt.

After attending one of the South Tyneside Council planning proposal meetings it appears the only reason the Council want to release these Green Field sites, is the revenue they will receive, but with no guarantee that the developers will provide the necessary infrastructure to support this increase in housing and local population.

Very little consideration has been placed on the benefits to us all of having green areas to promote wellbeing both from an aesthetic element and the ability to get out into nature for activities such as walking and cycling without having the worries of increased traffic and noise.

Yours sincerely

Jennie and Ann West



Nicola, David and Megan West



Bev, Jon and Robyn Olds



Joyce and Bill Hills



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South Tyneside Green Party Response to South Tyneside Regulation 19 Draft Local Plan 2024

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.

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

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-

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

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.

Response drafted by South Tyneside Green Party February 2024