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Response ID ANON-5JMM-6ZY8-T

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-26 22:29:13

Have your say

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

Comments:

I would Fellgate Green Belt left as it is. The amount of houses down to be built is going to cause havoc with traffic and therefore pollution. I am not against the building of new houses but don't use green belts use brown belts.

2 What is your name?

Name:
Lisa McGovan

3 What is your email address?

Email:


4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:


Response ID ANON-5JMM-6ZYB-4

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-26 23:40:04

Have your say

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

Comments:

Residents deserve to know exactly what is happening on estate and whether planning applications for go ahead is still in primary stage or actually confirmed to go ahead ..has it been approved already and why ?

2 What is your name?

Name:
Potter Michelle

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]

Response ID ANON-5JMM-6ZYM-F

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-27 09:14:35

Have your say

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

Comments:

Any further developments in the area could be detrimental to the current climate.

Fellgate and surrounding areas were subjected to serious floods in 2012 when flood defences were built. What are the proposals to protect these defences (mainly the "track" near the farmers fields.

What are the plans if any for expansion of the roads....Will a dedicated bus lane at the very least be provided from lindisfarne to whitemarepool?

What about the flooding on that road.

Better transport links would be needed, even the metro isn't up to standard which i appreciate is not the fault of the council, but extra pressures will make it almost impossible during rush hours.

Even if the land is used...why would it need to be all of it? Could some of the green spaces not be protected.

These questions do not appear to have been answered.

Whilst I'm not completely against new homes in the area, I am massively concerned by the sheer volume that could be built.

2 What is your name?

Name:
Gemma Carver

3 What is your email address?

Email:

4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:

Response ID ANON-5JMM-6ZYY-U

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-28 19:14:19

Have your say

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

Comments:

Point 3 of the spatial strategy states

Engage the re-use of suitable and viable brownfield land and, where appropriate, encourage higher development densities.

Why then does the scoping report then go on to solely propose development of Greenfield land? The facilities to support the new density of population do not look to be adequate and will cause excess traffic pollution and additional traffic useage in surrounding areas.

The additional use of public transport such as Fellgate metro and bus services will be under added pressure and the GP and NHS Dental services will be under further unnecessary strain.

The wildlife aspect of disturbing the current Greenfield site will have irreperable damage to wildlife corridors, breeding birds and diminishing mammal species such as hedgehogs.

Endemic wildlife including many threated species has already been displaced and habitats ruined by previous local developments.

I am opposed to this planning proposal and demand that further scoping of existing suburban and brownfield sites are reviewed with a full report of unsuitability published before trying to landgrab Greenfield sites.

2 What is your name?

Name:
Newsome Victoria

3 What is your email address?

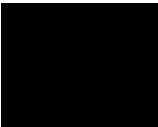
Email:


4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:


Response ID ANON-5JMM-6ZYT-P

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-28 21:26:01

Have your say

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

Comments:

There are far too many houses proposing to be built in an already built up area this should not go ahead it will almost certainly cause a lot of problems in the future.

2 What is your name?

Name:
LOUISE CAPSTICK

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]

Response ID ANON-5JMM-6ZYP-J

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-29 14:42:33

Have your say

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

Comments:

I have lived on fellgate for over 52 years . I can not for the life of me wonder why you want to spoil our green belt with spoiling it with more houses . The farm has been here for so long & now you taking the land from them . The traffic alone will be horrendous. The state of our roads on fellgate is bad enough . Please reconsider & leave us alone .

2 What is your name?

Name:
Valerie Attewell

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]

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-02-29 15:01:08

Have your say

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

Comments:

Have any provisions been made for the wildlife on the fields? It is believed by many that protected species are present (for example a protected species of newt). Are wildlife groups involved to inform the decision making process as this seems vital?

National planning policies require that any development should not increase the risk of flooding. Fellgate has experienced some horrendous flooding in the past, so how are you satisfied that the development doesn't increase flood risk? What evidence and expertise do you have that it won't?

As a Fellgate resident who lives facing the A194 . I see and experience on a daily basis the pollution and regular build up of heavy traffic - at rush hours I need to add an extra 30 minutes to my journey time to ensure I can get through it and arrive at hospital appointments, school runs, etc, on time. It is already highly problematic and to add to this seems a potential for gridlock!

Also, have any members of the scoping team taken a rush hour metro from Fellgate station to Newcastle? - already at stretched capacity, how do you imagine tens (potentially rising to hundreds) of extra bodies will access this form of transport? As a resident these things are already difficult and it is puzzling how residents will manage work, school and college journeys with a huge upsurge of cars and people.

2 What is your name?

Name:
Mrs N Davison

3 What is your email address?

Email:

4 What is your organisation?

Resident or member of the general public

Organisation:

5 What is your postal address?

Address:

Response ID ANON-5JMM-6ZUH-6

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 11:32:25

Have your say

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

Comments:

It's green belt, no building on green belt should happen.

2 What is your name?

Name:

Kay Smith

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]

Response ID ANON-5JMM-6ZU2-G

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 12:20:35

Have your say

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

Comments:

The report is absolutely detestable and will cause nothing but issues for the local area such as increased congestion, loss of habitat for local wildlife, loss of green spaces, loss of arable farming land and potentially increasing flooding. This plan is utterly unacceptable and problematic to the locals and residents of Fellgate

2 What is your name?

Name:
Robert Colman

3 What is your email address?

Email:


4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:


Response ID ANON-5JMM-6ZUQ-F

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 12:39:47

Have your say

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

Comments:

I want to object to the Council plans to build houses on the fields at Fellgate Est; Jarrow. I was at the planing dept meeting and it was OBVIOUS the Council did not have the facts about this area. FLOODING ON FELLGATE . THEY DID NOT KNOW THAT FELLGATE HAD BEEN UNDER WATER .HOUSES WITH 3ft of water inside the houses ,cars under water. I don't think they had looked at the area FELLGATE FROM THE FIELDS .Fellgate falls away with a large drop in height from the fields down to the Metro station.This is obvious to see if they had walked the land.

THEY DID NOT KNOW THIS!! THEY NOT KNOW ABOUT THE FISHING LAKES ON THE FIELDS. THEY DID NOT KNOW ABOUT THE STREAM THAT FLOWS THROUGH THE FIELDS AND PAST OXFORD WAY ON FELLGATE. THEY SAID THE ROAD 194 WOULD BE ABLE TO TAKE THE EXTRA TRAFFIC FROM THE NEW EST: THAT ROAD CAN'T COPE WITH THE TRAFFIC NOW ,THEY SHOULD DRIVE THROUGH AT BUSY TIMES BUMPER TO BUMPER FOR MILES BECAUSE THAT ROAD CAN'T COPE NOW!! DURHAM DIVE the outer road on Fellgate NOT ABLE TO TAKE THE EXTRA CARS IT WAS NEVER BUILD TO TAKE THE EXTRA TRAFFIC FROM THE NEW EST; The Council should GET ALL THE FACTS BEFORE THEY THEY CONSIDER THEIR ACTION.

2 What is your name?

Name:
kathleen watson

3 What is your email address?

Email:

4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:

Response ID ANON-5JMM-6ZUN-C

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 12:54:55

Have your say

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

Comments:

Much time , energy and cost goes into producing these plans and they are not disclosed to the public for consultation at the onset . This procedure weighs in favour of the plans being passed no matter about the objections . The timescale allowed for objections is unreasonable in relation to the time taken to prepare these plans .

What the council says goes !

2 What is your name?

Name:

Mr J W Turnbull

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]

Response ID ANON-5JMM-6ZUT-J

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 15:03:18

Have your say

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

Comments:

To build on this land would be abhorrent. An extra two thousand vehicles within this area would just cause mayhem for the roads surrounding and ramp up pollution/decrease air quality. In my opinion there is no beneficial reason why anyone should build on this land. Who really wants to be waiting an extra hour/half hour in traffic just to get out of the estate.

2 What is your name?

Name:
Robert Daniel Gray

3 What is your email address?

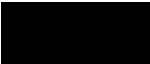
Email:


4 What is your organisation?

Neighbourhood Forum

Organisation:

5 What is your postal address?

Address:


Response ID ANON-5JMM-6ZUE-3

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 15:12:54

Have your say

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

Comments:

I strongly object as Theres loads of wildlife including foxes and bat habitat there as well .

2 What is your name?

Name:
Gail Gray

3 What is your email address?

Email:

4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:

Response ID ANON-5JMM-6ZUG-5

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 15:29:16

Have your say

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

Comments:

Very sad,if this last part of greenbelt disappears,sad for people and for wildlife.Who remembers the sound of a Skylark?not many i suppose,as their habitat has almost all been wiped out in recent years.
Divide to conquer going on here,Cleadon greenbelt versus Fellgate greenbelt,this should'nt be happening,Its all greenbelt and should be treasured .

2 What is your name?

Name:
Robert Gray

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]

Response ID ANON-5JMM-6ZCB-E

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-02 19:41:56

Have your say

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

Comments:

We are concerned about the following on the proposed development of Green belt land south of Fellgate Estate:

1) The size and number of houses proposed which is including Higher Density properties which are more appropriate to more central urban environment rather than a semi-rural housing estate. This will change the whole outlook and aspect of this estate.

As it is very likely that this proposed development will go ahead could it not be considered to have a sensible amount of Green Belt land between Fellgate/Hedworth estate and the new development to prevent the urban sprawl which would be the result of building 1200 houses next to an established estate.

2) The impact on the access roads A19 and A194 which will inevitably cause more congestion at rush hour times which are already very busy congested roads.

3) The impact at the Fellgate Metro station which is already a very busy station. More car parking spaces required as it is naive to assume everybody using the station will walk or cycle from the proposed new development.

4) The loss of valuable Green Belt land adjoining the estate when should really be protecting this area for habitat and farmland in the present climate.

2 What is your name?

Name:

P and E MCCAFFERY

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]

Response ID ANON-5JMM-6ZC3-Y

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 10:20:43

Have your say

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

Comments:

The traffic that already comes down Fellgate Avenue to Hedworth Lane is already severe when the 2 local schools in the immediate area finish for the day.

The traffic lights at the bottom of Fellgate Avenue near Herons store need their timings adjusted because on rush hour and school closing times the congestion is regularly backed up from Hedworth Lane right Upto the Durham drive roundabout. Also coming down Hedworth Lane ,over the A19 bridge ,traffic becomes congested and static which causes people who have to come off the slip road of A19 near Herons have to queue to get out onto Hedworth Lane..

So any more traffic by this new development would only add to this level of traffic...

2 What is your name?

Name:

MR STEVEN TRIBE

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]

Response ID ANON-5JMM-6ZCA-D

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 12:14:18

Have your say

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

Comments:

I live in the Hollow & have been flooded twice, it was the most stressful thing I've been through, to leave your home for nearly a year & fight just to get it back to the way it was something I wouldn't wish on anyone.

We have had problems with the drainage for over 40 years & adding more pressure on that system is a mistake!

2 What is your name?

Name:

Stephen Smith

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]

Response ID ANON-5JMM-6ZFM-V

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-01-17 21:09:30

Have your say

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

Comments:

I strongly disagree with this action as a resident that directly over looks the proposed building site this would have a huge affect on myself and young family as well as the area as a whole, the traffic around our estate is already busy with parking at a minimum so adding an extra 1200 cars will put a huge strain on this. There is already building work across the road our area will be a building site for many years, the noise, dust and awful view will be difficult to live with. The farmer who works these fields will lose his livelihood all for a few extra house in which there are many other areas. All of the wildlife will be gone, ours and our children's futures, mental health and overall health will be hugely impacted by this decision, being able take a walk along the bridal path, seeing the animals, ponds and blackberry bushes has saved us on many occasions over the years. If this went ahead I would seriously look to leave the area. Our local authority can't cope with dependable services as we are never mind all these extra homes.

2 What is your name?

Name:
Lewis Rickman

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]

Response ID ANON-5JMM-6ZC1-W

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 14:26:28

Have your say

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

Comments:

I am totally against this development. Once the green belt goes it has gone forever. Loss of agricultural land and Fellgate estate has been prone to flooding in the past and will get worse in the future with global warming.
Congestion in the area will cause severe traffic problems.

2 What is your name?

Name:
Raymond Beck

3 What is your email address?

Email:


4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:


Response ID ANON-5JMM-6ZCC-F

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 14:25:16

Have your say

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

Comments:

I am totally against this development. Once the green belt goes it has gone forever. Loss of agricultural land and Fellgate estate has been prone to flooding in the past and will get worse in the future with global warming.
Congestion in the area will cause severe traffic problems.

2 What is your name?

Name:
Raymond Beck

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]

Response ID ANON-5JMM-6ZCN-T

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report

Submitted on 2024-03-03 14:35:09

Have your say

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

Comments:

The plans will increase traffic in the area, and the environment will be impacted by your plans to the point we have no greenery in the area. Other past projects have been built around Fellgate, and it is always us residents that pay the cost of this. Find somewhere else please. They should not go ahead.

2 What is your name?

Name:

Scott Dotchin

3 What is your email address?

Email:

4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:

Response ID ANON-5JMM-6ZC2-X

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report

Submitted on 2024-03-03 14:59:56

Have your say

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

Comments:

How much are the councillors being paid to approve this - dishonest, disgusting, self serving plastic politicians.

2 What is your name?

Name:

Keith How

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]

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 15:01:18

Have your say

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

Comments:

An extra 1200 houses and cars to match on the infrastructure currently available with entrances where the current residents already have to park on the main road due to lack of parking is stupid. Anyone who backs this does not live in the area and has no clue about the current conditions. Or maybe stand to benefit financially from the development or the houses will not be built in their areas.

2 What is your name?

Name:
Andrew Gilbert

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]

Response ID ANON-5JMM-6ZCY-5

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 15:25:12

Have your say

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

Comments:

It's going to increase the traffic around the estate a lot & it's going to reduce the greenery with an added risk of flooding. It is also going to have a huge environmental impact especially on the wildlife.

2 What is your name?

Name:
Kerry Godridge

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]

Response ID ANON-5JMM-6ZCT-Z

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 15:58:00

Have your say

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

Comments:

There a numerous reasons this idea is ridiculous-

- * Disruption to wildlife will be irreparable
- * Huge increase in traffic around Fellgate Estate, which is already congested
- * Massive increase in pollution during and after the build process
- * This is a flood risk area and always has been

2 What is your name?

Name:

Joyce Lynch

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]

Response ID ANON-5JMM-6ZCG-K

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 20:19:24

Have your say

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

Comments:

I believe any development in this area and loss of green belt will have a long term detrimental effect on the area as a whole.

The Council should look at Brown field sites rather than destroying green belt.

