



South Tyneside Council

item 8

Cabinet

Date: 17th March 2021

South Tyneside Local Plan: Spatial Options Review

Report of George Mansbridge, Corporate Director Regeneration and Environment

Cabinet Portfolio/Lead Member: Councillor John Anglin, Lead Member for Regeneration and the Economy

Purpose of Report

1. There are 2 options in respect of the emerging South Tyneside Local Plan. These are as follows:
 - **Option 1:** To progress the current Pre-Publication Draft (Regulation 18) Local Plan to a Publication Draft (Regulation 19) Local Plan. Subject to Cabinet endorsement, consult on the Regulation 19 draft Local Plan.
 - **Option 2:** To review the spatial options and progress to a new draft Regulation 18 Local Plan to be informed by that review. Subject to Cabinet endorsement, consult on the new draft Regulation 18 Local Plan.
 2. This Report seeks Cabinet approval for either Option 1 or Option 2 and recommends Option 2.
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The consultation on the South Tyneside Regulation 18 Pre-Publication Draft Local Plan

3. The Regulation 18 Pre-Publication Draft Local Plan was approved by Cabinet on 7 August 2019 for an 8 week consultation between August and October 2019. The document library for the Pre-Publication Draft Local Plan is at:

<https://www.southtyneside.gov.uk/article/36020/Supporting-Documentation-and-Evidence-Base-Studies>

4. In response to the consultation on the draft Local Plan individuals and organisations submitted 18,969 comments as detailed below:

Type	Notes	Respondents	Comments
Residents		2,505	17,790
Land Promoters	<i>i.e.</i> house builders, landowners and those with land interests (whether allocated or not)	36	504
Statutory Consultees	<i>i.e.</i> both quasi and statutory consultees e.g. Natural England, CPRE, Home Builders Federation and utility providers.	17	253
Neighbourhood Forums	<i>i.e.</i> East Boldon and Whitburn Forums	2	99
Action Groups	<i>Existing or newly created e.g. South Tyneside Tree Action group, Keep Boldon Green and Cleadon Action Group</i>	10	239
Political	<i>Councillors and local political groups</i>	13	84

5. The overwhelming majority of comments from residents were objections to the allocation of land for housing in the Green Belt. Common reasons for objections were as follows:

- the use of 2014 household projection data to inform the housing requirement;
- the perceived failure to demonstrate exceptional circumstances for proposed alterations to Green Belt boundaries;
- the perceived availability of brownfield land as an alternative to the proposed development of land for housing that is currently in the Green Belt;
- the perceived disproportionate housing allocation to the villages;
- the perceived loss of biodiversity and wildlife;
- the perceived impact on mental health and wellbeing;
- the perceived impact on the character and distinctiveness of the villages;

- the perceived impact on the social infrastructure of the villages i.e. school and primary health care provision; and
 - the perceived impact on the road network in the villages.
6. The comments from statutory consultees include objections from Sport England to the allocation of playing pitches for housing. These sites comprise a significant proportion of the Local Plan housing supply (868 homes).
 7. The comments from site promoters include objections where sites that are being promoted for development have not been allocated and an objection to a single, large Green Belt release not having been assessed through the sustainability appraisal process in tandem with both sustainable urban area growth and multiple smaller Green Belt releases.
 8. For a full summary of the representations received in response to the consultation on the South Tyneside Regulation 18 Pre-Publication Draft Local Plan Local Plan, see weblink below:
<https://www.southtyneside.gov.uk/article/36011/Local-Plan>
 9. For completeness, the East Boldon and Whitburn Neighbourhood Forums are both progressing Neighbourhood Development Plans that are at a relatively advanced stage of preparation. The East Boldon Neighbourhood Plan is anticipated to be at Examination in May 2021 and the Whitburn Neighbourhood Development Plan is anticipated to be at Examination in June 2021. Both Neighbourhoods Plans do not propose any alterations to the current Green Belt boundaries within their respective designated Forum areas.

