



The Planning  
Inspectorate

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# Report to South Tyneside Council

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 11<sup>th</sup> November 2011

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

## **REPORT ON THE EXAMINATION INTO THE SITE-SPECIFIC ALLOCATIONS DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 30 June 2011

Examination hearings held on 3 and 4 October 2011

File Ref: PINS/A4520/429/8

## Abbreviations Used in this Report

AAP	Area Action Plan
AMR	Annual Monitoring Report
CIL	Community Infrastructure Levy
CS	Core Strategy
DMPDPD	Development Management Policies Development Plan Document
DPD	Development Plan Document
LDF	Local Development Framework
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
RSS	North East of England Plan - Regional Spatial Strategy to 2021
SSADPD	Site-Specific Allocations Development Plan Document
SPD	Supplementary Planning Document

The references to documents indicated as follows [ ] coincide with the Council's List of Core Documents published on its web site:

<http://www.southtyneside.info/article/13204/Site-Specific-Allocations-DPD-Examination>

### **Non-Technical Summary**

This report concludes that the Site-Specific Allocations Development Plan Document, alongside existing Development Plan Documents, provides an appropriate basis for the planning of the Borough over the next 15 years. The Council has sufficient evidence to support the plan and can show that it has a reasonable chance of being delivered.

A change to Policy SA10 (gypsy and traveller caravan accommodation) is needed to make the policy sound. This change is set out in Appendix A.

All other changes are minor and do not affect the soundness of the plan. I endorse the Council's view that they improve the plan. These changes are set out in Appendix B.

## Introduction

1. This report contains my assessment of the SSADPD in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the DPD is compliant in legal terms and whether it is sound. PPS 12 (paragraphs 4.51-4.52) makes clear that to be sound a DPD should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the Publication Draft version of the DPD (June 2011) [L3.27]. This version incorporates minor changes from the January 2011 version of the DPD [L3.17] to bring the document up-to-date, correct some drafting errors and improve its clarity (shown as tracked changes and in a separate schedule [E3.1]). Some of the changes were made in response to representations. I accepted these changes in advance of the hearings. Therefore, they do not require any further recommendation or endorsement from me.
3. My report deals with the change that is needed to make the DPD sound and this is identified in bold in the report (**SC**). This change has been proposed by the Council and is presented in Appendix A. The change does not materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken.
4. Other changes put forward by the Council are factual updates, corrections of minor errors or other minor amendments in the interests of clarity. Where mentioned in the main part of the report they are shown in bold (**MC**). These changes do not relate to soundness. However, I endorse the Council's view that they improve the plan. These are shown in Appendix B. I am also content for the Council to make any additional minor changes to page, figure and paragraph numbering and to correct any spelling errors prior to adoption.

## Assessment of Soundness

### Overview

5. The SSADPD will complete the suite of documents forming the Council's LDF. The Council has already adopted a CS [L2.1] and AAPs for Central Jarrow [L7.28], Hebburn Town Centre [L8.17] and South Shields Town Centre and Waterfront [L6.17]. The DMPDPD [L4.23a] has been examined, found to be sound and is due to be adopted in December 2011.
6. The SSADPD allocates land for a range of development types in areas of the Borough not covered by the AAPs. The document reflects the broad themes of the RSS and CS. I have followed a similar structure in this report. The allocations, along with those in the AAPs, seek to achieve the overarching strategy and policies of the RSS and CS. The allocations are shown on the proposals map that accompanies the SSADPD.
7. The Government intend to abolish Regional Strategies through the Localism Bill. However, the Court of Appeal has stated that it would be unlawful for a local planning authority preparing, or a Planning Inspector examining, development plan documents to have regard to the proposal to abolish regional strategies.

Therefore, so long as the RSS continues to exist the SSADPD must be in general conformity with it.

8. The Government issued the Draft National Planning Policy Framework (NPPF) in July 2011. The Council and representors have been given the opportunity to comment on its implications for the DPD. That said as the document has been published for consultation and is subject to change I have given it little weight. A consultation has also taken place on a Draft PPS for travellers. However, as with the NPPF, it carries little weight at this draft stage.

### **Main Issues**

9. Taking into account the representations, written evidence and the discussions that took place at the examination hearings I have identified five main issues upon which the soundness of the plan depends.

### **Issue 1 – Is the Plan consistent with national policy, broadly in conformity with the RSS and in conformity with the CS?**

10. The CS was adopted in June 2007, before the publication of the final version of the RSS in July 2008. Some of the CS requirements, such as housing, were based on earlier assessments, including locally-based "Option 1" figures. In preparing this DPD and the earlier AAPs, the Council has sought to balance the requirements of the CS and RSS and also taken into account more up to date evidence. In the circumstances this is a reasonable overall approach.

### *Accessibility*

11. The Plan builds on the LDF strategy of focusing new development in the most accessible locations, particularly within the Tyne riverside regeneration corridor. This approach fits comfortably with PPS1, PPG13 and RSS Policy 7. Mixed use developments are promoted by Policy SA1 of the DPD, combining, in most cases, residential development with other compatible uses to create sustainable communities which would reduce the need to travel to access some facilities.
12. Policy SA2 gives priority to sustainable travel. Pedestrian/cycle/bridleway routes would be created and improved. Land is safeguarded to allow the provision of new Metro stations and new Metro links. The station at High Lane Row would be likely to be progressed in tandem with a track-dualling project which is also recognised by Policy SA2. In terms of the other new Metro stations, current passenger numbers and capacity constraints would not support their provision at present. However, the Council is justified in safeguarding the land, including that at Monkton Fell, to take into account the potential for significant future growth in nearby areas. Road junctions on the A19 would be improved having regard to the objective of promoting opportunities along this strategic economic growth corridor (RSS (paragraph 2.134) and CS Policies ST1 and A1).