2 What is your name?

Name:

Lee Robertson

3 What is your email address?

Email:

[REDACTED]

4 What is your organisation?

Resident or member of the general public

Organisation:

5 What is your postal address?

Address:

[REDACTED]

Response ID ANON-5JMM-6ZC5-1

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 20:58:28

Have your say

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

Comments:

It is unacceptable to even consider building on designated green belt land which is so full of wildlife and provides much needed soak away for the already water logged Fellgate estate and surrounding areas. The roads in this area are already congested and in poor state of repair with large pot holes on the entrance/exit of the estate and the crash barriers left with gaping holes and traffic cones in position for months. The flood defences can be seen to nearly capacity on a regular basis and this problem will only be exasperated with any development of the surrounding area. Our children enjoy the open green spaces and walking dogs in the fresh air and this is just another step of turning our area into a concrete jungle with no regard for nature and the benefits of green areas.

2 What is your name?

Name:
Callam Walsh

3 What is your email address?

Email:


4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:


Response ID ANON-5JMM-6ZHM-X

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report

Submitted on 2024-03-03 22:06:16

Have your say

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

Comments:

I'm strongly opposed to the development plan due to the adverse local impact, including loss of green space, wildlife habitat and farming land and potential increased flooding and traffic congestion. There is already a new development opposite Fellgate (Monkton Gardens) and the impact is yet unknown. To plan another development in the immediate area at this stage would be short sighted and irresponsible.

2 What is your name?

Name:

Louisa Rickman

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]

Response ID ANON-5JMM-6ZHA-J

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 22:29:17

Have your say

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

Comments:

I OBJECT to the proposal of removal of Greenbelt to build 1200 homes. My reasons are the following, with reference also to the scoping report -

Policy SP3: Spatial Strategy for Sustainable Development -

2. Secure the sustainability and vitality of the villages of Cleadon, Whitburn Village and the Boldons by supporting growth which respects the distinctive character of each village -

You have stated you are to expand on 'urban areas' whilst keeping 'vitality' for Cleadon, Whitburn and Boldon. This in itself is a disgrace to the residents of the community area of Fellgate, and this comes down to affluence in certain areas being favoured (Cleadon).

- The greenbelt is the habitat of natural wildlife and removing this will destroy a vast amount of protected species and wildlife. Proposing to leave some greenbelt remaining will not accommodate the destruction caused to wildlife - they can't 'just be moved'
- The area itself does not have development needs - Monkton is currently undergoing development, a new business park was recently built with many offices empty
- The infrastructure cannot cope with such an addition of homes, as it already cannot cope with the pressure of traffic on the dual carriageway adjacent to lakeside inn. Adding 3k cars this trying access not only Monkton development but your proposed development would result in complete overwhelm of infrastructure.
- Residents of Fellgate rely on the greenbelt space for mental and physical health, and have bought homes here for that purpose.
- Farmland on the greenbelt will be destroyed when we are already living through a tumultuous time with costs high and shortages of food supply - why remove a working farm?

Policy SP8: Fellgate Sustainable Growth Area -

5.iii.c - you have stated 'providing access to remaining greenbelt' -

This is incorrect as you are REMOVING any greenbelt that Fellgate and surrounding areas have, and leaving some remaining greenbelt on the side of the new homes proposed - this shows utter disregard for the wildlife and residents of a strong community on Fellgate and surrounding areas who rely on this greenbelt.

5. iv. 'access from Durham drive and Mill Lane' -

The infrastructure cannot handle an extra 3000 cars and as a resident on Durham drive this is going to create severe problems - I am a mother of two young children who play out the front and they will be put into danger due to the volume of traffic being proposed to be entering a new housing development - not to mention the pollution all of this will cause and the safety aspects on all other residents including the vulnerable elderly.

- vi. 'Habitat Connectivity' -

Removing wildlife from their habitat will not allow for them to recover from such destruction - this seems like a vague proposal with no real consideration of the impacts of greenbelt removal.

5vii. Delivering a well-connected network of good quality green and blue infrastructure provision, including walking and cycling infrastructure -

You are only proposing this for your new proposed residents of the housing development and whilst removing this option from Fellgate and surrounding areas. Are you suggesting that Fellgate residents can now only 'walk' through your housing development for physical exercise, instead of the greenbelt land we have all relied on as well as being a pivotel reason why we bought and settled here with young families?

'FELLGATE SUSTAINABLE GROWTH AREA - CONTEXT' -

3.9 - 'unique opportunity within South Tyneside to deliver an exemplary new community' -

There is nothing unique about this - you are simply wanting to add a development onto an already heavily developed area (ie.Monkton new housing estate is underway) which is an area less favoured than adding onto Cleadon or Whitburn/Boldon. By doing this you are making it so that Jarrow has no green spaces, and I believe this is because you consider Jarrow to be less affluent than Cleadon areas - which shows you are not committed to maintaining mental or physical health to the less affluent residents in the Jarrow area, whom heavily rely on the green spaces for Mental and Physical health. With Cleadon and surrounding areas having better access to the coastline, they are still in a position where they have better access to clean air outdoor spaces.

3.10 'The South Tyneside Exceptional Circumstances paper demonstrates that exceptional circumstances exist for releasing land from the Green Belt. ' -

What are the 'exceptional circumstances' and have these been proven? There is land already on Monkton being used for the development of homes, there is a housing price crisis and our present and future generations of home buyers already cannot afford to get onto the housing ladder. Is developing 1200 homes (with just 25% affordable) really going to remedy this crisis? Primary schools have low numbers so why would a primary school be required? What is considering an exceptional circumstance for removing the livelihood of farmers trying to make a living in a cost of living crisis, for removing the home of thousands of wildlife species including protected species, for the removal of 50 plus horses, for the detrimental impact on the children of Fellgate? The list goes on..

3.11 ' The boundary for the allocation has been informed by the Green Belt Study, which is an independent assessment of the 'harm' of releasing land from the Green Belt to accommodate potential development needs. It concludes the least harm to the Green Belt is at the northern edge of the land parcel adjacent to the existing urban area. ' -

Why is the least harm the northern edge of the land? This means you are admitting harm to the greenbelt as a whole, and how can this be proven that there is less harm? ANY removal of greenbelt and habitats of wildlife is harmful. The community of Fellgate have also not been considered in any specification of areas of removal, as it is common knowledge that you will be destroying the lives of thousands on Fellgate who will be breathing in dust day to day and increased pollution volumes, with a higher risk of traffic accidents to all including the elderly and young. The residents of Fellgate are not being considered in any way.

In conclusion, I wholly object to your proposal and I feel this proposal has been governed by a lack of desire to build in more affluent areas, thus trying to removing any small green spaces we have in more impoverished areas such as Fellgate/Jarrow.

As a longstanding resident of Fellgate, I have grew up here and also am now raising a very young family here and I bought my house based on the greenbelt and what it offered me and my children in terms of mental and physical health. By building you are going to take that away from not just me, but thousands of young families who have chosen Fellgate to settle. You are going to decrease our house prices, destroy any green spaces we have at a time where younger generations were building the future of our community. If the development goes ahead many elderly will be overwhelmed by such a drastic upheaval and increase in traffic, pollution and reduction in ways to maintain mental and physical health.

2 What is your name?

Name:

Jane Rickman

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]

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 22:49:23

Have your say

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

Comments:

Given that the SHMA says there is a significant need for 1-bed properties in South Tyneside (31.7% of affordable housing requirements, 10% of overall need), why does the site capacity and opportunities paper suggest there will be no 1-bed provision included in the Fellgate site?

Why only "opportunities for health care provision"? Does this mean there is no actual plan in place to provide healthcare facilities?

Thanks!

2 What is your name?

Name:
Anna Kenolty

3 What is your email address?

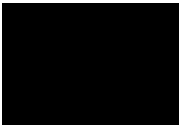
Email:


4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:


Response ID ANON-KS7E-7C1U-T

Submitted to Habitat Regulations Assessment 2024
Submitted on 2024-03-03 20:59:58

Introduction

1 Do you have any comments relation to the HRA?

Comments:

In regard to the proposed development on the land south of Fellgate, there are a number of points i would like to raise:

Biodiversity - i'm aware through recently commissioned studies that the site will have a significant impact on the wildlife in the area. The wildlife corridor supports a multitude of species, some of which have been specifically called out in these studies (Barn Owls and Great Crested Newt). By reducing one of the largest areas of biodiversity in the borough and replacing it with a large housing estate will have a huge impact that i fail to see how it can be mitigated.

Greenbelt - As well as significantly reducing the separation of our border with Gateshead and Boldon Colliery, any development goes against the principals of retaining a Green Belt, namely safeguarding borough countryside and minimising the sprawl of built-up areas. For the latter point, if there is a need for housing (which old projections don't seem to hold true) then the council should be looking at Brownfield sites as per recent Government directives (brownfield or no development is preferential to greenfield development). Also recent figures suggest plenty of opportunity for land currently earmarked as 'commercial' but could be utilised more effectively as residential.

Pollution - The habitat will also be affected by significant air, noise and light pollution in addition to traditional pollution from both the construction and habitation of a large new housing estate, further impacting wildlife. Significant impact of current residents in terms of inadequate infrastructure to support this new development, including but limited to road capacity and local amenities.

It's unclear what has changed since the 2016 report around the unsuitability of the site for development. In terms of Habitat, we already have displacement from the site across the A194 and the IAMP and with further development, i can't see how STC can claim a net gain for biodiversity and pose no harm for the existing wildlife on the site - where exactly will the wildlife 'move'.

Flooding - I am personally aware of the severe mental strain that flooding has placed on residents of Fellgate but the plans lack detail of how a new housing estate would help this? If anything, this would make things worse.

I'm not sure how a local plan supporting the building of over 1000 houses supports a commitment to Green Belt, Biodiversity and a sustainable place to live with STC, it points to exactly the opposite.

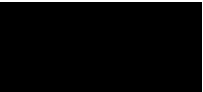
2 What is your name?

Name:
Barry Davison

3 What is your email address?

Email:


4 What is your postal address?

Address:


5 What is your organisation?

Myself

Have your say

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

Comments:

There are a number of reasons why i oppose the development of over 1000 houses to the south of Fellgate as listed in the Local Plan:

The irreversible loss of the Greenbelt and the associated wildlife belt where the proposed site is. This goes against guidelines on why greenbelt land should not be built upon. I'm also concerned that alternative brownfield sites have not been duly considered in the assessment and with this being a recent directive by central government, this should be thoroughly investigated. There are numerous example of derelict commercial brownfield sites that could be provisioned but are not in the analysis. Not including these due to current 'use' feels like a deliberate ploy to direct construction on greenbelt despite guidance by central government.

There will be several environmental issues arising from any development, both during and enduring afterwards. Increased noise and light pollution coupled with added air pollution caused by over a thousand new homes and associated cars.

The cars themselves will have a huge negative impact on traffic on all local roads. These are already struggling to cope and with the development across the A194 due to make things even worse at Mill Lane. Adding this into the mix on the current infrastructure is unsustainable, making an exit from South Tyneside onto the A1 even more frustrating than it already is. It is also wishful thinking that most new households will utilise the metro on a regular basis but even if a 1/5th were to do so, the Metro route is already struggling to cope, especially on routes into Newcastle where Fellgate is the last stop on the green line which means any delays make it near impossible to get into the carriages at peak times.

Flooding is also a massive existing risk which from personal experience has a massive negative impact on the mental health of Fellgate residents. Another development close to the estate will only make this worse, i have noted that no provision for further improvement has been made as part of this local plan.

Lastly, it has been brought to my attention that the model used to calculate the number of houses needed in South Tyneside is several years out of date and by current figures, growth in numbers is far less than expected. I would expect this to be remodelled to show an accurate need for housing in the area which may well show that there is no need for this destruction of our diminishing greenbelt land in South Tyneside and alternatives can be found utilising brownfield sites as per government guidelines.

2 What is your name?

Name:

Barry Davison

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]

Response ID ANON-5JMM-6ZHC-M

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 23:39:58

Have your say

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

Comments:

I am concerned that the development on Green Belt land will affect the mental health of residents. The removal of natural areas does not only harm local wildlife, but is detrimental to people who rely on pleasant natural areas for exercise and to improve their general wellbeing. At a time when children should be encouraged to spend more time outdoors, I worry that an increase in traffic will make it unsafe for them to do so.

2 What is your name?

Name:
Lucina Wareham

3 What is your email address?

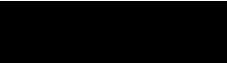
Email:


4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?

Address:


Response ID ANON-5JMM-6ZHC-M

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 23:39:58

Have your say

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

Comments:

I am concerned that the development on Green Belt land will affect the mental health of residents. The removal of natural areas does not only harm local wildlife, but is detrimental to people who rely on pleasant natural areas for exercise and to improve their general wellbeing. At a time when children should be encouraged to spend more time outdoors, I worry that an increase in traffic will make it unsafe for them to do so.

2 What is your name?

Name:
Lucina Wareham

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]

Response ID ANON-5JMM-6ZC4-Z

Submitted to Fellgate Sustainable Growth Area Supplementary Planning Document: Scoping Report
Submitted on 2024-03-03 23:42:42

Have your say

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

Comments:

I have lived on Fellgate my entire life, know the area as a child and as an adult and with this experience I firmly oppose the soundness of the Fellgate sustainable growth Area Plan for the following reasons:

1. Green Belt previously deemed as not suitable for development – in 2016 the green belt was NOT identified by development, deemed to have high impact in many areas. What has changed this time? It is still a habitat creation zone, it is still a wildlife corridor and a local wildlife site.

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

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

In essence, these statements safeguard Green Belt Land. It's evident from the statement, "The Government is ensuring it is clear there is generally no requirement on local authorities to review or alter Green Belt boundaries if this would be the only way to meet housing need," that there are no specific targets or obligations for South Tyneside to reassess or modify Green Belt Boundaries.

For this reason alone, this proposal is NOT sound.

2. Historical flooding problems – Historically, Fellgate has had many flooding problems, with the worst being in 2012 when my family home was flooded. Work was undertaken to install sustainable urban drainage systems. This was a £21 million project to alleviate future flooding, this has been successful but with small localized floods still found in parts of Durham drive from heavy rain.

The suggestions for integrating new, suitably planned Sustainable Drainage Systems specify that "All surface water must flow into Monkton Burn and Calf Close Burn." Although the data suggests these systems will likely succeed, there remains uncertainty regarding whether Monkton Burn and Calf Close Burn can manage the water discharge from 1,200 homes. No evidence can be found on the impact on the biodiversity, the wildlife, the Great Crested Newt Pond, and Wildlife corridor which traverse these burns. For this reason, the proposal is NOT sound.

3. Impact on the transport infrastructure – Personally commuting in this area everyday, the bottle neck on Fellgate Avenue traffic lights and traffic levels on Leam Lane already struggle with the current volume of cars in the area.

Sections IV and V discuss "Delivering vehicular access roads" and assert that there are no adverse impacts on highway safety. Evidence linked to the "Local Plan Policy 51 Traffic Assessment" initially suggests an estimated additional 100 trips, leading to completed road improvements. However, further scrutiny reveals that the actual figure may be closer to 312 (morning) and 335 (afternoon) trips.

