

EAST BOLDON FORUM

EAST BOLDON NEIGHBOURHOOD PLAN - Submission Draft version

Response to Examiner's questions of 7th June 2021

Q1. Policy EB1 - I am proposing that criteria d), e), j) and k) should be deleted as they are considered to be unnecessary as they repeat matters included in other policies in the plan.

EBNF response:

The Forum acknowledges that the specific criteria referred to are included in other policies within the plan. However, the Forum consider it is important to explain that the reason for their proposed inclusion is that policy EB1 identifies all the things that are relevant to considering whether a development is sustainable within East Boldon.

Q2. Policy EB1 - would the LPA comment on the proposed amendments in response to Northumbrian Water's representation. Revise point c) to read: ***"Ensure that the development will not increase flood risk elsewhere and where possible, reduce flood risk overall by minimising flood risk to people, property and infrastructure from all potential sources by assessing the impact of the development proposal on existing sewerage infrastructure and flood risk management infrastructure;"***

Add new point after c) ***"Ensure that development proposals separate, minimise and control surface water runoff, with sustainable drainage systems being the preferred approach;"***

EBNF response:

The Forum supports the proposed amendments.

Q3. Policy EB4 -Would the QB provide me with a map to show the significant views, the green views and the eastern village gateway referred to in Policy EB4 criterion e).

EBNF response:

A map showing the location of the requested views and gateway are shown in Annex 1a to this document. Photos illustrating the views are attached as Annex 1b. This has been informed by the East Boldon Design Code (figure 11), the conservation area character appraisal (section 7 in particular), the conservation area management plan and the community character statement.

Q4. As the second and fourth paragraphs of **Policy EB4** paraphrase text from NPPF, and do not add any locally specific policy statements, they are not considered to be necessary and I am proposing that they be deleted.

EBNF response:

The policy was amended following feedback from Historic England on the pre-submission draft plan. It is accepted that paragraph two, which starts 'In the determination of

development proposals affecting all heritage assets...’ and the final (rather than the fourth) paragraph, which starts ‘Development that would lead to substantial harm...’ reflect the NPPF and repetition is not necessary. However, the Forum would request that the fourth paragraph, which lists the key considerations for the conservation area, should be retained as this makes the policy locally specific and was added in response to feedback from Historic England.

Q5. Policy EB5 – *Would the QB / LPA confirm whether the wildlife corridors that have been shown in figure 10.2 of SPD3 (and included in the NP Policies Map) are indicative corridors crossing through the open/undeveloped areas between settlements rather than corridors that can be defined as linking up routes such as former railway lines or lanes with strong hedgerows with woodland and other areas that have the potential to be enhanced for wildlife. In the context of a NP, locally defined corridors should be included on the Policies Map rather than strategically drawn indicative corridors. I note from the QB’s response to the representations that STC has undertaken a recent piece of work to map wildlife corridors. I await confirmation from STC and the QB how you wish me to proceed on this.*

EBNF response:

The mapping of the wildlife corridors shown on the policies map was provided by STC and reflects that shown in the South Tyneside Local Development Framework. The Forum has reviewed the Wildlife Corridors Network Review Report (December 2020) and consider this is a robust and valuable document:

(<https://www.southtyneside.gov.uk/article/36020/Supporting-Documentation-and-Evidence-Base-Studies>). Had the Forum been aware of it earlier in the process, it would have been used to inform the policies map. The Forum would therefore suggest that the wildlife corridors information on the policies map is deleted, and the green infrastructure network is updated to include the mapping set out within Annex B of the report.

Q6. *The description of green infrastructure in **paragraph 6.6** is much wider than that shown on the Policies Map. I am proposing to recommend that it be revised to describe only those areas to be defined under this policy.*

EBNF response:

The Forum accepts the Examiner’s proposal.

Q7. *Would you provide me with a map to show the site(s) referred to in representation 136 from Barton Wilmore – land at Boker Lane affected by Wildlife Corridor, and LGS and land west of Sunderland Road as an Area of High Landscape Value.*

EBNF Comment:

STC have agreed to provide this.

Q8. *I am proposing the following modifications to **Policy EB5:***

a. *the inclusion of greater flexibility in the first paragraph, second sentence to read: “**Where appropriate, in determining planning applications, consideration.....**” and the first sentence of the second paragraph of the policy as follows: “**.....water environment is possible, should where feasible, bring about....**”.*

*b. I am proposing that point j) should be revised to be more specific about the pollutants arising from the development **“Controlling and mitigating potential pollutants likely to arise from the development, as appropriate;”***

*c. That point m) should be more specific about the location of the wildlife corridor: **“...does not fragment the wildlife corridor associated with the stream or pond; and”***

d. In view of the extent and nature of the green infrastructure proposed, I consider that the third paragraph of Policy EB5 is unduly onerous and I am proposing that it be deleted.