### *Economic Growth and Prosperity*

13. Policy 18 of the RSS proposed a requirement for up to 70 ha of employment land in South Tyneside. The RSS figure significantly exceeded the 40 ha proposed by Policy E1 of the CS which was based on the submission draft of the RSS. This arose because, following examination, the final RSS deleted a prestige employment site of 90 ha in the Green Belt and allocated a proportion

of the land to the Borough (30 ha). The employment land allocations in the DPD would combine with those in the AAPs to approach the requirement in Policy 18 of the RSS, taking into account land already taken up. In terms of up to date evidence the Council's recent Employment Land Review 2011 [L11.16a] recommends a need for 42 ha of land over the lifetime of the DPD. The unimplemented LDF allocations provide for up to 46 ha. In this context the LDF would achieve a good supply of employment land which would promote sustainable economic growth in line with the Government's Planning For Growth agenda.

14. Policy SA3 identifies priority sites to meet the CS requirement by 2016 with secondary sites programmed to come forward by 2026. The priority sites would predominantly make use of previously-developed land in sustainable locations in accordance with national policy, Policy 4 of the RSS and Policies E1 and ST1 of the CS. The proposed Green Business Park at Jarrow Riverside would tie in with the recent Low Carbon Economic Area designation, the approved North East Enterprise Zone and the A19 growth corridor. Infilling of the former Tyne Dock would provide a significant area for port-related uses. However, a non-Green Belt greenfield site has been allocated at Monkton Fell. This development would build on the cluster of business uses at Monkton Business Park. Some office uses could be accommodated. The allocation would provide some variety in the type of employment land, would be close to the A19 corridor and is justified. However, most office uses are directed to town centre locations covered by the AAPs in accord with PPS4, Policy 19 of the RSS and Policy SC2 of the CS.
15. The allocation of additional greenfield land is constrained by the extent of the Green Belt. However, the Council recognise that future development needs will be likely to necessitate a strategic review of Green Belt boundaries through a new overarching CS. Green Belt sites at Wardley Colliery and north of the Nissan Factory would be considered as part of this review. I agree with the Council that it would not be appropriate to materially alter Green Belt boundaries in this DPD.
16. The Proposals Map identifies Predominantly Industrial Areas which are safeguarded by Policy DM2 of the DMPDPD. The Employment Land Review 2011 [L11.16a] specifically recommends the retention of such areas. The land and premises in these areas are needed to satisfy the Borough's employment needs in addition to the allocated sites. From what I saw, such areas, including the Cleadon Lane/Station Approach area of East Boldon, provide a variety of mainly industrial-type units with good levels of occupancy which should be retained for predominantly employment uses (B1, B2 and B8).
17. Policy SA4 of the DPD supports the significant investment in education taking place and reflects objectives of Policy E1 of the CS. As the South Shields Community School has recently been completed, there is no need for this site to be referred to in Policy SA4 (**MC13**).

#### *Sustainable Communities*

18. The majority of retail development in the Borough is proposed within the AAP areas with particular focus on Hebburn Town Centre in accordance with Policy SC2 of the CS. The mixed-use proposals for the Ashworth Frazer Industrial Estate would complement Hebburn Town Centre. Therefore, Policy SA5 of this

DPD concentrates on residual district and neighbourhood centres.

19. The consolidation of Frederick Street would seek to arrest the decline in this district centre whilst fitting in with the regeneration proposals for the Trinity South Neighbourhood of the South Shields Riverside Regeneration Area. Neighbourhood shopping facilities are being created at Westoe Crown Village as part of a mixed use development (Policy SA1). The allocation at The Wynde would provide similar facilities for an existing neighbourhood on a site previously occupied by a small foodstore. Brighton Parade is identified as a neighbourhood centre which would benefit from the spin-off from the new development at Monkton Fell. There would appear to be the scope to modestly extend the retail offer to reinforce its neighbourhood centre function. The retail allocations are consistent with PPS4, Policy 25 of the RSS and Policy SC2 of the CS.
20. There may be scope for other retail proposals in district and neighbourhood centres, particularly given the capacity for comparison shopping floorspace identified in retail studies [L11.17 and L11.18]. However, such proposals would need to comply with Policy SC2 of the CS and the final section of Policy SA5.
21. Community facilities and open space would be allocated through Policies SA6 and SA7 of the DPD. The open space allocations would build on the proposals within the South Shields and Central Jarrow AAPs for recreational open space. The allocations reflect the need to balance the competing demands of other development given the tight urban areas of the Borough. The open space needs are supported by the Council's Open Space and Playing Pitch Strategies [L11.26, L11.27 and L11.28]. The relocation of South Shields and Westoe Sports Club from its constrained site would be facilitated by the provision of potential alternative locations such as the former Brinkburn Comprehensive School. The proposals would accord with Policy 24 of the RSS and Policy SC6 of the CS.
22. The housing allocations, in combination with AAP allocations, would achieve dwelling numbers of about 6,520 between 2004 and 2021 compared to the RSS requirement of around 7,150, taking into account completions up to 2011. However, I consider this 9% shortfall to be justified. Lower housing figures were set by Policy SC3 of the CS which was in line with the more locally derived "Option 1" figures put forward at the examination into the RSS. The figures take into account significant areas of demolition of low demand housing in locations such as Cleadon Vale (Policy SA8 refers). Lower than expected completions in the last 3 years reflect the downturn in the housing market. Moreover, the release of housing envisaged by Policy SA9 of the SSADPD indicates that RSS requirements will be exceeded for the period 2011-2016. In that period the Council will be reviewing its overarching plan, including the need for strategic allocations.
23. The majority of the allocations are on previously-developed land. Housing allocations would comfortably achieve the 60% national target set out in PPS3 and also exceed the 80% sub-regional target set by Policy 29 of the RSS. Phasing of overall LDF allocations would prioritise sites which would contribute to the regeneration of town centres and the riverside corridor in accordance with CS Policy SC3. Greenfield allocations beyond the Green Belt at Monkton Fell and Westfield, Biddick Hall, would contribute to the supply and range of deliverable sites. Both sites are close to existing or proposed sustainable transport routes and local services and are contained to a degree by existing