According to Department for Transport statistics (NTS9902a), the North East region has a significant proportion of households with car or van availability, with one or two vehicles being common. Considering this, it's plausible that the 1,327 homes in the local area would have at least 955 vehicles. Consequently, the anticipated number of trips to and from the area is expected to surpass the initial 100 trips and rise notably in subsequent investigations. This projection does not even include non-resident trips, such as deliveries, which have surged due to the COVID-19 pandemic.

Thus, Sections IV and V are deemed unsound and potentially non-compliant with legal standards. Consequently, the proposal is NOT sound based on this assessment.

There are many other worries such as loss of land for arable farming and further stress on public transport in the area. The SP8 proposal is NOT sound Nor is it legally compliant.

2 What is your name?

Name:
Simon Dusher

3 What is your email address?

Email:

4 What is your organisation?

Resident of member of the general public

Organisation:

5 What is your postal address?


Address:

Objection to Local Plan

Joe Shepherd [REDACTED]

Wed 2/28/2024 2:59 PM

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

 2 attachments (2 MB)

Mrs G and Mr J Shepherd's Response to Draft Local Plan 2024.pages; Objection re SP3 Spatial Strategy for sustainable Development - Mrs G and Mr J Shepherd.pages;

*** **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** ***

To whom it may concern,

Please find attached our objection to the proposed 2024 local plan for South Tyneside. We are both residents of [REDACTED] in Cleadon Village.

With reference to the points listed in the attached files, we have particular concerns regarding drainage. Over the 26 years we have lived in our current residence, it has become clear that even the current drainage provisions are not adequate. We experience street flooding and prolonged standing water in nearby fields. We are deeply concerned that the building of another 260 houses on the field behind our house (on the corner of Moor Lane and Sunderland Road) would significantly exacerbate these issues.

Furthermore, a new lot of houses would contribute heavily to the existing issues of noise pollution and traffic congestion in the area. We do not feel that the current infrastructure could support an additional influx of persons and vehicles. Nor do we believe that there has been a viable solution presented to these problems in the Local Plan. We therefore strenuously object to the plans outlined regarding the building of new housing in this area. We feel that, if it is absolutely necessary to build new housing, it should focus on the brownfield sites within South Tyneside rather than eroding the Green Belt unnecessarily.

Thank you for your consideration.

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

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

NPPF Paragraph 11:

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

and

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

- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) community facilities (such as health, education and cultural infrastructure); and*
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.*

and

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

Examining plans

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

- b. 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;*
- c. Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- d. 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*
- e. Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

and

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

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

Response to
South Tyneside Regulation 19 Draft Local Plan 2024 - Compiled by Mrs Gwyneth Shepherd and Mr Joseph Shepherd of [REDACTED]

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

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

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

In SP2 paragraph 4.9 of the Local Plan it states:

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

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

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

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

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

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

The NPPF paragraph 5 and 6 states:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The National Planning Policy Framework (NPPF) states:

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

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

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

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

Broke Hill golf course

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

For Broke Hill, the planning policies in this case related to protection of the Green Belt. This is especially important as Sevenoaks does not have the required five-year supply of housing land nor has it met the government’s housing delivery test for 2021. The inspector noted a number of benefits of the proposed development including provision of affordable housing. However, he concluded that notwithstanding the lack of five-year housing supply, the housing delivery test, and the benefits, this did not outweigh the harm that would be caused to the Green Belt, and were not sufficient to override national and local planning policies protecting the Green Belt. “The tilted balance is not invoked,

however, because the Framework at Paragraph 11d(i) and footnote 7 protects both areas and assets of particular importance, which include the Green Belt, and provides a clear reason to dismiss the appeal." Stephen Wilkinson, Inspector Planning Inspectorate decision Broke Hill golf course 31 January 2022

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"The Council has undertaken an extensive Green Belt review to identify land which would cause the least harm to the purposes of the Green Belt, that is considered suitable for development, and that could create a new defensible Green Belt boundary. Through this work, the Council has also established the exceptional circumstances to justify amending the Green Belt boundary at each location. Following consultation on the Plan, the Council will undertake a Green Belt boundary review which will review the entire Green Belt boundary to ensure that it has a strong and defensible boundary as required by the NPPF."

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

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

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

The duty to cooperate has not been evidenced as required by guidance such as PAS – Doing your duty practice update [doing-your-duty-practice--1a3.pdf \(local.gov.uk\)](https://www.local.gov.uk/doing-your-duty-practice-1a3.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 council's own stated aims of the Economic Recovery Plan 2020 to *Catalyse green and sustainable growth by maximising the potential of our low-carbon and digital assets and expertise.*

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

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

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

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

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

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

We welcome Policy 6 paragraph 2 supporting the inclusion of renewable energy into developments, but the text is not strong enough, and once again, will not change business as usual development approaches. A requirement to include and maximise on-site renewable energy generation needs to be folded into an overall green house gas emissions policy, as seen in the London Plan, policy S12.

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 mine-workings more heating schemes like the “Hebburn Minewater Project” should be invested in for housing schemes.

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

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

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

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

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

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

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

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

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

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

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

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

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

Reg 19 and Fellgate SPD Scoping Report responses

Muller, Antony

Fri 3/1/2024 6:15 PM

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

Cc: S

3 attachments (2 MB)

Interactive_Local_Plan_Consultation_Form_NE_HRA.pdf; Interactive_Local_Plan_Consultation_Form_NE_SA.pdf;
FellgateSPD_Scoping_report_NEResponse_1.3.24.pdf;

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Dear Planning Policy Team,

I attach our responses to the Council's Regulation 19 consultation – specifically on the Habitats Regulations Assessment (HRA) and Sustainability Appraisal. I attach our response on your Scoping report for the Fellgate SPD as a separate letter.

While writing we would like to explore the scope for a conversation with the Council on the links between nature and the human health and inclusion themes. My colleagues who focus on these themes within the Northumbria area have offered the following summary of the issues we are keen to discuss with you and I have copied them into this email so that you have the opportunity to include them in your reply as and when you are able:

There are clearly substantial areas of multiple deprivation alongside significant health inequalities. The Plan shows some consideration of increased access and acknowledges scope for more.

As these plans develop, we recommend :

- Reference to the Included Outside series to consider access issues to a range of underrepresented groups
- Working in partnership to improve access to nature in areas with the highest health inequalities, e.g. with public health partners and NHS and with communities to co-design/produce.
- Plan and deliver green infrastructure to deliver health and inclusion benefits
- Link to other health and inclusion efforts such as Green Social Prescribing and Green Community Hubs

If you have any immediate questions please contact me.

Kind regards,

Antony

Antony Muller (he/him)

Senior Adviser

Strategic Plans for Places – Northumbria Area Team

<http://www.naturalengland.org.uk/>



We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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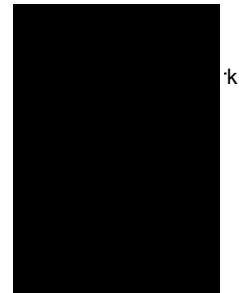
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Date: 01 March 2024
Our ref: 462575
Your ref: **Fellgate SPD**



For the attention of South Tyneside Planning Policy team

BY EMAIL ONLY



Dear Policy Team,

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

Thank you for your consultation on the above dated 23 January 2024 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We welcome this scoping report and acknowledge the chosen spatial strategy described in the draft plan (Policy SP3 - Spatial Strategy for sustainable development). Our Regulation 19 response in respect of the local plan's Sustainability Appraisal refers to the 'significant negative effects' conclusion reached in the SA with respect to loss of best and most versatile land (BMV). The SA reaches this conclusion for both:

- Policy SP7 - Urban and Village Sustainable Growth Areas
- Policy SP8 - Fellgate Sustainable Growth Area

The proposed SA monitoring measures comprise:

- Will it protect high quality soils?
- Will it promote development on Brownfield land?

In the light of the chosen spatial strategy these monitoring measures would appear to need significant support in the form of positive measures to avoid, reduce and offset losses of best and most versatile land at the initial masterplan design stage.

Natural England supports the scoping criteria described at Section 4.1 'Scope of the SPD' and would emphasise the positive opportunities that these present. The interrelationships between these criteria offer significant scope for an integrated approach to the scheme's design such that the masterplan design avoids, reduces and offsets losses of best and most versatile land by:

- Focusing green infrastructure resources in such a way as to maximise retention of BMV as part of the scheme's final GI resource i.e. avoiding the sealing over of BMV beneath impermeable surfaces.
- Combining the GI resource with nature recovery and biodiversity net gain objectives.
- Achieving the desired compensatory green belt edge qualities.

At the current time the precise boundaries of the Fellgate SGA, as shown in Figure 1 in the Scoping Report are unclear as the resolution of the image is poor. However we draw the Council's attention to the important scope for 'join up' between the integrated approach described above and the emerging South of Tyne Local Nature Recovery Strategy.

Two examples of habitat resources and opportunities for consideration as part of the scheme's concept planning are:

- Ponds adjacent to the A194 (north-west corner of the schematic area) adjacent to Fellgate Farm.
- Scope for habitat creation and enhancement in the south-eastern section of the schematic area in order to buffer and expand off site lowland fen habitats.

For any queries relating to the specific advice in this letter only please contact me on [REDACTED]
For any new consultations, or to provide further information on this consultation please send your correspondence [REDACTED].

Yours sincerely

Antony Muller
Senior Adviser – Strategic Plans for Places



Regulation 19 Local Plan Consultation Representation Form

Please return this form by midnight on Sunday 3 March 2024.

Data Protection and Freedom of Information

All personal information that you provide will be used solely for the purpose of the consultation on the documents listed in this form. Please note that each comment and the name of the person who made the comment will be featured on our website - comments will not be confidential. Full comments will also be available to view on request. By submitting this response you are agreeing to these conditions.

This form has two parts:

- Part A - Personal details (need only be completed once)
- Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

This form can also be completed online at haveyoursay.southtyneside.gov.uk

If you are having difficulty submitting representations, please contact local.plan@southtyneside.gov.uk or call 0191 424 7692

Part A: Your Details

	Personal Details*	Agent's Details (if applicable)
Title	Mr	
First Name	Antony	
Last Name	Muller	
Job Title (where relevant)	Senior adviser - Strategic Plans f	
Organisation (where relevant)	Natural England	
Address		
Postcode		
Telephone		
Email		

** If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) but complete the full details of the agent.*

Part B

Please fill in a separate form for each representation

Name or organisation	Natural England
Client (if relevant)	N/A

Section 1: To which section of the Local Plan does this representation relate?

Paragraph	
Policy	Habitats Regulations Assessment
Policies Map	

Section 2: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is (tick as appropriate)	Yes	No
1. Legally compliant	✓	
2. Sound	✓	
3. In Compliance with the Duty to Cooperate	✓	

Section 3: Details of Representation

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

We note and agree with the HRA narrative as follows:

1. Hydrological/Water Quality Impacts i.e. that the locations of allocations are far enough away that no hydrological changes are anticipated to the designated sites. Separately, while water quality is a concern generally, the two main waste water treatment works discharge to locations that would not affect Durham Coast SAC and the wild birds classified as part of the Northumbria Coast SPA feed in areas of exposed, open coastal water that is less sensitive to nutrient impacts. We note and agree with the assessment's 'No Adverse Effect on Site Integrity' conclusion on both counts.

2. Recreational Impacts: The current SPD was agreed in 2018 and is regarded as remaining reliable, notwithstanding the fact that an update is underway to support the new local plan. The updated SPD will be submitted along with the finalised Local Plan. We agree with the 'No Adverse Effect on Site Integrity' conclusion. With respect to the relationship between the local plan process timeline and the ongoing evidence gathering to support the updated SPD we anticipate the potential value of a 'statement of common ground' between Natural England and the Council. Please get in touch if you wish to progress this option.

Section 4: Proposed Modifications

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. *Please be as precise as possible.*

N/A

(Continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not be a subsequent opportunity to make further representations based on the original representation at publication stage.

After the Regulation 19 consultation has closed, further submissions will only be at the request /invitation of the Inspector, based on the matters and issues debated at the examination.

Section 5: Participation at the Examination

If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? *(Please select one answer with a tick)*

Yes		No	
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Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Section 6:

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

N/A

Section 7: Being Kept Informed

Would you like to be kept informed of the progress of the Local Plan through to adoption?
(Please select one answer with a tick)

Yes	✓	No	
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By submitting a representation, you will also automatically be added to our database and kept informed of the next stage in the Local Plan process. You can opt out any time.



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Part A: Your Details

	Personal Details*	Agent's Details (if applicable)
Title	Mr	
First Name	Antony	
Last Name	Muller	
Job Title (where relevant)	Senior Adviser - Strategic Plans	
Organisation (where relevant)	Natural England	
Address		
Postcode		
Telephone		
Email		

* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) but complete the full details of the agent.

Part B

Please fill in a separate form for each representation

Name or organisation	Natural England
Client (if relevant)	

Section 1: To which section of the Local Plan does this representation relate?

Paragraph	
Policy	Sustainability Appraisal
Policies Map	

Section 2: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is (tick as appropriate)	Yes	No
1. Legally compliant	✓	
2. Sound	✓	
3. In Compliance with the Duty to Cooperate	✓	

Section 3: Details of Representation

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

We acknowledge and agree with the chosen sustainability objectives, in particular those directly connected with our remit i.e. 1. Adapt and mitigate the impacts of climate change, 2. Conserve and enhance biodiversity, 4. Protect our soils and promote efficient land use and 5. Enhancing our green infrastructure. We would emphasise the interconnected nature of these objectives with the remaining social and economic focused objectives, in particular the multifunctional role of green and blue infrastructure.

In terms of impacts we note significant negative effects associated with the following:

* SA objective 4: Protect our soils and promote efficient land use / Losses of best and most versatile agricultural land (BMV) with respect to Policies SP7: Urban and Village Sustainable Growth Areas and SP8: Fellgate Sustainable Growth Area.

We submit separate advice on the Fellgate SGA Supplementary Planning Document Scoping Report regarding options for consideration to avoid and minimise such losses of BMV. These principles will apply more broadly in respect of similar development under Policy SP7.

* SA objective 5: Enhancing our Green Infrastructure / Policy SP13: Foreshore Improvement Area - loss of open space as a result of development.

Scope may exist to minimise or compensate for these impacts through the updated Coastal Recreation Mitigation Strategy (referenced under plan's Habitats Regulations Assessment separately) together with the plan's provisions for green and blue infrastructure and open space.

Monitoring - A number of the proposed measures will tend to reflect forces beyond the plan's influence. Themes like green infrastructure and biodiversity have been subject to change

Section 4: Proposed Modifications

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. *Please be as precise as possible.*

N/A

(Continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not be a subsequent opportunity to make further representations based on the original representation at publication stage.