EBNF Response:

The proposed deletion of the third paragraph is disappointing, but the first paragraph would still require new development to seek to protect and where practical, improve and extend the GI network. The other proposed amendments are fine.

Q9. Policy EB6 – *The policy is worded in such a way that it is applicable to all the countryside. What is the relevance of showing the area of high landscape value and area of high landscape significance on the Policies Map? As the areas are not designated by the EBNP, it is suggested that they may be shown for information in a diagram within the plan rather than on the Policies Map.*

EBNF Response:

Agree with the Examiner’s suggestion. As the EBNP is not looking to designate this area, it would be more appropriate to be shown for information within the plan rather than on the policies map.

Q10. *Would the LPA confirm the status of “The South Tyneside Local Justification of High Landscape Value and amendment to proposed Boldon Downhill Area boundary southwards on the South Tyneside Coast for extending the High Landscape Value Plan (July 2019)” which I note sets out justification for the revised boundary of the AHLV at Boldon Downhill.*

Q11. Policy EB6 - *I am proposing to improve the clarity of criterion f) to read: **“...along new roads, where appropriate and safe.”***

EBNF response:

The Forum supports the proposed amendment.

Q12. Policy EB7 – *I am proposing to revise the second sentence of the first paragraph to accord with national policy to read: **“Where practicable, proposals should demonstrate how measurable net gains will be achieved.”***

EBNF response:

The Forum supports the proposed amendment.

Q13. Policies EB7, 11, and 13 – *would STC/QB agree suitable wording on coastal mitigation as suggested by Natural England.*

EBNF response:

The Forum has agreed with the LPA that in order to address this matter, policy EB7 could be amended to include an additional paragraph:

“Any future housing developments should have regard to Interim Supplementary Planning Document 23: Mitigation Strategy for European Sites or any successor document. All financial contributions required in accordance with this policy will be secured by way of a planning obligation under section 106 of the Town and Country Planning Act 1990, or any subsequent amending legislation.”

It is also suggested that additional supporting text could be added before policy EB7:
“An increase in residential development in the plan area could result in an impact on the internationally important Northumbria Coast Special Protection Area and Durham Coast Special Area of Conservation. New development may result in increased recreation related disturbance. Policy EB7 has identified that these adverse effects could be ameliorated where developers agree to contribute to appropriate mitigation.”

Q14. Policy EB8 – *it is considered that this policy adds no locally specific requirements to those set out in Policy DM1. I am therefore proposing that it be deleted. The justification may be retained and revised to include a reference to Policy DM1.*

EBNF response:

The Forum notes the conclusions of the examiner. In order to ensure clarity for the local community in particular, it is requested that paragraph 6.16 is amended to read:

“As policy DM1 in the South Tyneside Development Management Policies Development Plan Document provides protection for trees, it is not necessary to include a specific policy within the Neighbourhood Plan.” (Ref: Policy DM1, P8 of ‘Development Management Policies December 2011’ at

<https://www.southtyneside.gov.uk/article/36015/Local-Development-Framework>)

Q15. Policy EB9 – *I am proposing to delete criterion b) as it is unduly onerous and does not accord with national policy to make provision for rural economic development.*

EBNF response:

The Forum supports the proposed amendment.

Q16. Policy EB10 –*To accord with national policy to make provision for rural economic development, I am proposing to delete “where they are located within the settlement boundary” from the third paragraph and add “Proposals affecting the Green Belt will only be supported where they satisfy the exceptions set out in the NPPF.”*

EBNF response:

The Forum supports the proposed amendment.

Q17. Policy EB11 - *the first paragraph of the policy refers to “main” employment uses. Would the QB and LPA confirm whether any specific uses should be included in the policy.*

EBNF response:

We propose amending this to specify that it refers to general industrial uses, warehouses, purpose-built offices, light industrial and research establishments.

Q18. Policy EB11 - *The background evidence in the Employment Land Review supports the need for employment land in the Boldon area. What evidence is there to justify the loss of*

most of this employment area? If the redevelopment of the industrial site comes forward in advance of the emerging Local Plan, would it be reasonable to require the developer to demonstrate that there is no need or demand for the existing employment area?