development and transport infrastructure. However, altering Green Belt boundaries in locations such as the former Whitburn Rifle Ranges to allow additional housing is not justified at this stage. The Council's position in relation to Green Belt sites for conventional housing is set out at paragraph 15. Residential allocations avoid Flood Risk Zones 2 and 3 by the River Tyne and along the Don Valley [L3.30].

24. A small allowance for windfalls is included in the calculations of housing supply accompanying Policy SA9 (albeit windfalls are not referred to in the policy itself). The allowance is based on evidence of a consistent delivery of dwellings from conversions. The inclusion of the allowance is not pivotal in that sufficient allocations have been identified to provide 10 years of land supply. Moreover, the contribution of windfalls was referred to in Policy SC3 of the CS. Therefore, I do not consider that the inclusion of windfalls in the calculations affects the soundness of the plan.
25. Policy SC4 of the CS requires a minimum of 25% affordable dwellings on all developments of 15 dwellings or more. There are sufficient sites with a capacity of over 15 dwellings to ensure that the identified affordable housing needs of the Borough are met [L11.23 and R3.16b]. It is estimated that the allocated sites would achieve in excess of 600 affordable homes which exceeds the requirements and allows a degree of flexibility in affordable housing provision taking into account the need for schemes to be viable.
26. The RSS did not identify a gypsy and traveller pitch requirement for local authorities (Policy 30). However, a sub-regional Gypsy and Traveller Accommodation Assessment completed in 2009 [R3.14a] indicated a need to provide 13 residential pitches in the Borough, primarily due to the existence of a temporarily permitted site at West Pastures, near West Boldon, occupied by an extended family group. Policy SA10 allocates the West Pastures site for permanent use, notwithstanding that the caravan site is inappropriate development in the Green Belt. Circular 01/2006 – Planning for Gypsy and Traveller Sites confirms that national policy for Green Belts (PPG2) applies to gypsy sites.
27. Based on the evidence before me, no more suitable site for the use exists. Most of the countryside within the Borough is designated as Green Belt. There are competing needs for non-Green Belt sites. Significant areas of the Green Belt are affected by other designations such as local nature reserves. The site would enable the family group to remain on a single site, unlike the alternatives. The smaller reserve sites at White Mare Pool and Hebburn Riverside are affected by traffic noise/pollution and flood risk respectively. Exceptional circumstances exist to justify the allocation of this Green Belt site. The policy would include stipulations that landscaping and highway works should be carried out to reduce the visual impact on the Green Belt and ensure a safe means of access. The Council agree that the policy needs to be amended to make the plan sound as a "provisional allocation" would not provide the necessary certainty (**SC1**). The policy, as revised, would meet the national policy and CS Policy SC5 objectives of translating pitch needs into a site specific allocation.

### *Environmental Assets*

28. Aside from the West Pastures site referred to above and the potential for a small incursion to facilitate park-and-ride facilities at East Boldon Metro Station (Policy SA2), there are no development allocations in the Green Belt. A major developed site was designated for a new school under Policy SA11. However, as that project is now completed (paragraph 17 refers), there is no longer a need for the policy and much of the related explanation (**MC25** and **MC26**). Despoiled sites are proposed for reclamation through Policy SA12, including three large sites in the Green Belt. These proposals would improve damaged land near towns and secure improved nature conservation value to accord with the positive objectives for Green Belts set out in PPG2.
29. Policy 41 of the RSS identified the potential for small wind farms in urban areas and on the urban fringe in South Tyneside. A small number of single turbines have been constructed or approved on sites in the urban area. Additional turbines could be incorporated into the Green Business Park employment allocation. Studies have indicated limited scope for the development of rural wind turbines due to the narrowness of the Green Belt between the built-up areas of South Tyneside and Sunderland [L11.37]. There is insufficient justification for specific allocations.
30. Recent evidence has proposed a reduced sub-regional apportionment of aggregate minerals compared to the provision required by Policy 43 of the RSS [R3.44]. An assessment of existing and permitted quarries within Tyne and Wear indicates that there is sufficient capacity to meet the apportionment. Thus, insufficient evidence exists at the present time to justify site allocations for minerals. However, a safeguarding policy as part of the DMPDPD (Policy DM8) requires that proposals for non-minerals development of sites exceeding 1 ha need to demonstrate that minerals will not be sterilised. The approach is consistent with Minerals Policy Statement 1: Planning and Minerals and accords with Policy 42 of the RSS.
31. The waste management capacities identified by Policy 46 of the RSS (and referred to in Policy EA6 of the CS) were reviewed more recently at a regional level. The review showed a marked decline in waste streams [R3.42]. The allocations in Policy SA13 would reflect these changes in addition to taking into account cross-boundary partnership arrangements. There is insufficient evidence to justify allocating the former Wardley Colliery spoil tip for waste-related uses at the present time. In any event such a change would require a strategic review of Green Belt boundaries (paragraph 15 refers).