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If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? *(Please select one answer with a tick)*

Yes		No	✓
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Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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N/A

Section 7: Being Kept Informed

Would you like to be kept informed of the progress of the Local Plan through to adoption? *(Please select one answer with a tick)*

Yes	✓	No	
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By submitting a representation, you will also automatically be added to our database and kept informed of the next stage in the Local Plan process. You can opt out any time.

Response ID BHLF-KS7E-7C1V-U

Submitted to Habitat Regulations Assessment 2024

Submitted on 2024-04-16 13:07:46

Introduction

1 Do you have any comments relation to the HRA?

Comments:

We note and agree with the HRA narrative as follows:

1. Hydrological/Water Quality Impacts i.e. that the locations of allocations are far enough away that no hydrological changes are anticipated to the designated sites. Separately, while water quality is a concern generally, the two main waste water treatment works discharge to locations that would not affect Durham Coast SAC and the wild birds classified as part of the Northumbria Coast SPA feed in areas of exposed, open coastal water that is less sensitive to nutrient impacts. We note and agree with the assessment's 'No Adverse Effect on Site Integrity' conclusion on both counts.

2. Recreational Impacts: The current SPD was agreed in 2018 and is regarded as remaining reliable, notwithstanding the fact that an update is underway to support the new local plan. The updated SPD will be submitted along with the finalised Local Plan. We agree with the 'No Adverse Effect on Site Integrity' conclusion. With respect to the relationship between the local plan process timeline and the ongoing evidence gathering to support the updated SPD we anticipate the potential value of a 'statement of common ground' between Natural England and the Council. Please get in touch if you wish to progress this option.

2 What is your name?

Name:

Antony Muller on behalf of Natural England

3 What is your email address?

Email:

[REDACTED]

4 What is your postal address?

Address:

[REDACTED]

5 What is your organisation?

Statutory Consultee

Response ID BHLF-RUCU-JV1D-M

Submitted to Sustainability Appraisal 2024

Submitted on 2024-04-16 13:03:28

Have your say

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

Section of the SA:

Objective 4 and objective 5

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

Comments:

We acknowledge and agree with the chosen sustainability objectives, in particular those directly connected with our remit i.e. 1. Adapt and mitigate the impacts of climate change, 2. Conserve and enhance biodiversity, 4. Protect our soils and promote efficient land use and 5. Enhancing our green infrastructure. We would emphasise the interconnected nature of these objectives with the remaining social and economic focused objectives, in particular the multifunctional role of green and blue infrastructure.

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Scope may exist to minimise or compensate for these impacts through the updated Coastal Recreation Mitigation Strategy (referenced under plan's Habitats Regulations Assessment separately) together with the plan's provisions for green and blue infrastructure and open space.

Monitoring - A number of the proposed measures will tend to reflect forces beyond the plan's influence. Themes like green infrastructure and biodiversity have been subject to change recently and would benefit from further consideration, with reference to:

Biodiversity Net Gain provisions - <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>

Natural England Green Infrastructure Framework -

<https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx>

3 What is your name?

Name:

Antony Muller

4 What is your email address?

Email:

[REDACTED]

5 Who are you responding as?

Statutory Consultee

Organisation:

Natural England

6 What is your postal address?

Address:

[REDACTED]

Response ID ANON-TJBH-TD7Y-G

Submitted to South Tyneside Publication Draft Local Plan 2023-2040

Submitted on 2024-03-03 20:04:50

Chapter 1: Introduction

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

This Plan is not legally compliant as the Council has failed to discharge its responsibility under 'Tameside Duty' with regard to the Sewage collection and treatment capacity which is a material planning consideration. The role of Northumbrian Water (NWL) is to provide a system of public sewers to ensure effective drainage. The role of the Local Planning Authority (LPA) is to ensure there is sufficient sewage treatment capacity before granting planning permission. The Local Plan is not in compliance with the Urban Waste Water Treatment Regulations 1994 (UWWTR)

The Duty to Co-operate has not been fulfilled as Northumbrian Water Limited (NWL) fails in its role as a sewage undertaker and is not a reliable consultee. The LPA must not rely solely on the advice provided by NWL. NWL is under investigation by Ofwat, the Environment Agency (EA) and the Office for Environmental Protection (OEP) and cannot be regarded as a reliable consultee.

References to the Whitburn Long Sea Outfall as part of the Reg 18 stage have now been removed after representations were made by NWL.

Representations made by STEP and others at Reg 18 stage were largely ignored. This demonstrates undue bias.

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

The Local Plan should include the following:

Planning proposals will not be supported unless it can be shown by rigorous analysis that there is sufficient capacity in the local sewerage system...

The analysis is not onerous, and data can be obtained from NWL, the Local Authority and the Environment agency as follows:

Data from the Monitoring Certification Scheme (MCERTS) of the sewage treatment works.

Local rainfall totals.

The duration and number of spills from Combined Sewer Overflows in the borough measured by Event Duration Monitor (EDM) data.

Analysis of this data will determine both capacity and compliance with the UWWTR.

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

yes

Chapter 2: Context

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

This Plan is not ‘sound’ in terms of Green Belt deletions. South Tyneside Green Belt Study of 2023 and the Green Belt Exceptional Circumstances paper of 2024 failed to establish ‘Exceptional Circumstances’ for the deletion of six sites in Policy SP7 and the Fellgate Growth Area Policy SP8 and 12 hectares of land at Wardley from the Green Belt in Policy SP14 as its case relies on the statement that there is insufficient Brownfield land within the Borough to meet the objectively assessed need for housing and employment land. These papers do not address the issues relating to harm to the Green Belt the deletion of the sites will cause. They conclude that, because of the lack of suitable sites not in the Green Belt, ‘Exceptional Circumstances’ have been made out for the deletion of these sites. Furthermore, employment land has been released in the Cleadon and Boldon Ward to build over 200 dwellings, this amounts to building on the Green Belt by default.

The ‘Hunston judgment’, means that if the constraints in South Tyneside mean that the objectively assessed housing need cannot be met without using Green Belt land, that is a relevant criterion to take into account. The Council have sought to make out that harm resulting from these deletions will be limited and, in view of the housing need, there are “Exceptional circumstances” to justify the deletion, despite the falling population in the area. It has not been considered whether the Green Belt is (or is not) so important in this location that it should not be used at all. The ‘Calverton judgement’ based on the judgment of the court of Appeal judgment in St Albans City Council v Hunston Properties Ltd [2013] (paragraph 39) states:

“So the mere fact that there is a shortfall does not of itself amount to Very Special (or Exceptional) Circumstances and the scale of the shortfall, its context and the importance of the planning constraints are relevant issues according to this judgment.”

This is an important consideration which must be addressed before any site proposed in this Plan is deleted from the Green Belt, as it has not been considered by the Local planning Authority (LPA) in the supporting documentation.

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

Remove all Green Belt deletions and seriously look at alternatives which have been discounted or overlooked.

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

Chapter 3: Spatial Vision and Strategic Objectives

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

This Plan is not sound because it fails to meet the objectively assessed needs of the area in terms of housing. It is not a cohesive document as it is full of contradictions and policies which fail to match the outcomes stated. Policies do not reflect the Spatial Vision and Strategic Objectives.

This Plan is not ‘sound’ in terms of Green Belt deletions. South Tyneside Green Belt Study of 2023 and the Green Belt Exceptional Circumstances paper of 2024 failed to establish ‘Exceptional Circumstances’ for the deletion of six sites in Policy SP7 and the Fellgate Growth Area Policy SP8 and 12 hectares of land at Wardley from the Green Belt in Policy SP14 as its case relies on the statement that there is insufficient Brownfield land within the Borough to meet the objectively assessed need for housing and employment land. These papers do not address the issues relating to harm to the Green Belt the deletion of the sites will cause. They conclude that, because of the lack of suitable sites not in the Green Belt, ‘Exceptional Circumstances’ have been made out for the deletion of these sites. Furthermore, employment land has been released in the Cleadon and Boldon Ward to build over 200 dwellings, this amounts to building on the Green Belt by default.

The ‘Hunston judgment’, means that if the constraints in South Tyneside mean that the objectively assessed housing need cannot be met without using Green Belt land, that is a relevant criterion to take into account. The Council have sought to make out that harm resulting from these deletions will be limited and, in view of the housing need, there are “Exceptional circumstances” to justify the deletion, despite the falling population in the area. It has not been considered whether the Green Belt is (or is not) so important in this location that it should not be used at all. The ‘Calverton judgement’ based on the judgment of the court of Appeal judgment in St Albans City Council v Hunston Properties Ltd [2013] (paragraph 39) states:

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This is an important consideration which must be addressed before any site proposed in this Plan is deleted from the Green Belt, as it has not been considered by the Local planning Authority (LPA) in the supporting documentation.

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

Policy SP1: Presumption in favour of Sustainable Development

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Policy SP1: Presumption in Favour of Sustainable Development is not positively prepared as it is not consistent with achieving sustainable development or based on the objectively assessed needs of the area. This policy begins with the statement:

“A positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF) will be applied when considering development proposals.”

The Council has not clarified exactly what it means by a “positive approach”. This needs to be clarified as a ‘positive approach’ needs to reflect the objectively assessed need of the area which includes protecting our most valuable agricultural land, which is disappearing at an alarming rate. Under the heading Spatial Vision and Strategic Objectives this plan states:

By 2040, South Tyneside will be a place:

... where the borough’s stunning coastline, natural green spaces, watercourses, countryside and important biodiversity and geodiversity designations will continue to be protected and enhanced to provide good quality environments. Opportunities to enhance our valued green infrastructure network will allow wildlife to thrive and provide spaces where people can live, work, and enjoy spending their time.

Adopting this Plan in its current form will mean that very little green infrastructure will remain by 2040. Policy SP1 fails to deliver the Spatial Vision and Strategic objectives of the Plan, so is not positively prepared as it fails to deliver the aims and objectives set out in this Plan.

The following statement is also cause for concern:

“The Council will work proactively with applicants to try to find solutions which mean that development can be approved, where possible, and will seek to secure development that improves the economic, social, and environmental conditions in the Borough.”

This statement suggests that the Council is working for the developer to secure development at the expense of people of South Tyneside. Building on the Green Belt will not “seek to secure development that improves the economic, social, and environmental conditions in the Borough.”

This Policy 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.”

This policy is not positively prepared or based on robust evidence because it proposes an unsustainable level of growth of housing development that is not consistent with ‘sustainable development’. This is because it is not based on meeting the objectively assessed needs of the area. Policy SP1 is also not positively prepared as it is not compatible with Policy 2: Air Quality, it ignores the fact that air quality and the reduction of air pollution are significant material planning considerations. The Council also ignores the fact that air pollution has devastating impacts on public health and kills people. There is no safe level of exposure to air pollution. Additional air pollution from the proposed development cannot be mitigated, it must be prevented from happening. Therefore Policy SP1 is not sustainable and needs to be removed or revised so that the adverse impacts of the increased traffic from housing proposed housing developments, particularly on green fields, which currently help to ameliorate these adverse effects, is prevented. In short it is not sustainable to build on Green Belt sites as in so doing it will cause a reduction in air quality across the borough, making Policy SP1 unsustainable. This is further evidence that this Plan does not provide a strategy which meets the objectively assessed needs of the community needs

and is not consistent with achieving sustainable development.

Policy SP1: Presumption in Favour of Sustainable Development is not justified as it is not based on robust evidence.

The statement in this Policy “Planning applications that accord with the policies in the Plan (and, where relevant, with policies in made Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.” is not justified.

This statement is unacceptable and certainly not in favour of sustainable development as the East Boldon Neighbourhood Plan lacks policies on two important material planning considerations, contaminated land and sewage which affects development in the neighbourhood area and is therefore not fit for the purpose for approving any planning decisions, as demonstrated in the Cleadon Lane site Ref: St/1109/21/FUL and Mayflower Glass site ST/0389/22/FUL. This statement needs to be deleted from the policy, as the Council allowed a Neighbourhood Plan to go to Referendum in the full knowledge that the Whitburn sewage system has no capacity to deal with current flows and cannot cope with the extra flows from any of the new development proposed in the East Boldon Forum neighbourhood area. Furthermore, in October 2012 the European Court of Justice (EJC) determined that the Whitburn sewage system was breaching the Urban Waste Water Treatment Directive (UWWTD). This was reviewed in 2020, and it found that despite NWL spending £10 million to improve the system, the European Commission decided that the Whitburn system remained in breach of environmental law. This demonstrates this Plan is not justified as it is not based on appropriate evidence, which the Council need to seek before approving any planning developments feeding into the Whitburn sewage system, under the ‘Tameside Duty’.

Policy SP1 is not effective as 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 ONS2018 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

This is not effective as the three neighbouring Local Planning Authorities have used either IAMP, Follingsby or both to justify more housing than their objectively assessed housing need.

Policy SP1 is not consistent with national policy for the following reasons:

is not consistent with national policy as the NPPF makes clear that local authorities which trigger this presumption are expected to approve applications for housing unless policies in the Framework protecting areas or assets of particular importance provide a clear reason for refusing the development, or unless any adverse impacts of approving the proposal would significantly and demonstrably outweigh the benefits, when assessed against the Framework’s policies taken as a whole. is not consistent with NPPF which makes very clear that Green Belt deletion is a measure of last resort and should be a strategic decision taking into account likely needs beyond the life of a Local Plan.

This Plan makes no reference to the 63 hectares of Green Belt land which has recently been deallocated for the International Advanced Manufacturing Park (IAMP) to be located next to the Nisan site. So the full picture of Green Belt destruction is not revealed in this Plan, this begs the question is it legal? It is vital that agricultural capacity is maintained to deliver the levels of domestic food production. This must be achieved in the context of addressing and adapting to climate change, reversing the loss of nature and meeting increasing demands on land which is in conflict with Policy SP1 ‘presumption in favour of sustainable development’. Recent research by CPRE the countryside charity states “For the first time in several generations, our food security is at risk”

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

This Plan needs to be withdrawn and revised so it reflects presumption in favour of sustainable development and all of the policies need to match up to establish sustainable development.

Review Green Belt deletions in the light of the objectively assessed needs of the area.