EBNF response:

Through the early engagement on the emerging neighbourhood plan, the local community were clear that if there was a need for new housing in the plan area that this should be focused on previously developed land. Whilst the Forum wish to see the whole of the Cleadon Lane site retained for employment uses, it is clear from the evidence base supporting the emerging local plan¹, as well as submissions to the local plan process² that the site faces viability and deliverability issues. As the site is currently an allocated employment site, South Tyneside Core Strategy policy E1 (<https://www.southtyneside.gov.uk/article/36015/Local-Development-Framework>) states that employment sites will be safeguarded. It is considered that the insertion of the requirement to demonstrate that there is no need or demand for the site would add flexibility, as is required by the NPPF.

Q19. Policy EB12 – *it is considered that the final part of the policy is unclear as essential local services are not defined and furthermore it is not implementable as planning policy is not capable of protecting these uses. I am proposing that the final paragraph of the policy should be deleted.*

EBNF response:

Feedback from early engagement with the local community on Local Retail Centres is summarised in the Local Economy Background Paper. Paragraph 4.6 of the Background Paper highlights the very high levels of support and usage of East Boldon shops and local services. Paragraph 7.16 of the Submission Plan describes the most important facilities in the retail centres. The Forum considers that some are essential to serve the everyday needs of local residents, particularly those with limited mobility who are unable to travel easily outside the village. These are : Convenience Store, Chemist, Post Office and Dentist, and it is suggested that these could either be included in the policy or defined in the supporting text to ensure clarity of interpretation.

Q20. Policy EB13 – *I am proposing to delete the second paragraph that requires the preparation of a masterplan and change the reference to “masterplan” in the third part of the policy to “development proposal”. Also that a new paragraph should be included in the justification after paragraph 8.6: “Developers of new and replacement housing are encouraged to consult the East Boldon Neighbourhood Forum, the local community and other key stakeholders prior to submitting their proposals to the local authority for planning permission.”*

¹<https://www.southtyneside.gov.uk/article/36024/Strategic-Land-Review>

²https://www.southtyneside.gov.uk/media/45529/Chapter-8-Representations/pdf/Chapter_8_Regeneration.pdf Representation from Barratt David Wilson Homes in response to policy RG05

EBNF response:

The Forum are disappointed at the proposed removal to the need for a masterplan particularly as the importance and benefits of master planning is clearly set out within the NPPG (e.g. Paragraph: 002 Reference ID: 26-002-20191001 and Paragraph: 004 Reference ID: 26-004-20191001). Furthermore, NPPG is clear that masterplans do not need to be detailed, indeed, it states more specific parameters could be set out within a design code (Paragraph: 006 Reference ID: 26-006-20191001). Also, that masterplans can benefit from a collaborative approach (Paragraph: 007 Reference ID: 26-007-20191001). It is considered that only suggesting developers 'consult', this would be a tick box exercise by the developers rather than effective engagement.

Q21. Policy EB13: *I am proposing to add a new paragraph to the justification to make reference to Policy EB2 in relation to development in the Green Belt: "There may be limited opportunities for housing development in the Green Belt and Policy EB2 makes it clear that any such development will be considered against national policy on Green Belts."*

EBNF response:

The Forum supports the proposed amendment.

Q22. Policy EB15: *- In the absence of a target percentage in the policy, I am proposing that the first part of the policy should be revised to read: ".....will be required to contribute to the provision of affordable housing in accordance with South Tyneside Council's SPD on Affordable Housing and the latest Housing Needs Survey".*

EBNF response:

The Forum supports the proposed amendment.

Q23. Policy EB15 – criterion a) *does not require off-site provision to be made in the plan area. I am proposing to add the following to the justification to explain: "In view of the Green Belt constraints and limited availability of housing land, off-site affordable housing provision may have to be located elsewhere in South Tyneside."*

EBNF response

The Forum understand the reason for the proposed change, however, if the policy suggests that affordable housing may be located elsewhere in South Tyneside, the Forum believe that developers are less likely to provide it within what is a high market value area. The housing needs assessment and housing needs survey identified there is a need for affordable housing in the area. This was also highlighted by the local community through engagement.

Q24. Policy EB15 – criterion b) *I consider that this is unduly prescriptive and am proposing that this be revised to refer to the Council's guidance on the subject. Would the Council point me to their policy / guidance on off-site financial provision? Do they rely on SPD4?*

EBNF response:

The Forum notes the examiners concerns. Feedback from the local community identified that new housing should be affordable. It would not be appropriate for further market housing to be constructed without the local community obtaining the benefit of being able to access affordable housing.