### *Conclusion*

32. I conclude that the Plan is consistent with national policy, broadly in conformity with the RSS and in conformity with the CS.

### **Issue 2 – Are the allocations and associated infrastructure deliverable?**

33. The Council published an Infrastructure Delivery Plan [L10.17] at about the same time as the June 2011 version of the SSADPD. The Plan provides information about existing and planned infrastructure and how it will be delivered to meet the needs of the Borough, concentrating on public sector related infrastructure. The SSADPD includes a monitoring and implementation framework. The

Council's SPD5 relating to Planning Obligations [L9.5] promotes a tariff-based approach for developer contributions to strategic transport infrastructure, open space, childrens' outdoor play and sports facilities and also contains other site specific requirements. The SPD will be reviewed as part of the preparation of the Council's CIL.

### *Strategic Policies*

34. The majority of the sites proposed for mixed use developments (Policy SA1) are publicly owned. The DPD refers to a range of uses within each allocation that would be appropriate. However, there is sufficient flexibility in that it is not considered essential that every potential use is included in a development proposal. In some cases the delivery of community uses would be facilitated by allowing part of the site to be developed for residential purposes.

### *Accessibility*

35. Funding is not currently available for the dualling of the Metro track between Pelaw and Jarrow or the new Metro Stations referred to in Policy SA2. However, as the policy indicates implementation by 2026, there is sufficient time to seek funding packages which could include Local Transport Plan bids [R3.1a and R3.1b], tariff-based developer contributions/CIL and use of the New Homes Bonus.
36. Highway infrastructure improvements, including enhancements to important strategic junctions such as those on the A19, would be programmed to tie in with development projects across the Borough. The programme has been adjusted to reflect the recently updated South Tyneside Transport Study [L9.5e]. Planning contributions would be required towards transport infrastructure schemes, including sustainable transport measures, in accordance with CS Policies ST1 and A1 and detailed guidance in SPD5. For example contributions could subsidise the re-routing of bus services in the Monkton Fell area.

### *Economic Growth and Prosperity*

37. The majority of the employment allocations under Policy SA3 are suitable for a range of B1, B2 and B8 uses so allowing flexibility in responding to market shifts. The private sector would deliver the majority of employment sites. Given the realistic assessment of the suitability of sites for employment use in the Employment Land Review and past performance there is a reasonable prospect of sites being delivered.
38. Sites at Boldon Business Park would be affected by the presence of high voltage electricity lines. Safety clearance zones and other safeguards have been built into previous developments and permissions. Similar provisions, including those related to updated guidelines, would apply to the allocated vacant plots. However, the lines would not prevent the allocations at Brooklands Way from being delivered.
39. The majority of the education projects covered by the Building For Schools Programme are already committed so the recent axing of the programme does not have significant implications for the implementation of Policy SA4. I saw evidence of substantial ongoing investment in new school buildings in the Borough. Section A of the policy has been updated to reflect a recent decision

by South Tyneside College to vacate the Hebburn Campus and consolidate operations on the Westoe Campus (**MC13**). The longer term projects contained within the reorganisation of primary schools programme (Section D) are being kept under review. However, based on current information there is a commitment to implement these new build and refurbishment schemes. Therefore, their inclusion within the policy is justified.

### *Sustainable Communities*

40. Significant progress has already been made in implementing retail proposals at Westoe Crown Village and Frederick Street. The Council has taken a proactive role in the latter area through the preparation of guidance [L9.8], the progression of an outline planning application in line with a masterplan and the acquisition of properties. There would not appear to be any obstacles to the private sector delivering the other small retail developments proposed by Policy SA5, although the improvements to Brighton Parade are aspirational rather than a firm proposal.
41. Some of the community facilities are already being progressed. However, the Council has been undertaking a comprehensive review of community facilities. The review seeks to create strategic community hubs, in many cases integrated with the school improvements highlighted in Policy SA4. Policy SA6 and the IDP reflect this review as far as possible. Funding is likely to come from the sale of school and other Council sites for housing together with planning contributions towards community infrastructure secured through SPD5.
42. Similar funding streams would apply to the green infrastructure proposed by Policy SA7 except where the provision is integral to development proposals. The open spaces being provided at Westoe Crown Village and the allotments forming part of the development at School Street, Hebburn are two such examples of integrated green infrastructure. SPD3 – Green Infrastructure Strategy is currently being prepared which will update standards for recreational open space provision and set out an action plan for the delivery of schemes. The SPD draws upon evidence from the Open Space and Playing Pitch Strategies [L11.26, L11.27 and L11.28]. The adopted SPD3 will inform the Council's preparation of its CIL.
43. The phasing of housing allocations in Policy SA9, backed up by evidence from the Strategic Housing Land Availability Assessment [L11.24] and AMR trajectories [L10.10f], indicates that a 5 year supply of housing sites of new housing would be achieved against the RSS requirement. The scope for flexibility has been introduced in the explanation to Policy SA9 to allow sites to be brought forward to ensure a rolling 5 year supply of deliverable housing sites. South Tyneside College has indicated that housing on the Westoe Campus would be unlikely to be delivered until after 2016 (**MC20** and **21**). However, this change in phasing would not prejudice the 5 year supply.
44. Based on the evidence before me the Mineral Safeguarding Area, which covers the whole of the Borough, would be unlikely to prevent allocated housing sites coming forward. The cost of mineral extraction would need to be balanced against the delivery of sites and environmental issues. Coal seams are generally deep such that extraction may not be viable or practical, particularly on smaller sites within the urban area.