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

Policy SP2: Strategy for Sustainable Development to meet identified needs

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Policy SP2: Strategy for Sustainable Development to meet identified needs is not positively prepared as the Publication version of the Local Plan also fails to show the larger housing allocations in previous drafts of the Local Plan which have now been approved outside the Plan. For example Cleadon Lane Industrial Estate was a “regeneration” site, (RG5) for 245 in the 2019 draft which went out for Regulation 18 Consultation, but withdrawn because it was unsound, this site was approved for development, not as a “regeneration” site but brownfield site in February 2023, this land is highly contaminated. Luke’s Lane ST/0882/21/FUL for 127 dwellings, approved on 21st November 2022. This site was allocated for employment land in the 2019 draft of this Plan. Also South Tyneside College site ST/0676/23/FUL for up to 260 dwellings, approved 18th December 2023. The housing numbers are larger than the Council is showing. Furthermore, to meet the identified needs in Policy SP2 and to facilitate sustainable growth, the Plan will need to:

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

This has not been taken into account, in the preparation of this Plan. The “sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons” has been ignored as the proposed development does not respect “the distinctive character of each village”. Brownfield sites identified in the draft Plan which was put out for Regulation 18 Consultation have been removed and Green Belt sites left in, this makes no sense. A total of 16 brownfield sites in the pre-publication version have been removed. They are:

H8; H16; H17; H19; H20; H21; H22; H23; H24; H28; H30; H33; H36; H37; H38; H39 and RG6 which was recently approved for student accommodation. For this Plan to be positively prepared Policy SP2 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. This Plan cannot be sound with Policy SP2 included for the following reasons:

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 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, to safeguard existing patients on its list.

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 farmland is permanently flooded for long periods and road surface flooding occurs.

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

Prevent urban sprawl

Keep land permanently open

Essential characteristics are openness and permanence

Restrict urban sprawl

Prevent neighbouring towns merging

Safeguard the countryside from encroachment

Assist urban regeneration, encouraging recycling derelict & urban land

The car dependent developments will have a detrimental effect on the environment and climate change so must be taken into account to be deemed ‘positively prepared’.

This policy is not based on appropriate evidence. Policy SP2 is not justified by the evidence because it proposes an unsustainable level of growth of housing development that does not reflect the recently published 2021 Census data. Furthermore, at least seven secondary schools have been closed in South Tyneside since 1979, due to falling numbers of students, which is evidence that the population of the borough is falling.

Policy SP2 is not effective as this plan is not deliverable in terms of Health and Wellbeing Para 4.6 states “it builds on the Health and Wellbeing Strategy for South Tyneside and its aims to tackle

the significant health challenges faced by South Tyneside residents.” And that page 37 of the Infrastructure Delivery Plan (IDP) that “The health of residents in South Tyneside is generally worse than the regional and national averages with many residents facing health inequalities across the borough” IDP (P40) ‘GP surgeries experience difficulties in recruiting medical staff including all healthcare workers and pharmacists. There are insufficient clinical rooms across the borough’ and Colliery Court practice has closed its doors to new patients for 6 months.

The local hospital, ST District Hospital is mentioned only twice in the plan, (2.14 and 6.26) and neither references any need to increase the capacity of the hospital within the borough despite the proposed increase in residents. It is clear more GP’s, more appointments and more hospital beds are needed to deliver this Plan

IDP Page 40, 7.14 admits that the scope to create a new GP practice is limited in terms of available sites and may not be viable. Creating small branch surgeries is no longer financially viable for most practices and no longer aligns with the NHS’s desire to provide primary care services at scale within the community.

We are worried that with not enough GPs and healthcare workers, insufficient clinical rooms and appointments, insufficient hospital capacity, an increase of nearly 1,500 homes requiring these services and no plans to increase capacity, residents living in the Villages of Cleadon and East Boldon, where much

of the development is focused, may experience increasing difficulty in obtaining timely and necessary healthcare appointments and treatment.

Policy SP2 is not consistent with National Policy as the infrastructure needed for this Plan fails to comply with NPPF 2

Para 7: "supporting infrastructure in a sustainable manner" is not achieved.

Para 8: Social, economic and environmental objectives set out are not achieved. In Social health care the needs of the community cannot be met by the existing school and health infrastructure set out in the Infrastructure Delivery Plan.

Environmental objectives are not met because most of the Green Belt development in the Villages of Cleadon East Boldon and Whitburn feeds into the Whitburn sewage system, where there is no capacity for current flows. The Council has failed in its statutory duty in the approval of recent developments, to establish capacity in the Whitburn sewage system. Hendon Sewage Treatment Works (STW), which treats the waste water from the Whitburn system, receives over a third of its capacity of foul sewage flows on dry weather days operating beyond its capacity which should be able to deal with 3 x dry weather flow. The Monitoring Certification Scheme (MCERTS) data for 2022 and 2023 confirms the current position of capacity wrt Hendon STW.

Northumbrian Water Limited (NWL) are currently under criminal investigations regarding their performance so any assurances they give to this Council, regarding capacity for more housing, should be regarded with a commensurate level of caution and must be subject to rigorous scrutiny.

Policy SP3: Spatial Strategy for sustainable development is not positively prepared as it fails to meet the objectively assessed needs of the area and is not consistent with supporting sustainable development as the Plan fails to meet any of the needs set out in Policy SP3 These needs are identified as:

"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

Hebburn and Jarrow have been overdeveloped which is not identified in this Plan and there is very little of the housing allocation in the Plan for South Shields. Prime town centre building land is to be used to relocate South Tyneside College at the expense of Westoe Village, which will see a development of up to 260 houses. These developments are not sustainable to the existing communities.

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

The development set out in this plan and the recent development not included in this Plan will destroy rather than respect the individual character of the villages. These villages will merge into one urban sprawl rather than 'distinctive' villages. Policy SP6: Former Chuter Ede Education Centre proposes approximately 70 residential dwellings. This will be on the border with Boldon, thus adding more houses to this area which is not sustainable.

3. Encourage the re-use of suitable and viable brownfield land and, where appropriate, encourage higher development densities.

Brownfield sites have been disregarded in favour of Green Belt sites and no reasonable alternatives identified. These are the same sites which this Council has tried to develop since 1998, suggesting these are the sites which will please the developers, not the community.

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.

The case for amending the Green Belt is not positively prepared or justified, as it is based on misleading evidence. Most of the Green Belt development is in the Villages of Cleadon, Boldon and Whitburn so will feed into the Whitburn sewage system which doesn't have the capacity to take the extra flows. The Council refuse to accept this evidence in favour a claim that NWL have headroom for 25,000 houses with the caveat in dry conditions only, which was provided by way of an unrecorded verbal comment that has not been attributed to any individual and therefore must be regarded as hearsay rather than fact, so this is not justified as it is not based on appropriate evidence. It is not positively prepared as all of the relevant information has not been considered to make a decision on the chosen sites under the 'Tameside Duty'.

5. Create a new sustainable, community within the Fellgate Sustainable Growth Area (Policy SP8) by providing homes and community facilities.

This is one of the Green Belt sites which the Council has been trying to develop for years. In the UDP Green Belt Rejected Sites (published in 'South Tyneside Green Belt and Landscape Background Paper September 2012') the Inspectors Report Summary (1998) for Land at West Fellgate Farm, Laverick Hall Farm and Pool Bank noted:

"6.10 The inspector concluded that as the exceptional circumstances for economic development at the site south of Hedworth were not met, there was even less justification need for this site to be excluded from the Green Belt

6.11 In addition, the Inspector stated that the land provides an important open aspect to the Borough. Development of this site would extend the built up area of the Borough, considerably into the open countryside and would affect a wildlife corridor."

This is not justified as the case for amending the Green Belt is not based on appropriate evidence. The Inspector's findings in 1998 are still relevant, yet they have been continually ignored by the Council, in an attempt to develop this site. It was previously put forward as a 'Garden Village' as reported in this article in the Shields Gazette from 2019:

<https://www.shieldsgazette.com/news/politics/plans-revealed-for-massive-garden-village-development-including-new-3000-homes-and-three-schools-in-south-tyn>

6. Prioritise the regeneration of South Shields Riverside, South Shields Town Centre, Fowler Street Improvement Area, and the Foreshore Improvement Area

Part of the Plan to regenerate South Shields Town Centre is to relocate South Tyneside College. These 160 mature trees will be felled on the existing College site. Policy 36: Protecting Trees, Woodland and Hedgerows states:

(i) Trees, woodland and hedges shall be protected and suitably retained as an integral part of the design of the development.

(ii) Proposals for new development which would result in unacceptable harm due to the loss of trees, woodland and/or hedgerows will not be permitted, unless it can be demonstrated that:

i. An overriding need for development and public benefit clearly outweighs harm to the landscape, ecological value, or the historical importance of the location, or

ii. Development cannot be relocated elsewhere within the development site, or

iii. Suitable mitigation and enhancement measures are provided and agreed with the council.

Paragraph 11:27 of the section Conserving and enhancing the Natural Environment in this Plan states:

“Trees and hedges play an important role in supporting the natural environment and wildlife habitats. They make a significant contribution to mitigating climate change, provide key ecosystem services that protect and enhance the local environment and provide essential green corridors which allow wildlife to travel between key sites. Trees and hedges also add to the character, appearance and distinctiveness of the local area, and their presence can have a significant and positive effect on the local landscape. The significance of trees and hedges may relate to their size, form, and maturity, or because they are rare or unusual.”

These considerations have been ignored in implementing Policy SP3, so this Plan cannot be positively prepared when Policy statements are ignored in Planning decisions.

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”

The land at Wardley Colliery is Green Belt land. This is not justified as the Council have recently approved Planning Permission for development on two employment sites in Boldon, which is in close proximity to the Wardley site. Also granted planning for housing at Luke’s Lane site, virtually opposite the Wardley Site which was designated as Employment/business land in the 2019 draft of this Plan.

8. Enhance and strengthen green infrastructure, ecological networks and Green Belt throughout South Tyneside and between neighbouring authorities.

There is no evidence of cross boundary strategic plans concerning ‘green’ matters or any statements of common ground concerning green infrastructure in this Plan. So this statement is neither justified nor effective.

This shows that all of the statements in Policy SP3 are not positively prepared, justified or effective.

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Review the Plan to show all of the recent development included in other versions of the Plan which has been managed and authorised outside of the Plan - to show true picture of development. This Plan is basically a land grab, which is not based on any current information, other than the Economic Recovery Plan - which aims to attract ne people to live in the area - which is aspirational rather than realistic.

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

Policy SP3: Spatial Strategy for Sustainable Development

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

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These considerations have been ignored in implementing Policy SP3, so this Plan cannot be positively prepared when Policy statements are ignored in Planning decisions.

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There is no evidence of cross boundary strategic plans concerning ‘green’ matters or any statements of common ground concerning green infrastructure in this Plan. So this statement is neither justified nor effective.

This shows that all of the statements in Policy SP3 are not positively prepared, justified or effective.

Policy SP3 does not support Strategic Objective 4: “To ensure that development, infrastructure, and communities are resilient to the effects of climate change and are designed to adapt to and reduce the effects of climate change.”

The only way that Policy SP3 and this local plan can be sustainable is by delivering Strategic Objective 4 and conserving and protecting the existing green infrastructure within the borough.

Policy SP3 is not sound or justified as it states an intent to amend the Green Belt Boundary to meet unrealistic housing targets. Most of the proposed Green Belt sites are in the villages of West Boldon, East Boldon, Cleadon and Whitburn and do not satisfy stated criteria as their deletion from the Green Belt Register. Amending the Green Belt Boundary, particularly in these villages is in direct conflict with each of the five purposes of the Green Belt. So the case for exceptional/special circumstances cannot be proven. Green Belt deletion should not be about releasing individual sites, even major strategic sites, for development. Rather, it needs to be to meet expected long term need for development land beyond the life of the Plan. Designation of ‘safeguarded land’ between existing settlement boundaries. In order to be consistent with national policy Campaign to Protect Rural England (CPRE) nationally has also produced a Policy Guidance Note (PGN) for housing which states at paragraph 4.8

‘Green Belt boundaries should only be modified where there is compelling evidence of exceptional circumstances to justify a change to boundaries. The defining feature of formally designated Green Belts is their permanence. Any boundary review should be based upon the five purposes of the Green Belt outlined in paragraph 80 of the NPPF as well as a locally agreed set of criteria, arrived at by engagement with the local community. Any resultant changes should be kept to a minimum. The designation of additional Green Belt areas will be supported where it can be demonstrated that they meet one or more of the Green Belt purposes but not where they merely provide a substitute for deleted areas.’

Greenbelt cannot be replaced or mitigated against.

It is up to the local authority, in this case South Tyneside Council, to determine its housing requirement, and this includes taking local circumstances and restraints such as Green Belt into account, and working with neighbouring authorities if it would be more appropriate for needs to be met elsewhere. It is recognised that not every community will be able to meet its housing needs in full. Census figures show that this is not necessary.

Most of the Green Belt land put forward for development is owned by the Church Commissioners, who have made it available for development. However, Policy SP3 does not fulfil the criteria set out in the Church Commissioners Updated Strategic Land Management Policy (March 2022) and is clearly out of touch with their ‘Vision Statement’ this states:

“We are committed to the long-term stewardship of our land. We strive to manage the natural resources of our estates and support the building of new developments in our communities in accordance with best practice. We will facilitate positive change to meet the global challenges of combating climate change and reversing the loss of biodiversity.

We seek to collaborate with others to achieve this.

We seek to deliver new developments which enhance their surroundings, providing safe and stable new homes and job opportunities to local areas, and facilitating the curation of communities that can thrive for generations to come. Aligned with our wider land management activities, alongside and as part of our developments, we seek to safeguard habitats and, where possible, implement biodiversity improvements.”

Needless development on agricultural land, which could be used as a source of food does not demonstrate “Stewardship of our land”. As good stewards of the environment, we have a collective responsibility to care for this planet, this means to do everything within our power to offset the negative impact of climate change. This means protecting and preserving our green infrastructure for future generations to enjoy and to grow crops to be self-sufficient as we cannot eat money!

Policies SP3: Spatial Strategy for Sustainable Development and SP7: Urban and Village Sustainable Growth Areas are not justified as they do not take into account reasonable alternatives. Green Belt development is not based on appropriate evidence as highlighted by the 2021 Census figures for housing and population. These policies are not justified by the evidence and the case for exceptional circumstances to amend the Green Belt boundary has not been made. This means they are not an appropriate strategy to be included in the Local Plan.

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 where exceptional or special circumstances have not been met as the evidence base does not stand up to scrutiny.

Policy SP3 is not effective as it fails to “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”

Also Fails to “Encourage the re-use of suitable and viable brownfield land” which has been overlooked in favour of more lucrative Green Belt sites in the villages of Cleadon, Whitburn and the Boldons. This also means that it fails to “secure the sustainability and vitality of the villages of Cleadon, Whitburn and the Boldons by supporting

P3: Spatial Strategy for Sustainable Development is not consistent with national planning policy. This Regulation 19 draft of the Plan is to be guided by the principles set in the July 2021 version of the NPPF, as amended in September 2023, rather than the December 2023 version. The significant difference between the two versions, in relation to this issue, is that under paragraph 140 of the 2021 version, there appears to be a requirement to review Green Belt boundaries where the housing need is established whereas, under paragraph 145 of the 2023 version there is no such requirement.

SP3 Spatial Strategy for sustainable Development is not constant with national policy because the proposed developments are not consistent with the following NPPF sections:

NPPF Paragraph 11:

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).