The need to review the Spatial Options

10. Since the 2019 consultation, there have been a number of factors which have led the Spatial Planning team to consider the re-evaluation of the strategic spatial approach of the draft Local Plan and the delivery of housing. These have included:
 - Uncertainty relating to the deliverability of some of the draft Local Plan housing allocations. This is particularly with regard to the need for playing pitch mitigation. The Spatial Planning team are working with Sport England to identify appropriate mitigation; however, there is a risk of the Plan being found unsound unless an effective mitigation strategy is devised and/or additional housing supply is identified for the purpose of an increased buffer as detailed below. Members will be mindful in this regard that one of the priorities in the South Tyneside Health and Wellbeing Strategy 2017-2021 is *'To ensure that the environment enables everyone to be healthy, connected and*

active and the *'What we will do'* associated with this includes ensuring *'that health is at the heart of the new Local Plan'* including maximising *'the use of green space for exercise'*.

- We currently make an allowance for the risk of under-delivery (should one or more allocated sites fail to come forward as expected) by proposing a 10% buffer for flexibility. Buffers are accepted as good practice and would help to shield the Plan against any future uplifts in the housing need. We need to consider whether this needs to be increased, perhaps to 15% or 20% because of uncertainty over the delivery of proposed housing sites.
- The current annual targets for the provision of new homes in the Borough are not being met. This means that the Local Plan will have to make up for the current under-delivery of housing in the Borough.

The Current Spatial Options

11. The Pre-Publication Draft Local Plan has been subject to a formal Sustainability Appraisal which incorporates the formal Strategic Environmental Assessment.
12. This included identifying and appraising 4 different reasonable spatial options for the distribution of development within the Borough. However, the Spatial Planning team consider that these need to be reviewed in light of the reasons documented above. Table 1 lists the 4 spatial options that were previously assessed, the reasons that 3 were rejected and the reason for the selection of the preferred option.

Spatial Option	Outcome	Justification for decision
Option 1: Urban Area	Rejected	Focusing development in our urban areas only cannot sustainably meet the OAN for the Local Plan and could result in unmanaged development pressure on the Green Belt.
Option 2: Neighbouring Authorities	Rejected	No support from neighbouring local authorities to take unmet demand from South Tyneside.
Option 3: Sustainable Urban Area Growth and Large-scale Green Belt (Single land) release	Rejected	Large scale Green Belt release would have significant negative impact on the Green Belt and would not help to deliver the wider sustainability aspects of the Local Plan.
Option 4: Sustainable Urban Area Growth & smaller multiple Green Belt releases	Preferred Option	Distributed growth through urban areas and sustainable Green Belt release could meet housing need providing housing throughout the borough and helping to achieve the sustainability objectives of the plan.

13. From the options appraised in the above table, Option 2 is still considered to be an unsuitable option for the draft Local Plan. However, it is proposed to reappraise Option 1 and amended versions of Option 3 and Option 4 and also consider a new spatial option as set out in Table 2.
14. The options will be appraised considering the most up to date evidence available to support the Local Plan.

Proposed New Spatial Options

15. The below table sets out the new spatial options to be assessed:

Spatial Option	Previously Assessed/ New	Reasons for Inclusion
Option 1: Urban Area.	Previously Option 1	To reassess whether the local housing need, as determined using the government's updated standard method for calculating housing need, can be met without any requirement for Green Belt release.
Option 3: Sustainable Urban Area Growth and Large-scale Green Belt (Single land) release	Previously Option 3 (as amended)	To ensure all reasonable options are fully considered.
Option 4: Sustainable Urban Area growth & increased number of Green Belt releases of varying sizes.	Previously Option 4 (as amended) (Preferred Strategy)	To demonstrate the sustainability of the current preferred option with additional Green Belt releases
Option 5: Sustainable Urban Area Growth + large scale Green Belt (Single land) release + additional Green Belt site releases of varying sizes	New Spatial Option	Consider the sustainability effects of a large-scale Green Belt release in addition to urban sites and Green Belt releases of varying sizes.

16. If Option 3 or Option 5 is selected then the deliverability of a large-scale (single land) Green Belt release would need to be tested through the commissioning of a major multi-modal travel study the funding of which would be a matter for discussion with Highways England but could potentially involve a commitment from South Tyneside Council to part-fund.
17. The Sustainability Appraisal of these options will identify the sustainability credentials and effects of each spatial option. It will assist

in the selection of a preferred option which will form the basis of the Spatial Strategy for the distribution of development with a view to undertaking a further Regulation 18 pre-publication Local Plan consultation in 2021.