45. Changes in the housing market, including the reduced demand for higher density flats, have affected the outputs from some of the allocations in the AAP areas, particularly in the South Shields Riverside Regeneration Area. The likely reduced densities have been reflected in alternative figures provided in the table alongside Policy SA9 (updated phasing). However, these figures do not show a significant divergence from RSS requirements in the early years of the DPD.
46. The West Pastures site is owned by the gypsy community who have indicated that they will submit a planning application should the Policy SA10 allocation be confirmed. It is understood that the community are aware of the need to invest in the site. The evidence indicates that the site would be deliverable in accord with the terms of the policy. The Council could resort to enforcement action if the proposal does not progress satisfactorily. As the sites at White Mare Pool and Hebburn Riverside are owned by the gypsy community and Council respectively, they would appear to be deliverable as alternatives.

#### *Environmental Assets*

47. Quarries at Red Barns, Hebburn and Marsden Coast Road require restoration towards the end of the life of the DPD in accordance with approved schemes. Other sites identified for reclamation by Policy SA12 are likely to involve partnerships between the landowners and the Council.
48. The sites identified for waste management by Policy SA13 are existing facilities. The sites are funded by public and private sectors. There appears to be good reason for such funding continuing provided waste streams are maintained.

#### *Conclusion*

49. I conclude that the allocations and associated infrastructure are deliverable.

### **Issue 3 – Does the Plan fit with the proposals of adjoining local planning authorities?**

50. The DPD has taken into account a sub-regional or regional approach to mineral extraction and waste management (Paragraphs 30 and 31 refer). The Borough's designation as part of the sub-regional Low Carbon Economic Area has been reflected in a joint approach by local authorities along the River Tyne to develop brownfield land for use by the wind turbines construction sector.
51. Sunderland City Council is considering an amendment to the Green Belt boundary to the north of the Nissan Car Plant to allow the allocation of a strategic employment site. Logically such an allocation would also encompass a relatively small triangle of land within South Tyneside (3.5 ha of the 37 ha site). The strategic site would be progressed through Sunderland's CS, a Preferred Option Version of which is likely to be approved for consultation by the City Council late in 2011.
52. The deletion of the 3.5 ha of land within South Tyneside from the Green Belt at this stage would be premature as the Sunderland CS is at an early stage of preparation, has not been subject to consultation and is subject to change. However, the Borough Council does recognise the need to review Green Belt boundaries at the appropriate plan-making level (paragraph 15 refers).

53. Similar considerations apply to land at Wardley Colliery. Discussions have taken place with Gateshead Borough Council about the potential to expand Follingsby Industrial Park to the east. However, proposals have not reached a stage which justifies a change in Green Belt boundaries through this DPD.

#### *Conclusion*

54. I conclude that the Plan has a reasonable fit with the proposals of adjoining local planning authorities.

#### **Issue 4 – Can it be shown that the Council's approach to allocations is reasonable given the alternatives available?**

55. The Council considered a range of alternative sites for allocations, taking into account the evidence base. The approach is set out in a Site Options Generation and Site Assessment Methodology [L3.19]. In its gestation the LDF considered Options [L10.6]. The SSADPD appraised options and preferred options at various stages which were also assessed as part of the Sustainability Appraisal process. The extent of Green Belt wrapped around built-up areas and the emphasis on making use of previously-developed land, limited the choice of site allocations which would meet the requirements of national, regional and CS policy. For example the significant employment and residential allocation at Monkton Fell relates to one of the few non-Green Belt areas of greenfield land. In this context I am satisfied that the DPD achieves an appropriate balance between competing land uses.

56. I conclude that the Council's approach to allocations is reasonable given the alternatives available.

#### **Issue 5 – Are suitable targets in place for the monitoring of the proposals?**

57. The DPD's monitoring and implementation framework contained in Annex A sets out how the allocations would be achieved (by when, how and by whom). Where relevant the timescales reflect projects contained within the Sustainable Community Regeneration Strategy and the Local Area Agreement. These targets and indicators appear reasonable taking into account the evidence base.

58. The Council's AMR will incorporate the policies, proposals and implementation targets of the DPD alongside those of the CS, AAPs and DMPDPD. The AMR includes descriptive reporting in addition to measurable targets. The most recent AMR [L10.10f] showed that 90% of planning permissions complied with adopted DPD policies. This comfortably exceeds the 75% threshold for compliance with a policy below which a review would be triggered.

59. I conclude that suitable targets are in place for the monitoring of the proposals within the DPD.

#### **Overall Conclusions on Issues 1, 2, 3, 4 and 5**

60. For the reasons outlined above I conclude that the allocations in this DPD are justified, effective and consistent with national policy.