Policy SP3 is not consistent with national policy as it has been shown that the Green Belt does not need to be built on and therefore the least harm to this resource is not to build on it as ‘exceptional’ or ‘special’ circumstances have not been nor cannot be established. Protecting the existing Green Belt as a much needed resource is essential to “taking all necessary steps to make South Tyneside Council carbon neutral by 2030 as promised as part the Climate Emergency declared on the 18th July 2019. The Green Belt is a resource not an asset.

Furthermore, according to the Planning and Compulsory Purchase Act 2004;

“Development Plan documents must (taken as a whole) include policies designed to secure that development and use of land in the local planning authority’s area contribution to the mitigation of, and adaption to, climate change.”

NPPF (2019) Paragraph 8 makes clear that “mitigating and adapting to climate change” is a core planning objective. The NPPF also highlights climate change as a key part of strategic planning policy, which local authorities are legally obliged to set out in their local plans.

NFFP (2019) also states:

“The planning system should support a transition to a low carbon future in a changing climate... it should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions... in line with the objectives and provisions of the Climate Change Act 2008.”

Plans are legally required to demonstrate how their policies are in line with legally binding carbon emission reduction targets in the Climate Change Act 2008, including and understanding of baseline emissions inherent in future development... Local Plans must ensure that the actions and policies will reduce emissions in line with the trajectory set out in the Climate Change Act 2008.

Thirdly, the use of Green Belt sites before brownfield is not consistent with NPPF. 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.

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. This is not consistent with National Policy as 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"

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 so 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 [answer truncated to 25000 characters]

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

Review all Green Belt deletions to either make a stronger case for 'Exceptional Circumstances' or remove them. Deletions are based on on claim there is insufficient brownfield sites - this needs to be addressed as many brownfield sites have been overlooked in favour of sites desired by developers.

Housing need needs to be considered - Social/affordable housing is needed near the town centre rather than executive homes on Green Belt sites.

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

Policy SP6: Land at former Chuter Ede Education Centre

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

More playing fields will be lost at this site.

Development is on the boundary with Boldon/Cleadon which is being overdeveloped.

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

Keep playing fields for the community.

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

Policy SP7: Urban and Village Sustainable Growth Areas

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

SP7: Urban and Village Sustainable Growth Areas - Object.

It is stated that the housing need cannot be fully met unless land is released from the Green Belt. All of the proposed sites to be deleted from the Green Belt are contained within Policy SP7, apart from the Sustainable Growth Area at Fellgate and an employment site at Wardley Colliery.

improvements to the environmental quality and accessibility of remaining Green Belt land to offset the impact of the removal of the land from the Green Belt. "

The overestimate of population is then equivalent to 1,915 houses, yet the council is releasing Green Belt to build 1,862 houses. 1,501 of those houses are in Whitburn, East Boldon and Cleadon.

It is clear there is no need to release land from the Green Belt. West Boldon recently lost 63 Hectares of Green Belt land, which was four working farms, so also agricultural land for the International Advanced Manufacturing Park (IAMP). The area cannot afford to lose more arable land, this is in conflict with Policy 40 which is concerned with "Agricultural Land"

Considering the council is releasing Green Belt land to build 1,108 houses and that 993, of those houses are in the villages of Whitburn, East Boldon and Cleadon, will not "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" as set out in Policy SP2. This shows no 'respect' for "the distinctive character of each Village". In fact it is using the Green Belt in the Villages of South Tyneside as an asset to raise money for a cash strapped Council, which is not only unacceptable but also unsustainable. More housing will cause these villages to merge into one urban sprawl, thus defeating the purpose of the Green Belt, to prevent urban sprawl. This is in direct conflict with National Planning Policy Framework (NPPF)

The proposals to build in the villages will lead to growth which does not respect the distinctive character of the villages of East Boldon, West Boldon, Cleadon and Whitburn. Land for new homes proposed will not lead to the acceptable plan-led development of these villages. The impact the proposals will have on the community will be considerable – increased traffic congestion, pressure on local facilities, school places and health services. Infrastructure for the proposed growth of these villages will potentially take up more land, which is already in short supply.

Increased traffic in these areas will cause pollution and a reduction in air quality. Pollution and air quality in these areas are currently ameliorated by the green infrastructure, hedges, trees and soil. This means Policy SP7 is in direct conflict with Policy 2 'Air Quality' and Policy 3 'Pollution.'

This policy implies that development on Green Belt land can be justified in "very special circumstances" and reference is made to "limited infilling sites". Most of the proposed Green Belt sites are in the villages of West Boldon, East Boldon, Cleadon and Whitburn and do not satisfy stated criteria as their deletion from the Green Belt Register is in direct conflict with each of the five purposes of the Green Belt. So the case for exceptional circumstances has not been proven. Green Belt deletion should not be about releasing individual sites, even major strategic sites, for development. Rather, it needs to be to meet expected long term need for development land beyond the life of the Plan. Designation of 'safeguarded land' between existing settlement boundaries. In order to be consistent with national policy Campaign to Protect Rural England (CPRE) nationally has also produced a Policy Guidance Note (PGN) for housing which states at paragraph 4.8

'Green Belt boundaries should only be modified where there is compelling evidence of exceptional circumstances to justify a change to boundaries. The defining feature of formally designated Green Belts is their permanence. Any boundary review should be based upon the five purposes of the Green Belt outlined in paragraph 80 of the NPPF as well as a locally agreed set of criteria, arrived at by engagement with the local community. Any resultant changes should be kept to a minimum. The designation of additional Green Belt areas will be supported where it can be demonstrated that they meet one or more of the Green Belt purposes but not where they merely provide a substitute for deleted areas.'

Policy SP7 is not sustainable and population figures do not warrant the removal of Green Belt land to support growth. Policy SP7 is also in conflict with other policies in this Plan, showing the lack of coordination and simple joined up thinking to create a Local Plan that benefits the community, not just the Council and developers.

Policy SP7 is not consistent with national policy as this Regulation 19 draft of the Plan is to be guided by the principles set in the July 2021 version of the NPPF, as amended in September 2023, rather than the December 2023 version. The significant difference between the two versions, in relation to this issue, is that under paragraph 140 of the 2021 version, there appears to be a requirement to review Green Belt boundaries where the housing need is established whereas, under paragraph 145 of the 2023 version there is no such requirement.

The provisions of the South Tyneside Green Belt Study of 2023 and the Green Belt Exceptional Circumstances paper of 2024. From these, which take into account criteria listed in the 'Calverton judgment' mentioned in both these documents, it is clear that:

There is insufficient Brownfield land within the Borough to meet the objectively assessed need

However, there is evidence from Census information that the population has declined consistently over the years

The Study assesses the harm to the Green Belt that may be caused by deleting each site, both individually and cumulatively. It also refers to compensation in the remaining parts of the Green Belt in respect of any site deleted.

The Exceptional Circumstances paper does not itself address issues relating to harm to the Green Belt does conclude that, because of the lack of suitable sites not in the Green Belt, Exceptional Circumstances have been made out for the deletion of these sites.

In view of this it is difficult to challenge the findings of the Study as far as it goes. However, there is one issues that is not covered that affects whether the case for 'Exceptional Circumstances' have been made out for all of these sites

The essence of the 'Calverton judgment' is based on the judgment of the court of Appeal judgment in St Albans City Council v Hunston Properties Ltd

[2013] EWCA Civ 1610. At paragraph 32, Sir David Keene said

“Where this inspector went wrong was to use a quantified figure for the five year housing requirement which departed from the approach in the Framework, especially paragraph 47. On the figures before her, she was obliged (in the absence of a local plan figure) to find that there was a shortfall in housing land supply. However, decision-makers in her position, faced with their difficult task, have to determine whether very special circumstances have been shown which outweigh the contribution of the site in question to the purposes of the Green Belt. The ultimate decision may well turn on a number of factors, as I have indicated, including the scale of the shortfall but also the context in which that shortfall is to be seen, a context which may include the extent of important planning constraints in the district as a whole. There may be nothing special, and certainly nothing “very special” about a shortfall in a district which has very little undeveloped land outside the Green Belt. But ultimately that is a matter of planning judgment for the decision-maker.”

Although this case dealt with ‘Very Special’ as opposed to ‘Exceptional Circumstances’, this was not considered to be an issue in Calverton (paragraph 39). So the mere fact that there is a shortfall does not of itself amount to ‘Very Special’ (or ‘Exceptional’) Circumstances and the scale of the shortfall, its context and the importance of the planning constraints are relevant issues for all of these sites according to this judgment.

South Tyneside is tightly constrained by the Green Belt to the west and the south. Clearly it is also constrained to the north and the east by the River Tyne and the North Sea. However, the Green Belt around South Tyneside is relatively narrow and serves the important role of separating the built parts of South Tyneside from Sunderland to the south and, to some extent, Gateshead to the west. But this appears to be just the sort of scenario that existed in the Hunston case and we represent that this issue, namely whether in such a case, the shortfall in itself does represent a “Very Special”, or “Exceptional” Circumstance, is an important consideration that should be addressed. Bearing in mind that there has already been a significant deletion, 63 hectares, from the Green Belt at the IAMP site in West Boldon, this perhaps increases the need for this to be taken into account in the consideration of the six sites put forward.

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

Remove all Green Belt sites as the need for the extra housing is not established. The Census data needs to be revisited and the real housing need established. This "ghost" houses to boost the economy rather than based on any real need.

The Green Belt is a vital resource and needed by the local community.

Green Belt allocation is in a very small area, which will increase density, Covid 19 shows how Pandemics spread more rapidly in densely populated areas. Consider health, wellbeing and quality of life of existing residents.

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

Policy SP8: Fellgate Sustainable Growth Area

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

Support or Object - Legally Compliant:
No

Support or Object - Sound:
No

Support or Object - Complies with the Duty to Cooperate:
No

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

Sustainable Urban Growth Area 1 1,200 houses: Land south of Fellgate is allocated as a sustainable urban extension and will be removed from the Green Belt - 1,200 houses (approx). This is neither sustainable nor positively prepared. The provisions of the South Tyneside Green Belt Study of 2023 and the Green Belt Exceptional Circumstances paper of 2024 when compared with the criteria listed in the “Calverton Judgment” mentioned in both these documents, it is very clear that there is insufficient Brownfield land within the Borough to meet the objectively assessed need particularly there is evidence from the 2021 Census information that the population has declined consistently over the years The Study assesses the harm to the Green Belt that may be caused by deleting each site, both individually and cumulatively. It also refers to compensation in the remaining parts of the Green Belt in respect of any site deleted. To delete more working farms from South Tyneside’s Green Belt cannot be justified, four working farms were removed to accommodate the IAMP site which is close to this site. The area which was semi-rural will be reduced to urban sprawl. This site must remain to retain some of the character of the area.

The Exceptional Circumstances paper does not itself address issues relating to harm to the Green Belt does conclude that, because of the lack of suitable sites not in the Green Belt, ‘Exceptional Circumstances’ have been made out for the deletion of these sites.

In view of this, it is difficult to challenge the findings of the Study as far as it goes. However, there is one issue that it does not cover which can in turn affect whether ‘Exceptional Circumstances’ have been made out.

The essence of the 'Calverton judgment' is based on the judgment of the court of Appeal judgment in St Albans City Council v Hunston Properties Ltd [2013] EWCA Civ 1610. At paragraph 32, Sir David Keene stated:

"Where this inspector went wrong was to use a quantified figure for the five year housing requirement which departed from the approach in the Framework, especially paragraph 47. On the figures before her, she was obliged (in the absence of a local plan figure) to find that there was a shortfall in housing land supply. However, decision-makers in her position, faced with their difficult task, have to determine whether very special circumstances have been shown which outweigh the contribution of the site in question to the purposes of the Green Belt. The ultimate decision may well turn on a number of factors, as I have indicated, including the scale of the shortfall but also the context in which that shortfall is to be seen, a context which may include the extent of important planning constraints in the district as a whole. There may be nothing special, and certainly nothing "very special" about a shortfall in a district which has very little undeveloped land outside the Green Belt. But ultimately that is a matter of planning judgment for the decision-maker."

Although this case dealt with 'Very Special' as opposed to 'Exceptional Circumstances,' this was not considered to be an issue in Calverton (paragraph 39). So the mere fact that there is a shortfall does not of itself amount to 'Very Special' (or 'Exceptional') Circumstances and the scale of the shortfall, its context and the importance of the planning constraints are relevant issues according to this judgment.

Green Belt around South Tyneside is relatively narrow and serves the important role of separating the built parts of South Tyneside from Sunderland to the south and, to some extent, Gateshead to the west. But this appears to be just the sort of scenario that existed in the Hunston case so this issue, namely whether in such a case, the shortfall in itself does represent a 'Very Special', or 'Exceptional Circumstance', is an important consideration that must be addressed. Bearing in mind that there has already been a significant deletion from the Green Belt at the IAMP, this perhaps increases the need for this to be taken into account when considering this site.

Sunderland, Durham and Gateshead have all used the International Advanced Manufacturing Park (IAMP) and the new Business Park at Follingsby to increase their housing allocation to cater for growth on the IAMP site so the extra 1,200 houses proposed at Fellgate on Green Belt land are totally unnecessary, especially as IAMP has attracted very little new business and has not delivered the 5,000 new jobs promised by the end of 2023, this site promised a total of 7,000 new jobs, which has not been realised as businesses which supply the automotive industry are relocating to the site rather than new businesses, so cannot be classed as new jobs, so new homes are not needed to accommodate 'new' workers wanting to live in the area, as these workers already live in the area. Most of the jobs offered on the Follingsby Business Park are unskilled and low paid, such as the Amazon warehouse, which will not attract new people to live in the area.

This also amounts to quadruple counting, Sunderland Council for example has 33% above the objectively assessed housing need in their Local Plan so this extra housing proposed is not needed as it is speculative, reflecting the Economic Recovery Plan, which aims to attract new people to live in the borough, this must not be at the expense of Green Belt land which is arable and needed for food production. Boldon has lost too much of its Green Belt land in the last few years, 63 hectares to IAMP, most of which is standing empty. This cannot be considered to be positively prepared in proposing the loss of more Green Belt land particularly when this area is prone to flooding.

This land is currently farmed so it is also in direct conflict with Policy 40 which is concerned with Agricultural land. This policy states:

"Development proposals will be expected to demonstrate that they avoid the best and most versatile agricultural land (grade 1, 2, 3a)."

Developing this area with over a thousand houses plus infrastructure is in conflict with the following Policies: Policy SP21 Natural Environment; Policy 2 Air Quality and SP25 Infrastructure.

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

Look at Sunderland, Gateshead and Durham's Local Plans to establish duplicate extra housing for IAMP.

Review Green Belt deletion in the light of the Calverton judgement as this development is not needed. It is needed in terms of housing or infrastructure. New jobs promised at the IAMP site have not materialised as no new businesses have been established, just existing ones relocating.