The Planning for the Future White Paper

18. Members will be aware that from 6 August to 29 October 2020, the Government consulted on 'Planning for the Future' setting out its key proposals to reform the planning system and that these proposals include streamlining the plan-making system. The white paper says 'To support the transition to the new system, we propose a statutory duty for local authorities to adopt a new Local Plan by a specified date – either 30 months from the legislation being brought into force, or 42 months for local planning authorities who have adopted a Local Plan within the previous three years or where a Local Plan has been submitted to the Secretary of State for examination. In the latter case, the 42 month period would commence from the point at which the legislation is brought into force, or upon adoption of the most recent plan, whichever is later.' (paragraph 2.50)
19. There is a risk to any plan process being undertaken within the context of current legislation that it could be superseded before the point of adoption if new legislation is enacted that radically changes the plan-making system. However, the Spatial Planning team consider that, this is low risk as Para 2.50 above provides some clear messages that there is a transition envisaged, and that the plans adopted or submitted prior to legislative enactment will be relevant up until the statutory period for new plans to be in place under a new system is over and that plan-making undertaken in the context of the current regulatory framework should therefore continue.

New Infrastructure

20. For a new community to be successful and sustainable, it needs to contain more than just homes to live in and places to work. Other uses are often needed to make new developments function efficiently and effectively. This needs to be provided in the right place, at the right time and be of the right size or type.
21. An Infrastructure Delivery Plan (IDP) was prepared to support the Pre-Publication Draft Local Plan which sets out the infrastructure required to support planned growth and development, in terms of the overall costs, where the funding will come from and when the infrastructure is required.
22. The intention is for the IDP to be a 'live' document i.e. for it to be updated as circumstances change and new evidence becomes available. The recommended appraisal of new spatial options also

provides an opportunity for a fresh assessment of the infrastructure requirements that will best serve both new and existing communities.

Next Steps

23. Subject to endorsement by Cabinet a Sustainability Appraisal of the spatial options will carefully consider and select one of the three spatial options for the distribution of development referenced in Table 2.
24. Preparation of a new draft Regulation 18 Local Plan will commence with the intention of seeking the endorsement of Cabinet for public consultation on the new draft Regulation 18 Local Plan later in 2021.

Financial and Value for Money Implications

25. There will be a requirement for the Council to commission external studies to support the review. This could potentially include an estimated £60,000 contribution towards a multi-modal travel study.

Legal Implications

26. The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and associated regulations require the Authority to keep under review matters affecting planning and development, and to make any necessary changes to Local Development Documents.

Risk and Opportunities Implications

27. The risks associated with the preparation of a new draft Regulation 18 Local Plan will be managed using the Authority's risk management process. These risks include:
 - Capacity of external agencies and bodies to contribute to document preparation, especially with supporting evidence. Evidence submitted by external agencies will be crucial to the process of plan preparation and this could affect the timing of the document's preparation
 - The nature of representations received;
 - The views of the Planning Inspectorate following the Examination; and
 - Changes in the regulatory framework for plan-making (particularly with regard to the Government's intention to reform that framework) and/or National Planning Policy.
28. Failure to make progress may also increase the risk of formal Government Intervention.

Equality and Diversity Implications

29. The new draft Local Plan will be assessed against the principles of equalities and diversity.

Environmental and Sustainability Implications

30. Promoting sustainable development is an explicit requirement of any development planning document. The policies and proposals of the new draft Local Plan will be the subject of formal Sustainability Appraisal and Appropriate Assessment, in accordance with The Environmental Assessment of Plans and Programmes Regulations 2004.

Recommendations

31. Cabinet is recommended to:
- Authorise Officers to review the spatial options for the distribution of development and prepare a new Regulation 18 Local Plan.

Reasons for Recommendation

32. The reason for the recommendation is based on the following:
- There is a risk that a Local Plan based on the current spatial strategy would be found unsound unless either an effective playing pitch mitigation strategy is devised and/or additional housing supply is identified.
 - The fact that the Local Plan will not now be adopted until 2023 and that current housing targets are not being met also means that there is a need to identify additional housing supply.
 - A fresh assessment of the spatial strategy also provides an opportunity for a fresh assessment of whether the proposals for infrastructure provision set out in the Infrastructure Delivery Plan will deliver the optimum benefits for both existing and new communities.

South Tyneside Local Plan: Spatial Options Review

The following is a list of the background papers (excluding exempt papers) relied upon in the preparation of the above report:

Background Paper	File Ref:	File Location
Item 4 – Cabinet Covering Report Pre-Publication Draft Local Plan 07.08.19	Development Services	Regeneration and Environment