Q25. Policy EB15 – criteria c, d and e and sentence above (Any planning permission....secure) – this text is explanatory and not planning policy. I am proposing that it should be included in the justification.

EBNF response:

The Forum supports the proposed amendment.

Q26. Policy EB17 LGS09 – I note from the representation by Pegasus that this is privately owned land and there are no public rights of way on the site apart from the N to S route shown on page 15 of the Transport Background Paper. Would the QB/LPA confirm that this is correct.

EBNF response:

The eastern field at North Farm has not been in agricultural use for over 20 years and as a result has been rewilded with a combination of open grassland and Hawthorn Copse. The field has been used on a daily basis by adjoining residents to walk their dogs for all of this time; many residents have direct access to the field from their gardens. Others can enter the site at the southern side from the open entrance from Kendal Drive and or at several points from the Boker Lane PROW. The paths are also used by recreational walkers, joggers and horse riders.

The paths became so well established that they have been included on recent Ordnance Survey maps. They are shown on Figure 3, Page 41 of LGS and POS Background Paper.

Although no attempts have yet been made to establish the paths as public rights of way, the Forum has discussed their status with the Council's Public Rights Of Way Officer.

The Forum is aware that land in private ownership can be designated as LGS.

Q27. Policy EB18 – STC refers to Developer Contributions SPD. Are you referring to the SPD5 Planning Obligations and Agreements?

Q28. Policy EB18 - I consider it would be helpful to plan users to add another paragraph to the justification to explain that new development proposals should include open space in accordance with the STC standards which are set out in SPD5. "New housing development should include areas of open space for children's play, sports and amenity in accordance with STC's policies and SPD5."

EBNF response:

The Forum notes the examiners comments, however are concerned that the planning obligations and agreements SPD was adopted in 2008 therefore it may be out of date.

Q29. Policy EB19 – I am proposing that this policy should be deleted as it seeks to have all infrastructure in place or committed prior to development being brought into use. It does not acknowledge that infrastructure is often phased. No assessment has been undertaken of the feasibility and viability of this approach and the potential impact on the deliverability of development. As a consequence I am also proposing that **Policy EB1j should be deleted for the same reasons.**

EBNF response:

The Forum notes the examiners concerns regarding this policy; however it is important to highlight that feedback from the local community, as documented in the consultation statement, has illustrated significant concerns regarding the impact of new development on infrastructure and that the current infrastructure is insufficient to support major development. In order to address the concerns of the examiner, the second sentence of the policy could be amended as follows:

“Where infrastructure necessary to serve the development is not available or existing infrastructure requires improvement, planning permission will only be granted where measures are put in place to secure the provision of the infrastructure in a timely manner, when it is required.”

Q30. Policies EB22 and 23 – *the parking standards are considered to be too prescriptive and inappropriate for planning policy. I am proposing to recommend that they should be included in an Annex to the Design Guide. Would the QB provide me with the evidence that has been collected to justify these local standards in accordance with NPPF 105.*

EBNF response:

The Forum has provided a summary of the evidence to justify the inclusion of these policies - see Annex 2 to this document.

Q31. Policy EB24 - *as the policy does not refer to any standards, it is recommended that reference should be made to the Council’s Parking Standards.*

EBNF response:

The Forum accepts the proposed amendment.

Q32. Policy EB25 – *are all the routes shown public rights of way? If so, their protection is already covered by other legislation and there is no need to include them in planning policy.*

EBNF Comment:

Not all of the routes shown on the policies map are public rights of way. Therefore the Forum considers it is important that they are identified on the policies map. Figure 5 in the Transport & Movement Background Paper identifies PROW's & other informal paths & tracks, with the exception of the informal tracks on the eastern section of the North Farm site, which are shown in the policies map.

Q33. Policy EB25 - *STC has confirmed that the proposed route improvement at Cleadon is at public consultation and no decision has been made on it yet. It is not appropriate therefore to indicate that it should be protected in the plan.*

EBNF Comment:

The whole of the route referred to is within the Forum area and not in Cleadon as suggested. Regardless of the result of the STC consultation, the Forum wishes that the route should be protected in line with the policy.

Q34. Referendum Area - *Does the QB and LPA have any views on whether the area for referendum should be extended beyond the plan area?*

EBNF response:

The Forum does not consider there is a need for the referendum to be extended beyond the plan area.