This land is need for farming for food security. Four working farms have been lost in the area, 63hectares, this must be taken into account.

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

Policy SP14: Wardley Colliery

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Policy SP14: Wardley Colliery: 12.7 hectares of land, at Wardley Colliery for general economic development and will be removed from the Green Belt. The 12.7 hectare allocation is for employment development. This is building on the Green Belt by default, so not positively prepared as it fails to meet the areas objectively assessed needs and is not consistent with achieving sustainable development.

An article published in the Shields Gazette on Thursday 8th February 2024 states:

"£4million of the investment will be spend to transform two vacant 70,000sq ft and 50,000sq ft units into modern industrial and distribution hubs... Over the coming months, the projects will see new life breathed into two vacant units which have stood empty for a period of time while the former owner consolidated its operations."

It is ludicrous that the Council proposes to remove 12.7 hectares of land, from the Green Belt at nearby Wardley Colliery (Follingsby) "for general economic development" in the publication draft of the Local Plan. How can there possibly be a demand to remove the land, from the Green Belt at nearby Wardley Colliery (Follingsby) "for general economic development" as proposed in SP14 when two vacant units "have stood empty for a period of time" at nearby Boldon Business Park?

One of the two units is Hashimoto Ltd, now Faltec, which has moved to the IAMP site. The South Tyneside part of the IAMP site was 63 hectares of Green Belt land in West Boldon which was four working farms. This is building on the Green Belt by default and should be removed from the Plan, particularly when recently, two employment sites in the Cleadon and East Boldon Ward at Cleadon Lane and Mayflower Glass site (Moor Lane/Station Road) were approved for housing. This means that this Plan cannot be either positively prepared or justified as this Council is building on the Green Belt by default.

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

This land is not needed as business land in Cleadon/Boldon has been approved for housing as it wasn't needed - no takers according to the Council. This is building on the Green Belt by default and cannot be justified.

Follingsby Business Park has also taken up a lot of land in this areas it will also urbanise this area, leaving very little green space in a semi-rural area.

This will also cause transport and flooding issues in the local area.

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

Policy SP15: Climate Change

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Policy SP15 does not reflect national legislation and guidance which strongly stress the central role of the planning system in securing radical reductions in greenhouse gas emissions and require Local Plans to:

Take into account baseline emissions

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

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

The Plan fails to do any of these things, and is therefore is not positively prepared but unsound and open to challenge. Therefore this Plan needs to include an audit of the carbon emissions inherent in all new development. This and other policies should aim to secure carbon reductions in line with a trajectory for the authority area that is consistent with the UK achieving full carbon neutrality by 2050. A major review of the Plan is required in order to bring it into compliance with legislative and policy requirements around climate change.

Covering our open green spaces with concrete is counterproductive as the production of concrete is polluting and not carbon friendly.

Policy SP15 is a disappointment and does nothing to meet Strategic Objectives set out in this Plan such as:

Strategic Objectives 3: To ensure that development in South Tyneside contributes to meeting the Council's zero carbon ambitions by maximising renewable energy generation and achieving the highest possible standards of sustainable construction.

Strategic Objective 4: "To ensure that development, infrastructure, and communities are resilient to the effects of climate change and are designed to adapt to and reduce the effects of climate change."

Strategic Objective 5: To reduce and mitigate the local causes of climate change, mitigate flood risk and other impacts that support the move to a zero-carbon future by 2030

Strategic Objective 12: "To protect the Borough's rich geodiversity and ecological assets ranging from its internationally recognised coastline to its regionally and locally significant natural assets. Ecological networks will be supported and enhanced through the delivery of biodiversity net gain."

Strategic Objective 13: "To protect, enhance and increase the provision of green infrastructure across the Borough through multi-functional, interconnected, and attractive recreational networks which provide a physical environment that encourages physical activity and social interaction through high-quality open spaces, green infrastructure networks, sports facilities, and safe communities."

Strategic Objective 14: "To support sustainable development whilst protecting the Borough's most valuable landscapes and maintaining the openness and permanence of the Green Belt."

This demonstrates that this plan has not been positively prepared and cannot be effective in terms of meeting "the challenge of mitigating and adapting to the effects of climate change".

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

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

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

Stop concreting over green fields and removing trees and hedges

Acknowledge sewage pollution in rivers and coastal waters, so that it can be addressed. Sewage pollution is ignored as it prevents development, this is a vicious cycle which must be addressed for the future of our blue assets as well as to mitigate the effects of climate change.

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

Policy 10: Disposal of Foul Water

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

SP10 fails to address the fact that Northumbrian Water Limited (NWL) remains subject to a Compliance Assessment Report (CAR) with respect to the Whitburn sewage system which demonstrates a lack of capacity in the system. The proposed development in East Boldon, Cleadon and Whitburn feeds into the Whitburn sewage system and will exacerbate the detrimental environmental impact of sewage pollution currently experienced locally due to lack of sewage collection and treatment capacity.

Until the CAR is addressed by NWL then objections to developments that feed into the Whitburn sewage system are appropriate and must be addressed, particularly in this Plan to safeguard the community and environment. From a legal perspective we note that any evidence submitted to the Council that contradicts NWL's assertions regarding sewerage capacity is likely to be a material consideration that cannot be disregarded by the Council for the purposes of deciding whether to grant planning permission (although the weight to be given to that evidence is of course a matter of the LPA's planning judgment).

whether to grant planning permission (although the weight to be given to that evidence is of course a matter of the LPA's planning judgment).

Policy 10 in particular is not positively prepared as data provided to the LPA demonstrates the lack of capacity of sewage treatment and presents a robust and credible evidence base which requires further research/act finding by the LPA.

In comparison, NWL gave the LPA an uncorroborated verbal assurance that the Hendon Sewage Works has headroom for another 25,000 homes. This is hearsay.

In the Drainage and Wastewater Management Plans of NWL there is no evidence of sound sewage infrastructure delivery planning to reduce the spills of sewage in the borough or increase capacity at Hendon Sewage Works to accommodate more housing.

Therefore, the plan is not positively prepared.

These two policies do not support Policy SP1: Presumption in favour of sustainable development as the adverse impacts "significantly and demonstrably" outweigh any benefits of the proposed development in this Plan. Infrastructure has also been ignored. Policy SP25 Infrastructure has been removed from this version of the Plan. This policy stated: "Ensuring new development mitigates impacts and contributes fully towards the delivery of the IDP". Furthermore, wastewater treatment capacity in general is a material planning matter, added to the fact that the European Commission takes the view that the UK has not complied with Case C-301/10 in respect of Whitburn is also a material planning consideration, which the Council cannot ignore when it considers the planning permission for the proposed new developments in this plan that will impact on the local sewerage network.

There is no getting away from the fact that in 2021 a record volume of 821,088 tonnes of untreated sewage was discharged at Whitburn. The sewage pollution issue has become worse since 'remedial' action was taken in 2017. Therefore the LPA has the responsibility to place all of the proposed development that will feed into the Whitburn system, on hold, including development proposed in this Plan, until NWL can prove beyond a doubt that there is capacity in the existing sewage system. Is this a case of the Council needing the extra Council Tax and NWL needing the water rates from the proposed development that they are both failing in their legal responsibility? Public health is a material planning consideration, which is being put at risk by both the Council and NWL should this Plan be approved. These facts demonstrate that this Plan does not meet the objectively assessed needs of the community and is not informed by agreement with other authorities, like Sunderland Council, which has recently built two large developments which feed into the Whitburn system. This also shows that the Plan is not consistent with achieving sustainable development or effectiveness.

Furthermore Policy SP10 is not legally compliant for the following reasons:

Sewage collection and treatment capacity is a material planning consideration.

The role of NWL is to provide a system of public sewers to ensure effective drainage.

The role of the LPA is to ensure there is sufficient sewage treatment capacity before granting planning permission.

The local plan is not in compliance with the Urban Waste Water Treatment Regulations 1994.

The Whitburn sewage system discharged 821,088 tonnes of untreated sewage into the environment in 2021.

Hendon sewage works discharges illegally regularly in dry weather.

In South Tyneside there were 1350 spills from sewer overflows into the environment in 2022.

The Local Plan should include the following to be legally compliant:

Planning proposals will not be supported unless it can be shown by rigorous analysis that there is sufficient capacity in the local sewerage system...

The analysis is not onerous, and data can be obtained from NWL, the Local Authority and the Environment agency as follows:

Data from the Monitoring Certification Scheme (MCERTS) of the sewage treatment works.

Local rainfall totals.

The duration and number of spills from Combined Sewer Overflows in the borough measured by Event Duration Monitor (EDM) data.

Analysis of this data will determine both capacity and compliance with the Urban Waste Water Treatment Regulation (UWWTR).

This means that the plan is not consistent with national policy as it does not address the need for infrastructure for the proposed future developments, in particular the provision of sewage systems which satisfy the Urban Waste Water Treatment (England & Wales) Regulations.

It is a requirement of the National Planning Policy Framework that;

Para 170 "...planning decisions should contribute to and enhance the natural local environment by, "preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution....taking into account relevant information."

Paras 180 states that "Planning Policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment "

Para 181 states that "Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants."

There is an increasing problem in South Tyneside with continuous spills of sewage into our rivers from combined sewers (CSOs) for example into the River Tyne at Wapping St 44 times 312 hrs; Harton Staithes 40 times 171 hrs; Tudor Rd 37 times 80 hrs; Coronation St 40 times 260 hrs; Eldon St 68 times 412 hours; Temple St 52 times 235 hrs; Smith St 16 times 134 hrs; Waggonway Rd 155 times 2391 hrs.

Into streams for example the River Don, Newland Drive 107 times 885 hrs; South Shields Interceptor 88 times 786 hrs; Jarrow Rd 71 times 1090 hrs. The river Don is little more than an open sewer.

Into our coastal waters for example Whitburn in 2021 821,000 tonnes of untreated sewage was discharged into the North Sea, a protected ecosystem (Northumbria Coast SPA; Northumbria Coast Ramsar Site; and Durham Coast SAC) and this, along with the overflows of 3.5 million tonnes recorded between 2015 - 2021 and in 2019 there was 178 discharges amounting 646 hours from Hendon Treatment Works, which serves much of South Tyneside. This is a clear proof that there is a lack of capacity in the sewerage system and this must be tackled by an open and independent requirement in the Local Plan for the future good of the public and the environment .

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

This Plan is not legally compliant as the Council has failed to discharge its responsibility under 'Tameside Duty' with regard to the Sewage collection and treatment capacity which is a material planning consideration. The role of Northumbrian Water (NWL) is to provide a system of public sewers to ensure effective drainage. The role of the Local Planning Authority (LPA) is to ensure there is sufficient sewage treatment capacity before granting planning permission. The Local Plan is not in compliance with the Urban Waste Water Treatment Regulations 1994 (UWWTR)

The Duty to Co-operate has not been fulfilled as Northumbrian Water Limited (NWL) fails in its role as a sewage undertaker and is not a reliable consultee. The LPA must not rely solely on the advice provided by NWL. NWL is under investigation by Ofwat, the Environment Agency (EA) and the Office for Environmental Protection (OEP) and cannot be regarded as a reliable consultee.

References to the Whitburn Long Sea Outfall as part of the Reg 18 stage have now been removed after representations were made by NWL.

Representations made at Reg 18 stage were largely ignored. This demonstrates undue bias.

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

Policy 11: Protecting Water Quality

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Sewage pollution is a contributor to climate change so Policy 10 and Policy 11 must deliver Policy SP15 Climate Change. This policy "sets the principles for mitigating and adapting to climate change and ensures that large scale development and associated infrastructure is future proofed and resilient to future impacts." This must include the infrastructure for waste water to be positively prepared as well as sustainable.

Furthermore, recently provided evidence shows that the rock pools at Whitburn, have been decimated by sewage pollution, as have the sea meadows in the Tyne estuary. 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. This shows the Plan is not sustainable or positively prepared as the Council has failed to deliver Pledge 2 (Paragraph 5) of the 'Motion for the Ocean' agreed by the Council in approving the two developments. This Pledge states: "The Council pledged to consider Ocean Recovery in all strategic decisions, plans, budgets and approaches to decisions by the Council (particularly in planning, regeneration, skills and economic policy)". The amount of sewage discharged into the North Sea at Whitburn was not considered and does not inform the decision to include sites which feed into the Whitburn sewage system. Therefore this Plan cannot be positively prepared.

Sewage pollution causes harm to public health, so the decision to include these sites cannot be based on the objectively assessed needs of the community. 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. In the summer of 2023 over 80 athletes became ill after competing at the international triathlon event in Sunderland. We understand that the North East Health Protection Unit conducted an inquiry into the reasons why this happened. An article in The Guardian on Saturday 5th August 2023 stated:

"An Environment Agency sampling at Roker beach on Wednesday 26 July, three days before the event, showed 3,900 E Coli colonies per 100ml, more than 39 times higher than typical readings the previous month. E coli is a bacterial infection that can cause stomach pain and bloody diarrhoea."

Public Health is a material planning consideration. Local authorities have important and wide-ranging public health functions, for example under the Public Health, the 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. Strategic Objective 2 which is concerned with 'Promoting Healthy Communities' has not been addressed in Policy 11 so cannot be positively prepared or based on objectively assess needs.

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. This means that Policy 10 and Policy 11 do not deliver:

Strategic Objective 3: "To ensure that development in South "To ensure that development, infrastructure, and communities are resilient to the effects of climate change and are designed to adapt to and reduce the effects of climate change."

Strategic Objective 5: "To reduce and mitigate the local causes of climate change, mitigate flood risk and other impacts that support the move to a zero-carbon future by 2030".

Policy 11 is designed to deliver Policy SP1: Presumption in favour of Sustainable Development, rather than to safeguard the population or the environment. The Council has a legal responsibility to protect the environment under planning law and the health of its current population, as public health is a material planning consideration.

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

Policy 11 must safeguard the population and the environment to deliver Policy SP1: Presumption in favour of Sustainable Development.

The Council must fulfil its legal responsibility to protect the environment under planning law and the health of its current population, as public health is a material planning consideration.

Council must also gather all the necessary information to safeguard water quality and protect it from sewage pollution.

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

Policy 14: Housing Density

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

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.

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

Stop using Policies like Policy 14 to make sites viable for developers. LPA must protect its residents first and foremost.

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

Policy 18: Affordable Housing

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Policy 18 which concerns 'Affordable Housing' is not justified as this policy states:

Development of new housing of 10 units or more, or on a site of 0.5ha or more, shall deliver a minimum:

- 10% affordable homes in South Shields and Jarrow
- 15% affordable homes in Hebburn
- 20% affordable homes in West Boldon and Boldon Colliery
- 25% affordable homes in East Boldon and Whitburn Village
- 30% affordable homes in Cleadon

Affordable housing is defined as 80% of market value or 20% below the market price. Affordable Rent or is at least 20% below local market rents, with provision made for it to remain at an affordable price for future households. Rent and property prices in the villages of Cleadon, East Boldon and Whitburn are well above average, whereas property prices and rent in Hebburn, Jarrow and Shields are either average or below, only 10% in Jarrow and Shields and 15% in Hebburn will be "affordable". This means that most of the houses proposed in this plan will not be affordable. This is not justified as it is not an appropriate strategy to place most of the affordable housing on sites where house prices are well above average.