## Legal Requirements

61. My examination of the compliance of the SSADPD with the legal requirements is summarised in the table below. I conclude that the SSADPD meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The SSADPD is identified within the approved LDS of October 2009 [L10.11] which sets out an expected adoption date of April 2012. The content and timing of the SSADPD are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI [L1.1] was adopted in 2006 and consultation has been broadly compliant with the requirements therein.
Sustainability Appraisal (SA)	SA [L3.5] has been carried out and is adequate. The SA included addendums at Revised Draft [L3.12] and Publication Draft stages [L3.17b].
Appropriate Assessment (AA)	The Habitats Regulations Assessment of January 2008 [L3.6] and addendums at Revised Draft [L3.13] and Publication Draft stages [L3.20 and L3.28] sets out why AA is not necessary.
National Policy	The SSADPD complies with national policy.
RSS	The SSADPD is in general conformity with the RSS.
Sustainable Community Regeneration Strategy (SCRS)	Satisfactory regard has been paid to the SCRS [L11.1b].
2004 Act and Regulations (as amended)	The SSADPD complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

62. **I conclude that with the change proposed by the Council, set out in Appendix A, the South Tyneside Site-Specific Allocations DPD satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. For the avoidance of doubt, I endorse the Council's proposed minor changes, set out in Appendix B.**

*Mark Dakeyne*

INSPECTOR

This report is accompanied by:

**Appendix A – Recommended Council Change**

**Appendix B – Recommended Minor Changes Proposed by the Council**

## Appendix A – Recommended Council Change

*This change is required to make the Plan sound.*

The page number refers to the Publication Draft Revised Version of the SSADPD (as amended by tracked changes June 2011).

Change No.	Policy/Paragraph /Page	Change
SC1	Page 54 Policy SA10	Recommend amending criterion A to read "land at West Pastures, West Boldon, is allocated subject to the implementation of infrastructure and landscaping works to ensure residential amenity and minimise any harm to highway safety and the Green Belt; and"

## Appendix B – Recommended Minor Changes Proposed by the Council

*These changes, although minor, require my endorsement as the Council cannot change the Plan without a recommendation.*

The page and paragraph numbers refer to the Publication Draft Revised Version of the SSADPD (as amended by tracked changes June 2011).

Change No.	Policy/Paragraph /Page	Change
MC1	Front cover and inside cover	Update as necessary for final adopted version
MC2	Page iii contents page	Update page numberings as necessary arising from subsequent changes
MC3	Page and paragraph numbers	Update page, policy and paragraph numberings as necessary arising from subsequent changes
MC4	Page 3 para: 1.9	Final sentence. Recommend deleting "for" after "reasons"
MC5	Page 5, "How this Document will be Prepared..."	Update the diagram as necessary for examination and adoption dates, replace the "How this document will be Prepared..." with "How this document was Prepared..." and reposition the "You Are here!" bubble over the Stage 5 adoption box and amend "Spring 2012" as appropriate to reflect date of adoption
MC6	Page 9 para: 2.7	Third sentence. Recommend deleting "will see" and replace with "has seen" and delete "currently under construction" and replace with "now complete"
MC7	Page 17 para: 3.13	Recommend updating first line to read "The South Tyneside Transport Study (2010/2011)..."
MC8	Page 21 margin text	Recommend amending "South Tyneside Employment Land Requirements Summary" section to insert

		"Regional Spatial Strategy = up to 70ha". Recommend amending "LDF Site Allocations and take-up against Employment Land Requirements" section of the table to insert Regional Spatial Strategy (2008)                      61ha (-9ha) *48.6ha (-21ha)
MC9	Page 22 margin text	Recommend deleting repeated reference to "Boldon Business Park, Boldon Colliery" and "Simonside East Industrial Park, South Shields"
MC10	Page 23 para: 4.5	First sentence. Recommend deleting "STC 160" and replace with "ST160"
MC11	Page 25 para: 4.9	Second sentence. Recommend deleting "STC 160" and replace with "ST160"
MC12	Page 26 para: 4.11	Final sentence. Recommend inserting "not" before "likely to be required"
MC13	Page 27-28 Policy SA4	Criterion A. Recommend deleting criteria A)i and A)ii and amending to read "South Tyneside College's proposed rebuild/refurbishment scheme at the Westoe Campus, Grosvenor Road, South Shields# (by 2016)." Recommend deleting criteria B)iii and D)viii. [Sites completed]. Criterion C)i. Recommend amending "Wilfred's" to read "Wilfrid's"
MC14	Page 29 para: 4.15	First sentence. Recommend deleting "redevelop" and replace with "dispose of", and insert "for alternative development." after "campus". Recommend deleting final sentence
MC15	Page 29 para: 4.17	First sentence. Recommend inserting "and development of the new South Shields Community School on the site of the former King George V Comprehensive School" after "Shields," Third sentence. Recommend amending "Wilfred's" to read "Wilfrid's"
MC16	Page 29 para: 4.18	Recommend deleting paragraph and renumber subsequent paragraphs as appropriate
MC17	Page 30 para: 4.19	Tenth sentence. Recommend amending "Wilfred's" to read "Wilfrid's"
MC18	Page 39 Policy SA7	Criterion SA7 (Dii). Recommend deleting "site" after "Caledonian Street" and inserting a "#" after "Street"
MC19	Page 41 Policy SA7	Recommend inserting "# Proposals on sites allocated for mixed-use developments should be consistent with Policy SA1, with all proposals being in accordance with other site allocation policies and designations, as shown on the Proposals Map, and any relevant site development briefs or masterplans" at the end of the policy.
MC20	Page 44-48 Policy SA9	Recommend reallocating criterion A viii) "South Tyneside College Westoe Campus" to criterion B (2016-2021) and reorder appropriately. Criterion A. Recommend updating housing figures to replace "2,671" with "2,581", replace "1,596" with "1,506". Criterion B. Recommend updating housing figures to

		replace "1,161" with "1,251", replace "389" with "479". Last paragraph. Recommend deleting "All" before "proposals" and to capitalise as necessary.																																																							
MC21	Page 45 margin text	<p>Recommend updating South Tyneside Housing Land Allocations Summary table (proposed updates in <b>bold</b>)</p> <table border="1"> <thead> <tr> <th>Net dwelling allocations</th> <th>2004-16</th> <th>2016-21</th> <th>2021-26</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Regional Spatial Strategy (2008)</td> <td>4,455</td> <td>2,700</td> <td>2,100</td> <td>9,240</td> </tr> <tr> <td>Core Strategy (2007)</td> <td>3,890</td> <td>1,650</td> <td><b>1,625</b></td> <td>7,165</td> </tr> <tr> <td>South Shields AAP (updated phasing)</td> <td>746 (331)</td> <td>520 (510)</td> <td></td> <td>1,266 (841)</td> </tr> <tr> <td>Hebburn AAP (updated phasing)</td> <td>106 (20)</td> <td></td> <td></td> <td>106 (20)</td> </tr> <tr> <td>Jarrow AAP (updated phasing)</td> <td>83 (75)</td> <td></td> <td></td> <td>83 (75)</td> </tr> <tr> <td>Site-Specific Allocations (updated phasing)</td> <td><b>2,764</b> <b>(2,717)</b></td> <td><b>1,251</b> <b>(1032)</b></td> <td>327</td> <td>4,342 (4,076)</td> </tr> <tr> <td>Small sites (75) + conversions (20/yr) (2010-2026)</td> <td>100</td> <td>100</td> <td>100</td> <td>300</td> </tr> <tr> <td>Total allocation including completions (updated phasing) + windfall</td> <td><b>4,651**</b> <b>(4,125)**</b></td> <td><b>1,871</b> <b>(1,612)</b></td> <td>427</td> <td>6,949 (6,164)</td> </tr> <tr> <td>+/- RSS (updated phasing)</td> <td><b>4%</b> (-7%)</td> <td><b>-31%</b> <b>(-40%)</b></td> <td>-80%</td> <td>-25% (-33%)</td> </tr> <tr> <td>+/- Core Strategy (updated phasing)</td> <td>20% (+6%)</td> <td><b>13%</b> <b>(-2%)</b></td> <td>-74%</td> <td>-3% (-14%)</td> </tr> </tbody> </table>	Net dwelling allocations	2004-16	2016-21	2021-26	Total	Regional Spatial Strategy (2008)	4,455	2,700	2,100	9,240	Core Strategy (2007)	3,890	1,650	<b>1,625</b>	7,165	South Shields AAP (updated phasing)	746 (331)	520 (510)		1,266 (841)	Hebburn AAP (updated phasing)	106 (20)			106 (20)	Jarrow AAP (updated phasing)	83 (75)			83 (75)	Site-Specific Allocations (updated phasing)	<b>2,764</b> <b>(2,717)</b>	<b>1,251</b> <b>(1032)</b>	327	4,342 (4,076)	Small sites (75) + conversions (20/yr) (2010-2026)	100	100	100	300	Total allocation including completions (updated phasing) + windfall	<b>4,651**</b> <b>(4,125)**</b>	<b>1,871</b> <b>(1,612)</b>	427	6,949 (6,164)	+/- RSS (updated phasing)	<b>4%</b> (-7%)	<b>-31%</b> <b>(-40%)</b>	-80%	-25% (-33%)	+/- Core Strategy (updated phasing)	20% (+6%)	<b>13%</b> <b>(-2%)</b>	-74%	-3% (-14%)
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MC22	Page 51-52 para: 5.32/5.35	Recommend removing second bullet point and inserting in paragraph 5.35 as first bullet point.																																																							
MC23	Page 54 margin text	Recommend inserting "Designing Gypsy and Traveller Sites Good Practice Guide (DCLG, 2008)".																																																							
MC24	Page 57 para: 5.50	At the end of paragraph, recommend inserting "To ensure the amenity of site residents, it will be essential that direct water and electricity supplies and sewerage/sanitation for the site are implemented within a reasonable period of time in accordance with any planning permission".																																																							
MC25	Page 59 Policy SA11	Recommend deleting Policy SA11 and adjacent policy cross-referencing margin text (note - but retain margin text in regards to Green Belt) and renumber subsequent policies and cross-references to policies as appropriate.																																																							
MC26	Page 59-60 para: 6.3 and 6.4	Recommend deleting paragraphs 6.3 and 6.4 and renumber subsequent paragraphs as appropriate.																																																							
MC27	Page 65-91	Recommend updating target implementation dates as																																																							

	Annex A	per proposed minor corrections and amendments proposed within the DPD. Recommend updating policy reference numberings as necessary.
MC28	Page 66 Annex A Policy SA1 Aiv)	Recommend replacing "2016" with "2021" in the 'By When' column. Recommend replacing "2011" with "2016" in the "Target/Indicator" column.
MC29	Page 82 Annex A Policy SA4 A)i and A)ii	Criterion A)i and A)ii. Recommend amending to read "A) South Tyneside College Westoe Campus"
MC30	Page 83 Annex A Policy SA4 B)iii	Recommend deleting criterion B)iii
MC31	Page 84 Annex A Policy SA4 C)i	Recommend amending "Wilfred's" to read "Wilfrid's".
MC32	Page 91 Annex A Policy SA9 A)	Recommend updating "2,671" with "2,581" in the "Target/Indicator" column.
MC33	Page 94 Annex A Policy SA9 B)	Recommend updating "1,161" with "1,251" in the "Target/Indicator" column.
MC34	Page 98 Annex A Policy SA10	Recommend updating "Target/Indicator" column to read: "HCA/Gypsy and Traveller community discussions by 2011; Planning application for West Pastures site by 2012; Implementation of infrastructure works at West Pastures by 2013; Redevelopment completed."  Recommend updating "Contingency" column to read: "Gypsy and Traveller community discussions undertaken in 2010/2011. If subsequent target not met, meet with partners within 6 months to discuss obstacles to progress, review options and agree an action plan to get completion back on track. If not permitted/implemented as planned, undertake enforcement action if necessary, with similar implementation timescales to apply for the alternative reserve site(s) instead. If ongoing lack of progress, consider scope to work with other partners, or potential land assembly options. Part of regular review assessment after 5 years."
MC35	Page 99 Annex A Policy SA11	Recommend deleting row and updating subsequent policy numbering in Annex A as appropriate.
MC36	Page 102 Annex C	Recommend inserting "ENV18 The Coastal Zone" and "ENV25 The Purposes and Boundary of the Green Belt in South Tyneside" as appropriate.
MC37	Proposals Map	Recommend updating policy reference numberings as necessary arising from subsequent changes (including):  Recommend updating the "South Tyneside College

		<p>Westoe Campus" policy reference to read "SA1(Aiv) SA4(A) SA9(Bii)"</p> <p>Recommend updating the annotation for the Westoe Crown Village site by deleting "SA3(Ci)" and replacing SA6(C) with "SA6(B)"</p> <p>Recommend amending the boundary of safeguarded land for a Metro station at Monkton Fell (SA2 Bi), so that it does not overlap the Monkton Fell (central) site (SA9 Bxiii) [revised area as per alternative reduced scheme options, as option for additional land to incorporate a potential park-and-ride facility is no longer being promoted by Nexus or the council].</p> <p>Recommend adding Strategic Road Improvement allocation at A194 Western Approach between the A185 Jarrow Road (Arches) and B1302 Hudson Street (Tyne Dock) (SA2 J).</p> <p>Recommend amending the boundary of land safeguarded to enable grade separation of the A19(T) Testos roundabout (SA2 J).</p> <p>Recommend updating the "Monkton Fell (central), Hebburn" policy reference by deleting "SA3 (Bi)".</p> <p>Recommend deleting economic development site SA3 Cviii Land adj. 16/17 Prince Consort Industrial Estate, Hebburn [site developed].</p> <p>Recommend deleting economic development expansion site SA3 Fii Land east of Simonside Industrial Estate, South Shields [site developed].</p> <p>Recommend reallocating Economic Development Expansion Site allocations SA3 Fi, v, vi, vii and viii as Economic Development Site allocations.</p> <p>Recommend reallocating Economic Development Expansion Site SA3 Fiv as two separate Economic Development Site allocations.</p> <p>Recommend reallocating Economic Development Site SA3 Cvi as an Economic Development Expansion Site allocation.</p> <p>Recommend reallocating part of Economic Development Site SA3 Di as an Economic Development Expansion Site allocation.</p> <p>Recommend deleting sites SA4A)ii, SA4B)iii, SA4D)viii and SA11. (Allocations deleted)</p>
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		<p>Recommend updating the annotation for the former Brinkburn Comprehensive School site by replacing "SA6 (Ei,Gi)" with "SA6(Ei,Hi)", and replacing "SA7(Fiv)" with "SA7(Ei)".</p> <p>Recommend deleting SA7 Fii Epinay special school allotments allocation [school no longer closing].</p> <p>Recommend deleting SA9 Axxvii Hall Green Manor and Axxxvii Brancepeth Road housing site allocations [sites developed].</p> <p>Recommend updating the annotation for the Victoria Road East, Hebburn (former petrol station/garage) by replacing "SA9(xxxiv)" with "SA9(Axxxiv)".</p> <p>Recommend annotating the main settlements of the borough as appropriate.</p>
MC38	Proposals Map and Key	<p>Recommend adding the following designations to the proposals map and proposals map key as per the Development Management Policies DPD 'publication draft' designations map (June 2010) [the separate designations map is no longer to be retained in the adopted Development Management Policies DPD]:</p> <ul style="list-style-type: none"> <li>• Air Quality Management Areas</li> <li>• HSE COMAH Zones</li> <li>• Important Archaeological Site</li> <li>• Landfill Site</li> <li>• Quarry – Minerals Extraction</li> <li>• Waste Management Transfer Station</li> </ul> <p>Recommend deleting the Bus Priority Corridor at Boldon Lane / Stanhope Road in South Shields (SA2 F) [scheme no longer being proposed].</p> <p>Recommend adding the following after 'Northumbrian Coast European Special Protection Area (SPA) and International Ramsar Site'(also SSSI)".</p> <p>Recommend adding the following after 'Durham Coast European Special Area of Conservation (SAC)'(also SSSI)".</p> <p>Recommend amending the key and deleting text as follows: "Mineral Safeguarding Area – coincides with the borough boundary (<del>subject to other designations</del>)"</p>