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

The LPA must acknowledge that housing in Cleadon, East Boldon and Whitburn is not affordable even at 80% of the market value. This appeasing developers, who can charge over the odds for low grade housing.

Stop conning people to increase developers profits.

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

Policy 36: Protecting Trees, Woodland and Hedgerows

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Policy 36 Protecting Trees, which is concerned with protecting "Woodland and Hedgerows Conserving and enhancing the Natural Environment" is not positively prepared as South Tyneside is losing healthy, mature trees and hedges at an alarming rate to accommodate development and there is nothing in this Policy to prevent further loss. These trees and hedges help to ameliorate noise and air pollution that any new development will cause and also make a contribution to the mitigation of the negative effects of climate change. We are aware that in 2017 South Tyneside Council took the arbitrary decision to cut and keep all hedgerows across to borough to a height of 1.4 metres. This decision needs to be revoked in the light of Policy 36 as the policy decision taken in 2017 does not support this policy. Paragraph 11:29 of the section Conserving and enhancing the Natural Environment states:

"Trees and hedges play an important role in supporting the natural environment and wildlife habitats. They make a significant contribution to mitigating climate change, provide key ecosystem services that protect and enhance the local environment and provide essential green corridors which allow wildlife to travel between key sites. Trees and hedges also add to the character, appearance and distinctiveness of the local area, and their presence can have a significant and positive effect on the local landscape. The significance of trees and hedges may relate to their size, form, and maturity, or because they are rare or unusual."

Local Plan Policy 36 states:

"Trees, woodland and hedges shall be protected and suitably retained as an integral part of the design of the development."

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."

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 Draft 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.

The Plan states in paragraph 2 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 CO2 per year (ecotree.green)

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 Plan. The NPPF also recognises the value of trees and hedgerows to biodiversity and to human health and wellbeing.

Policy 36 is incompatible Policy SP15 which is concerned with Climate change with as felling mature trees is inconsistent with Climate Change documents within the Planning Policy Guidance (PPG) which puts emphasis on addressing climate change as being one of the core land use planning principles which the National Planning Policy Framework (NPPF) expects to underpin both plan-making and decision-taking. To be found sound Local Plans will need to reflect this principle and include the requirements for local authorities to adopt proactive strategies to adapt to climate change in line with the provisions and objectives of Climate Change Act 2008.

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.

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

This Policy must be reviewed to say what it states, that is protect trees, woodland and hedges. This can be done by amending paragraph 1 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.

Add an addition paragraph to the Policy to ensure trees are protected by this policy to ensure developers cannot remove trees and hedges solely to put more houses on site.

This Policy must be more robust to protect trees hedges and woodland from developers.

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

Policy SP22: Green and Blue Infrastructure

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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South Tyneside Council is backing the 'Ocean Emergency', this needs to be reflected in this Plan to be positively prepared. In supporting the 'Ocean Emergency' the Council demonstrates an understanding that it is important to recognise that sewage pollution harms the marine environment due to a myriad of causes including the fact it contains high levels of microplastics, sewage also includes all the drugs and bugs that we have, including chemotherapeutic drugs and all the chemicals from cleaning products. This all forms a soup which encourages genetic mutation in the bugs which helps them resist the effects of the antimicrobials we have now. The prediction is that in 10 years time as many as 50 million people will die every year from conditions that we now control but should they gain resistance from the drugs we've got then we are going to be in trouble. Public Health is a material planning consideration. We consider it hypocrisy for the Council to publicly support the 'Ocean Emergency' campaign and propose development in the Local Plan that does not reflect the support of an 'Ocean Emergency' in failing to address the present lack of capacity in the sewage system which to date has led to an astonishing and unacceptable figure of over 500,000 tonnes of sewage being discharged at Whitburn for over 23 years via Long Sea Outfall. This must be addressed by the this Plan if it is to be considered 'sustainable' and positively prepared.

Sewage pollution is a contributor to climate change so Policy SP22 is not compatible with 10 and Policy 11 to deliver Policy SP15 Climate Change. This policy "sets the principles for mitigating and adapting to climate change and ensures that large scale development and associated infrastructure is future proofed and resilient to future impacts." This must include the infrastructure for waste water to be positively prepared as well as sustainable.

Furthermore, recently provided evidence shows that the rock pools at Whitburn, have been decimated by sewage pollution, as have the sea meadows in the Tyne estuary. 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. This show the Plan is not sustainable or positively prepared as he Council has failed to deliver Pledge 2 (Paragraph 5) of the 'Motion for the Ocean' agreed by the Council in approving the two developments. This Pledge states: "The Council pledged to consider Ocean Recovery in all strategic decisions, plans, budgets and approaches to decisions by the Council (particularly in planning, regeneration, skills and economic policy)". The amount of sewage discharged into the North Sea at Whitburn was not considered and does not inform the decision to include sites which feed into the Whitburn sewage system. Therefore this Plan cannot be positively prepared.

Sewage pollution causes harm to public health, so the decision to include these sites cannot be based on the objectively assessed needs of the community. 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. In the summer of 2023 over 80 athletes became ill after competing at the international triathlon event in Sunderland. We understand that the North East Health Protection Unit conducted an inquiry into the reasons why this happened. An article in The Guardian on Saturday 5th August 2023 stated:

"An Environment Agency sampling at Roker beach on Wednesday 26 July, three days before the event, showed 3,900 E Coli colonies per 100ml, more than 39 times higher than typical readings the previous month. E coli is a bacterial infection that can cause stomach pain and bloody diarrhoea."

Public Health is a material planning consideration. Local authorities have important and wide-ranging public health functions, for example under the Public Health, the 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. Strategic Objective 2 which is concerned with 'Promoting Healthy Communities' has not been addressed in Policy 11 so cannot be positively prepared or based on objectively assessed needs.

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. This means that Policy SP22 alone with Policy 10 and Policy 11 do not deliver:

Strategic Objective 3: "To ensure that development in South "To ensure that development, infrastructure, and communities are resilient to the effects of climate change and are designed to adapt to and reduce the effects of climate change."

Strategic Objective 5: "To reduce and mitigate the local causes of climate change, mitigate flood risk and other impacts that support the move to a zero-carbon future by 2030".

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

Check for sewage capacity in the existing network before putting sites forward for development - fulfil legal requirement.

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

Policy SP25: Infrastructure

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

Policy SP25 Infrastructure is not positively prepared as it states in paragraph 4 "Ensuring that the design of infrastructure takes climate- change resilience into account." This Council has failed to discharge its legal duty to ensure that there is sewage capacity in the existing network to cope with the proposed new development. In short the LPA is not discharged its 'Tameside duty', which derives from Lord Diplock's speech in Secretary of State for Education and Science v Tameside MBC [1977] AC 1014, where he said (at page 1065B):

"The question for the court is, did the Secretary of State ask himself the right question and take reasonable steps to acquaint himself with the relevant information to enable him to answer it correctly?".

According to the 'Tameside duty' the LPA as a public body has a duty to carry out a sufficient inquiry prior to making its decision. This has not happened.

Sewage pollution is a contributor to climate change so Policy SP25 must deliver Policy 10 and Policy 11, also Policy SP15 Climate Change, this policy "sets

the principles for mitigating and adapting to climate change and ensures that large scale development and associated infrastructure is future proofed and resilient to future impacts.” This must include the infrastructure for waste water to be positively prepared as well as sustainable. Quite clearly this is not the case as there is no joined up thinking between these policies.

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

Amend Policy SP25 to include a more robust statement about the design of infrastructure which takes climate- change resilience into account.

This Policy, or the Plan as a whole is not legal without regard to the Sewage collection and treatment capacity which is a material planning consideration. This Policy needs to ensure sewage infrastructure complies with the Urban Waste Water Treatment Regulations 1994 (UWWTR). This is ignored in all documents and Policies relating to this Plan. Consequently millions of tonnes of untreated sewage has been discharged into our rivers and coastal waters, due to the lack of capacity in the system. The LPA cannot keep adding housing without an upgrade to the system and ignoring facts so that they can do just that.

The role of Northumbrian Water (NWL) is to provide a system of public sewers to ensure effective drainage. The role of the Local Planning Authority (LPA) is to ensure there is sufficient sewage treatment capacity before granting planning permission. The Local Plan is not in compliance with the UWWTR 1994.

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

Your personal details

What is your name?

Name:
Gillian Johnston

What is your email address?

Email address:

[REDACTED]

Who are you responding as?

Resident or Member of the General Public

Organisation:

What is your postal address?

Address:

[REDACTED]

Response ID ANON-TJBH-TDG8-Y

Submitted to South Tyneside Publication Draft Local Plan 2023-2040

Submitted on 2024-02-29 09:19:36

Policy SP2: Strategy for Sustainable Development to meet identified needs

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

Support or Object - Legally Compliant:

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

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

Object to 2.2 - the basis for the calculation of the number of new homes proposed is not sound or credible. It uses out of date statistics to calculate the number of homes needed and this results in an overestimate. The number of homes proposed is based on the 2014 household projections, which have been shown to be an overestimate by the 2021 census.

Since 2022, the Government has consulted on the status of the standard method for calculating the housing requirement. This has resulted in an updated National Planning Policy Framework (NPPF) published on 19 December 2023. In Paragraphs 60 and 61 of the new NPPF there is greater flexibility for local authorities in assessing housing needs.

Under paragraph 61, the revised NPPF states that the standard method for calculating housing need, to establish the number of homes required, is now considered as "an advisory starting point". Under the previous NPPF, the standard method was not classified in this way and there was no similar explanatory text.

As a result of these changes, local authorities have greater flexibility to plan for fewer or higher number of homes than the standard method indicates, and where there are specific local circumstances that justify an alternative approach to assessing housing need, that is now explicitly supported.

Notwithstanding the transitional arrangements being applied that this Local Plan should be examined under the September 2023 NPPF, I submit that there remains a clear case for a much lower housing requirement figure based on local circumstances and Green Belt constraint.

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

The Council to put forward a case for special circumstances to justify an alternative approach and determine a housing requirement which takes into account local circumstances and constraints of the Green Belt.

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

Yes

Policy SP3: Spatial Strategy for Sustainable Development

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

Support or Object - Legally Compliant:

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

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

Object to 3.2- the policy has not been positively prepared to deliver sustainable development in the East Boldon Neighbourhood Plan area. There are currently 1,860 homes in the EBNP area and the addition of 474 new homes will bring an unsustainable level of growth which will have a detrimental impact on the local infrastructure of the area and on the character of the village.

Object to 3.4 - the policy is not justified, uses out of date evidence and exceptional circumstances case to amend the Green Belt boundary has not been made. The issue was considered by the Independent Examiner for the East Boldon Neighbourhood Plan, who considered that it was appropriate to retain the Green Belt around the village in order to meet housing need in the plan area.

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

Retain the Green Belt boundary around East Boldon in accordance with the East Boldon Neighbourhood Plan and remove the allocation of GA2 - Land at North Farm.

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

Yes

Policy SP7: Urban and Village Sustainable Growth Areas

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

Support or Object - Legally Compliant:

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

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

Object to GA2 - Land at North Farm.

This proposal is not justified and is not effective in delivering sustainable development.

It is in conflict with the adopted East Boldon Neighbourhood Plan as it is outside the settlement boundary approved in the plan.

The Green Belt Review Site Assessment for this site is not correct as it says development will only have a moderate impact. The development of the site will reduce the gap, in terms of distance, between Boldon and South Shields still further and would increase pressure on the remainder of the Green Belt in this area. The open space and separation along Boker Lane will be lost, effectively merging East and West Boldon.

263 new homes on the site will have a considerable impact as evidenced by the Traffic Assessment and Infrastructure Development Plan.

Issues of concern are: loss of agricultural land, impact on wildlife corridor and biodiversity, surface water flooding, impact on green infrastructure corridor, impact of traffic especially at road junctions and level crossings, lack of school places, lack of health facilities.

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

Remove the allocation of GA2 - Land at North Farm

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

Yes

Policy SP16: Housing Supply and Delivery

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

Support or Object - Legally Compliant:

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

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

Object to 16.2 - Provision of at least 263 homes in the EBNP area - the policy is not sound or justified. This figure does not include 202 homes given conditional approval at Cleadon Lane or 9 homes with permission at Mayflower Glass. It is not based on housing need but on an arbitrary allocation of land. The total number of new homes planned will result in 26% increase in the size of the village and as result the distinctiveness of the village will be lost. The infrastructure of the village is inappropriate for this increase in size.

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

suggested revised wording of any policy or text. Please be as precise as possible.:

Replace with the provision of 211 homes - ie the commitments at Cleadon Lane and Mayflower Glass and remove GA2 - Land at North Farm.

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

Yes

Policy 18: Affordable Housing

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

Support or Object - Legally Compliant:

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

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

Object to 18.3 - the policy is not sound as it sets the minimum percentage of affordable homes in East Boldon at 25 % compared with 30 % in Cleadon. The Strategic Housing Market assessment (SHMA) 2023 found there was a need for an additional 361 affordable homes per year in the Borough. However, the Local Plan states that this level of need will be difficult to achieve (Para 8.51). In 2022 the Draft Local Plan proposed a 30% figure for both villages. However, in the Local Plan Viability Testing Report 2023, Cleadon is separated from East Boldon and Whitburn (See Map 22: Affordable Housing Areas). No justification is given for this decision.

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

Amend the policy to include a 30% for East Boldon.

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

Yes

Your personal details

What is your name?

Name:

Mervyn Butler

What is your email address?

Email address:

[REDACTED]

Who are you responding as?

Resident or Member of the General Public

Organisation:

What is your postal address?

Address:

[REDACTED]

Response ID ANON-TJBH-TDS1-4

Submitted to South Tyneside Publication Draft Local Plan 2023-2040

Submitted on 2024-02-26 21:29:12

Policy SP8: Fellgate Sustainable Growth Area

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

Support or Object - Legally Compliant:

No

Support or Object - Sound:

No

Support or Object - Complies with the Duty to Cooperate:

No

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

I object to these plans and I do not believe they are sound plans. Building on the Fellgate Greenbelt is not a sound plan as it will affect wildlife, it will make flooding issues worse, and it will negatively impact residents.

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

Building houses on brown land would make the plans more sound as it is land that has already been developed on before. There is no point building on greenbelt when there is unused land already available.

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

No

Your personal details

What is your name?

Name:

Chloe Todd

What is your email address?

Email address:



Who are you responding as?

Resident or Member of the General Public

Organisation:

What is your postal address?

Address:

