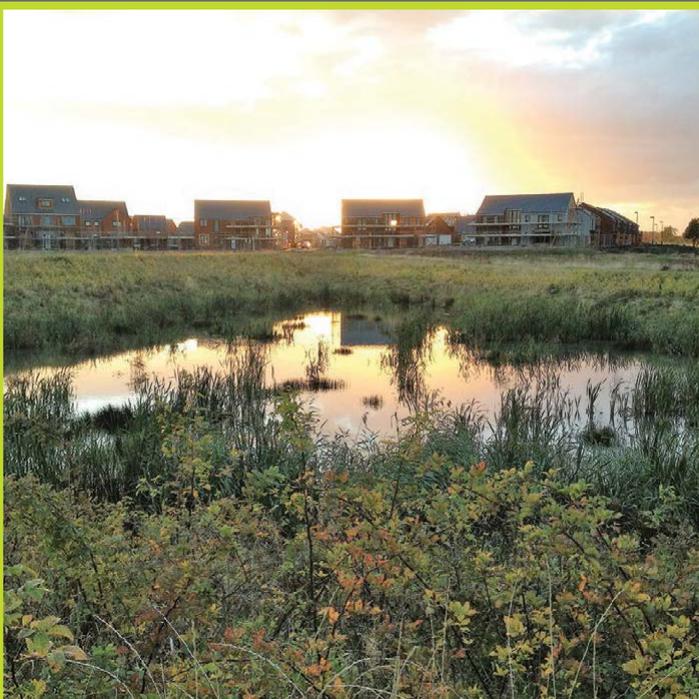


Development and Allocations Plan

Newcastle upon Tyne 2015-2030

Schedule of Representations (by Policy)



1. Introduction

Purpose of the Schedule

- 1.1 Under the requirements of Regulation 22(1) (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012, this schedule summarises the 53 representations made pursuant to regulation 20. The council has prepared a Consultation Feedback Report which includes a summary of the main issues raised.
- 1.2 In accordance with the requirements of Regulation 22(1) (d) of the Town and Country Planning (Local Planning) (England) Regulations 2012, all representations received are contained within a Report of Representations.
- 1.3 The council has proposed some minor modifications which are set out in the Schedule of Minor Modifications. These are not considered to be main modifications.

Structure of this Schedule

- 1.4 This schedule includes;
 - A unique reference (Ref ID) for each representation which correlates to the representations in the Report of Representations;
 - The Paragraph, figure, table, policy the representation relates to the Development and Allocations Plan;
 - Identifies whether the respondent considers the DAP to be Legally Compliant, Positively Prepared, Effective, Justified and Consistent with the National Policy and summarised the issue(s) raised;
 - Identifies any modification proposed by the respondent;
 - A council response to the issue(s) raised;
 - And, any modifications the council propose to make a result of the representation. The proposed modification correlates to the Schedule of Proposed Modifications.

Schedule of Representations received under Regulation 20 (by Policy)

| Ref ID | Surname, Initial (Organisation) | Policy Number / Section | Summary of Comments | Grounds of Objection (Tests of Soundness) | Summary of Representatives Proposed Modification | Council Response | Council Proposed Modifications |
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| 40 | Hiles, R. | Development and Allocations Plan | <p>Objects to the Development and Allocations Plan and considers the Plan needs to be public led not council led.</p> <p>Core Strategy and Urban Core Plan will be needed to be looked at again, as it will be out of date when the North of Tyne Mayor is elected.</p> <p>Comments on city centre issues, such as retail and commercial provision, car parking in the city centre and job creation. Raises concerns regarding student accommodation in the city centre and considers East Pilgrim Street a great place for housing.</p> | No comments made | No comments made | A review on the Core Strategy and Urban Core Plan needs to be carried out by March 2020. This will determine which policies need to be updated and some of the key topic areas raised are policy areas that will be considered as part of this review. | None |
| 20 | Hodcroft, K. | Development and Allocations Plan | Considers that public input is rarely listened too so won't be contributing and feels things have been decided internally at before public consultation and input. | Positively prepared | No comments made | Comments noted. Extensive public consultation has been undertaken on the Development and Allocations Plan. | None |
| 19 | Hooper, B. (Historic England) | DM01 | <p>With reference to sites 13/19/ 26.</p> <p>There is no evidence to suggest that the Housing and Economic Land Availability Assessment or Employment Land Review has assessed the sites other than 13,19, and 26 for their impact on heritage assets. It does not specify which assets they mean or what level of investigation they expect.</p> <p>Have been unable to find design guides or development criteria for the Employment Sites which demonstrate that potential impact of development on heritage assets has been taken into account or that opportunities to conserve and enhance the historic environment have been considered.</p> <p>Refer to NPPF para. 184, 185 which states that heritage assets are irreplaceable resources, and their significance should be sustained and enhanced with new development making a positive contribution to the local character and distinctiveness.</p> | Compliant with law Consistent with national policy Positively prepared Effective Compliant with duty to cooperate | Recommend that Development Principles, similar to those which support DM5, should be produced for DM1 allocations. | The outstanding objections have been addressed through further evidence detailing how Heritage and Archaeological Assets have been assessed. This evidence update will take the form of an appendix to the Employment Land Review (2018) 'Employment Sites - Assessment of Issues Affecting Heritage Assets and Assets of Archaeological Interest'. | None |

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| | | | <p>Para. 190 requires local planning authorities to identify the significance of a heritage asset that may be affected by a proposal.</p> <p>Planning practice guidance also requires 'where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development'.</p> | | | | |
| 17 | Lorna Bevins, H. (National Grid) | DM01 | <p>Specific reference to DM1 (23) Newburn Industrial Estate, Newburn.</p> <p>The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. To comply with statutory safety clearances the live electricity conductors of National Grid's overhead power lines are designed to be a minimum height above ground. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed.</p> | Consistent with national policy | No comments made | The power lines referred to in the representation are in proximity to existing employment units on Newburn Industrial Estate. These constraints would be considered and dealt with as part of the planning application process.05 | None |
| 18 | Snow, S. (CH2M (on behalf of Highways England)) | DM01 | Impact of development is nominal. Further assessment unwarranted at this stage but further work should be carried out at the design stage of the developments. | No comments made | N/A | Comments noted | None |
| 22 | Swan, R. (Barton Willmore (on behalf of Ashdale Land)) | DM01 | <p>The site was promoted and has been included in the most recent Housing and Economic Land Availability Assessment assessment (Land south of Rotary Way, Gosforth; 4665).</p> <p>Site was not allocated in Core Strategy and Urban Core Plan but was deliberately removed from the Greenbelt because it was considered suitable for commercial and/or residential development.</p> <p>The Inspector confirmed that the site should be developed.</p> <p>The site is suitable for "commercial/employment roadside" uses", and "commercial/employment roadside uses" are a sector in their own right. It is argued that there is no mechanism in the Development and Allocations Plan to assess the need for this sector. The site is located near to the A1 and Junction 79 interchange and has the potential to compliment the existing uses on Riverside Way.</p> | Justified Consistent with national policy Positively prepared Effective | <p>The site (Land south of Rotary Way, Gosforth; 4665) is considered suitable for commercial and/or residential development.</p> <p>the Council should allocate the site through DM1 or give it its own policy allocation.</p> | <p>At Regulation 18 stage Ashdale Land proposed that the site was suitable for development under several uses, including:</p> <ul style="list-style-type: none"> • commercial and/or residential, • Stand-alone residential • Commercial/employment roadside uses <p>Responding to the representation submitted at Regulation 18 stage the Council assessed the site as a potential employment location within the Housing and Economic Land Availability Assessment, which concluded that the site was also suitable for employment uses. There was an outstanding question as to whether a suitable site access would relate to planned highways works (Highways England) on the surrounding roads.</p> <p>A transport assessment for the site was received by the Council after the close of the Regulation 18 consultation. the Council's Highways Team indicated that they considered that a safe site access was</p> | None |

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| | | | <p>The site is suitable for residential purposes.</p> <p>the Council has previously considered the site to be suitable for "Trunk Road Related Uses" in the UDP 1998.</p> <p>DM1 and the Development and Allocations Plan has no mechanism to allocate roadside Commercial/ Employment uses.</p> <p>A transport note has been provided.</p> | | | <p>possible in theory to serve the site, but that the Transport Assessment was not detailed enough to indicate if it was suitable for every use suggested by the respondent.</p> <p>Clarification needed as to what kind of use the respondent wish to propose for the site. The respondent refers to roadside/ commercial employment uses as their preferred use but it is unclear from their representations what uses this actually refers to, although it is possible they are suggesting similar uses to those found on the nearby site at North Brunton.</p> <p>UDP Policy ED1.1 allocated land at North Brunton for essential services for trunk road users. This site is built out and is occupied by a restaurant/ Drive Through (A3/A5), a public house (A4), a hotel (C1), petrol filling station and small convenience store (A1), a coffee shop (A3), sandwich shop (A1) and a currently vacant A5 unit. It is not considered that additional trunk road services are required at this location.</p> <p>In addition, the expansion of commercial uses in this location could impact on near-by District and Local Centres including the allocated District Centre at the Great Park which is expected to come forward in the future.</p> | |
| 53 | Mo, L. (Environment Agency) | DM01 & DM05 evidence | <p>Site allocations should seek to ensure that there is sufficient sewerage capacity accommodate the additional housing and employment allocations. Particular consideration should be given to Howdon Sewage Treatment Works and its capacity to support the proposed level of growth.</p> <p>Consideration should be given to the North East minewater constraints maps, which identifies areas at risk of rising minewater.</p> <p>Consideration should be given to Northumbria Integrated Drainage Programme and Northumbria Water's Drainage and Waste Water Management Plans.</p> <p>EA aware of raw sewage entering the surface water sewer network and discharging directly into the River Tyne near the Newburn bridge. Vital that any new development in and around</p> | No comments made | No comments made | <p>Northumbrian Water have been consulted on site allocations through the Housing and Economic Land Availability Assessment and in the preparation of the Development and Allocations Plan. Northumbrian Water have advised that all foul flows are taken to the Howdon Sewage Treatment Works in North Tyneside. Howdon is identified for upgrade in the next AMP7 period (2020-2025) in order that it can continue to serve the population of Tyneside and accommodate long term future growth.</p> <p>Any new development would need to be considered under CS17, discharge hierarchy and DM26 will address issues of water pollution.</p> <p>Water quality is referred to in Policy DM26.</p> | None |

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| | | | this area includes a provision of connection to the foul sewer system. | | | There are employment sites in Newburn adjacent to the river where new development would be controlled. | |
| 33 | Garfield, I. (Newcastle University) | DM01 & DM9 | <p>The CAV site is identified in the Development and Allocations Plan as a mixed-use site for those uses including A1, B1, C2, C3 and D1.</p> <p>There is no indication as to the proportion of each use preferred by the Council. This information would be required in order to complete the masterplan.</p> <p>the Council, the University and the Hospital Trust have agreed to produce a masterplan for the site. The masterplan aligned with the previous version of the Development and Allocations Plan (2017 consultation).</p> <p>The current version of the Development and Allocations Plan does not reflect the Housing and Economic Land Availability Assessment and employment sites assessment which identified specific capacity of 2.2ha of employment land and 100 of residential units on site.</p> <p>Para. 4.5.2 refers to the development of offices and R&D facilities in the CAV. The university acknowledge the deletion of the CAV site from Policy DM1.</p> <p>The lack of specific allocation of acceptable quantum of uses makes it difficult to plan for a proper mix of uses, and to protect R&D and employment related uses from other more commercially valuable uses.</p> <p>The CAV site is shown in the Development and Allocations Plan Policies Map to include the university's existing campus, this site boundary is different in the Housing and Economic Land Availability Assessment.</p> | Effective | <p>Recommend that a specific quantum of development be set out in DM1 or DM9.</p> <p>Ask for site boundary to be amended to exclude existing campus.</p> | <p>Quantums of development will need to be discussed and agreed as part of the masterplanning exercise.</p> <p>Retail quantum has been identified in the policy due to the nature of the use to manage the potential impact on the surrounding allocated centres.</p> <p>The boundary of the CAV site reflects the masterplan area rather than the remaining area for development.</p> | None. |
| 52 | Taylor, L. | DM02 | <p>Para. 3.1.7 does not comply with the NPPF, which requires planning policies minimise trip generation and journey length.</p> <p>It is inconsistent with Section 5 Transport and Accessibility.</p> <p>The allocation of discrete employment sites does not meet sustainability criteria. It has led to the development of large business parks</p> | Consistent with national policy | <p>Paragraph 3.1.7 Replace: <i>“Development on new employment sites will be limited to employment uses in order to meet the developable employment land requirements identified in Core Strategy and Urban Core Plan Policy CS6.”</i></p> <p>With: <i>“Mixed-use development, integrating use classes A1-A5,</i></p> | <p>All key employment areas are considered to be in sustainable locations close to transport routes and services.</p> <p>The NPPF states that planning policies should define a network and hierarchy of town centres and promote their long-term vitality and viability. The Core Strategy and Urban Core Plan Policy CS7 and the Development and Allocations Plan Policy DM3 recognise that these centres will form</p> | None |

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| | | | <p>such as Quorum and Cobalt which has led to increased traffic generation.</p> <p>All office development should be mixed use in the same way as the Urban Core.</p> <p>Use classes A1-A5, B1, C1-C4, D1 and D2 can be integrated into mixed use urban centres, to which everyone can cycle.</p> <p>B2 and B8 uses are a separate issue.</p> <p>It is inconsistent with the sustainability assessment.</p> | | <p><i>B1, C1-C4, D1 and D2, will be encouraged on new employment sites to form new urban cores and minimise trip generation and journey length. However all development on these sites must include a significant proportion of employment uses in order to meet the developable employment land requirements identified in Core Strategy and Urban Core Plan Policy CS6. Sites designated B2 and B8 shall be safeguarded exclusively for industrial and distribution uses."</i></p> | <p>the focal point for uses, services and facilities including retail, leisure, commercial, office, cultural, community and residential use. All the centres in the retail hierarchy are considered to be in sustainable locations with good transport links and strong walk-in catchments.</p> | |
| 1 | Burnett, C. (Universities Superannuation Scheme (Burnett Planning)) | DM03 | <p>Supports the inclusion of Belvedere Retail Park within the Kingston Park District Centre boundary.</p> <p>Objects to the boundary of Kingston Park Retail Centre, considers that Kingston Retail Park functions as part of the Centre and merits inclusion in the boundary.</p> | <p>Justified Consistent with national policy Effective Positively prepared</p> | <p>Include Kingston Retail Park within the boundary of Kingston Park District Centre designated on the Policies Map.</p> | <p>Inclusion of Belvedere Retail Park within the Kingston Park District Centre boundary support noted.</p> <p>Kingston Retail Park is not considered to form part of the Kingston Park District Centre boundary, as it has a separate access off Brunton Lane and comprises 4 large retailing units. It is considered to function separately from the District Centre.</p> | None |
| 48 | Clarke, T. (Theatres Trust) | DM03 | <p>Objects based on there being no reference to cultural uses in the Plan. Although the word 'cultural' appears in terms of broadly acceptable uses in town centres. No policy to protect such uses, and applies to other types of community and social facilities.</p> <p>Considers omitting such as policy is not consistent with the NPPF.</p> | <p>Consistent with national policy Effective</p> | <p>Strongly recommends inclusion of a new policy, or protection for these facilities.</p> | <p>The Core Strategy and Urban Core Plan Policy CS7 recognises the role of public and community facilities in centres and also specifically references, that local community facilities outside of centres, will be retained where they provide an important service to the local community and remain viable. The supporting text of CS7 also recognises the important contribution of community facilities whether in an allocated centre or not.</p> <p>The Core Strategy and Urban Core Plan Policy UC3 Leisure Culture and Tourism is also relevant.</p> | None |
| 29 | Crawford, L. (Newcastle Great Park Consortium) | DM03 | <p>Welcomes the allocation of the District Centre at NGP. However, concerned that DM3 is overly restrictive and conflicts with the NPPF which advises that centres should be allowed to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries and allows for a suitable mix of uses. Recommended that the policy is revised to allow sufficient flexibility to deliver a full range of town centre uses.</p> | <p>Justified Consistent with national policy</p> | <p>"District and Local Centres are designated on the Policies Map. The development of non-retail uses at ground floor (outside Use Class A1 - shops) within these centres will only be acceptable where they would: 4. Maintain and enhance the vitality and viability of the centre.</p> | <p>In addition to Core Strategy and Urban Core Plan Policy CS7, the supporting text for policy DM3 acknowledges the wider role of centres and the range of uses which are appropriate in centres.</p> <p>This policy is focused towards existing operational centres and proposed changes of use within them.</p> | None |

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| | | | | | 2. Not dominate or fragment the centre either individually or cumulatively. 3. Maintain an active ground floor frontage. " | | |
| 38 | Holland, R. (Persimmon Homes NE) | DM03 | <p>Consider the term to maintain an 'active ground floor frontage' is vague and does not provide a suitable definition. Comments that much of the planned area at the Great Park District Centre would be residential without an active frontage at ground floor.</p> <p>Objects to the current wording, requests amendment to require key active frontages on streets set aside for A1 uses.</p> | Justified Consistent with national policy Positively prepared | No comments made | This policy is focused towards existing centres and proposed changes of use within them. Active frontages are defined in the supporting text at paragraph 3.3.9. | None |
| 25 | Simms, S. (KFC) | DM03; para 3.3.8 | <p>Para. 3.3.8 gives support to an untested SPD that is unrelated to the policy referred to or based on any objectively assessed development requirement. The Policy requirements set out in the SPD are not evidenced and are therefore objectively assessed. The SPD is unbalanced and is negative in its assumptions.</p> <p>There is limited and conflicting evidence for a link between the incidence of obesity and the proximity of hot food takeaways to schools. 400m exclusion zone does not take into account barriers either physical or perceptual such as a busy road. The elements of the SPD that are supported by the paragraph that relate to over-concentration and clustering are not defined, so applicants cannot be certain as to the outcomes.</p> <p>Planning system cannot distinguish between healthy and unhealthy eating establishments. The area that would be affected covers most of the city so it is hard to see how the effectiveness of its extent could be monitored.</p> <p>No regard has been had to national policy and advice in preparing the SPD, which para. 3.3.8 implies Policy DM3 would support and so render the draft Local Plan unsound because none of the NPPF policies include dietary issues. The NPPF recognises the role planning takes in enabling people to live healthier lifestyles, however, it does this by creating, not restricting choice.</p> | Justified Consistent with national policy Positively prepared Effective | The deletion of para. 3.3.8. | The council adopted the Hot Food Takeaway SPD in October 2015 following extensive public consultation. The SPD supplements the adopted Core Strategy and Urban Core Plan Policy CS14 Wellbeing and Health which specifically states that the wellbeing and health of communities will be maintained and enhanced by controlling the location of, and access to, unhealthy eating outlets. | None |
| 11 | Adsley, C. (CPRE) | DM05 | The allocation of sites 40 and 41 with protected open space designations for the provision of specialist or affordable housing | Support with minor changes | Sites 40 and 41 should not be specified in DM5 unless the Public Examination incorporates | Housing Needs Assessments have been prepared for both Thornley Road (site 40) and Hartburn Walk (site 41) justifying the | None |

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| | Northumberland) | | <p>need is not adequately justified, despite the supporting text in para. 4.1.11. No evidence has been prepared to justify the loss of protected open space.</p> <p>Concerned that formal allocation of these sites in Policy DM5 effectively pre-empts the open space assessment referred to in para. 4.1.11. Unless the Public Examination incorporates the actual open space assessments for both sites, the policy pre-empts the planning process.</p> | | the actual open space assessments for both sites. para 4.1.11 should be revised accordingly. | need for specialist and/or affordable housing in support of these allocations. Open Space Assessments have also been prepared for these sites. Both documents have been prepared to inform this policy and are available in Development and Allocations Plan evidence library. | |
| 23 | Baird, J. | DM05 | Objects to the proposed allocation of Hallow Drive as the site is regularly used for children's play, with no alternative readily available. | Positively prepared Effective | Remove Housing Site 25 (Land to the south of Hallow Drive, Throckley) from DM5. | The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation | None |
| 39 | Buchanan, P. | DM05 | Concerned about the Development and Allocations Plan's support for mixed tenure; objects to new leasehold development. | Justified Consistent with national policy Effective | No comments made | The Development and Allocations Plan is a planning policy document and does not address matters such as leasehold of properties. | None |
| 15 | Cuggy, S. (Savills (on behalf of Gentoo Homes)) | DM05 | <p>DM5 allocates a number of sites for residential development in order to provide a range and choice of homes and to contribute towards delivering approximately 4,000 new homes over the plan period, in accordance with the targets established under CS10 of Core Strategy and Urban Core Plan. Acknowledge the wording in the supporting text which states "the policy does not preclude other sites from coming forward for housing provided it complies with all relevant Local Plan policies" but consider that this text should be included within the wording of the policy itself, given how critical it is to the delivery of additional housing within the City on sites that have not been expressly allocated under policy DM5.</p> <p>Considers that the Site is deliverable in accordance with the definition contained in the NPPF, in that it is available for development now, it offers a suitable location for development now and is achievable with a realistic prospect that housing will be delivered on the Site within five years.</p> | No comments made | Request that the Site is allocated for the delivery of approximately 110 homes within 5 years under policy DM5. | <p>Reference to consideration of windfall sites in the supporting text is considered sufficient, as this is not an actual policy in itself.</p> <p>The site at Chapel Park (former) Middle School, Chapel Ward is included in the Housing and Economic Land Availability Assessment (ref. 4482) as a potential housing supply site (see page 41 of the Approach to Housing, Employment and Mixed Use Allocations paper). The site is the subject of an objection from Sport England and whilst there is known dialogue on this matter, the site could not therefore be brought forward for allocation for residential development at plan making stages of the Draft and Pre submission Development and Allocations Plan. This does not preclude the site's development dependent on adequate resolution of replacement sports pitches and open space.</p> <p>Sport England identifies this site as playing field (or containing playing fields) and as such Sport England and National Planning Policy Framework (para 74) applies as protective policies and advise that playing field should not be lost to development unless one of 5 exceptional circumstances pertain. The Assessment (Housing and Economic Land Availability Assessment,</p> | None |

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| | | | | | | 2016) does not detail how development at these sites would comply with playing field policy and as such Sport England would be likely to object to their development. This representation is referenced in the Housing and Economic Land Availability Assessment (2018) site profile for Chapel Park Middle School (ref. 4482) and the relevant Sport England representation is in Appendix 9 of the Housing and Economic Land Availability Assessment (2018) (page 22). | |
| 35 | Dobson, K. (Northumbrian Water Ltd) | DM05 | All foul flows in Newcastle City are served by Howden Sewage Treatment Works in North Tyneside. Howden has been identified for upgrade in the next AMP7 period (2020-2025) in order it can continue to fully serve the population of Tyneside and accommodate future growth. DM5 allocates a number of larger development sites including in particular land South of Brunton Lane and Scotswood Development Area. Where major development opportunities such as these will be master planned, we welcome the opportunity to agree an integrated sustainable drainage design approach which can be consolidated into the early principles of the scheme and we are happy to collaborate with developers, designers and local planning authorities as soon as needed. Where any allocated site is taken forward for delivery, we recommend that early consultation is undertaken with Northumbrian Water to agree a suitable foul and surface water drainage strategy for each site and to identify the presence of any water or sewerage assets on site. Northumbrian Water offer preapp service for developments of three or more and recommend developers undertake this service prior to submission of a planning application so the design of the development is informed by a drainage strategy. | No comments made | No comments made | Additional point added to the Development Principles for each site that states that developers should carry out early consultation with Northumbrian Water to plan an integrated sustainable drainage approach to inform master plan principles. | |
| 2 | Dyer, A. | DM05 | Objects to the proposed allocation as the site is regularly used for children's play, with no alternative readily available. Considers the site liable to flooding. States that brownfield sites should be used instead to deliver housing | Justified | No comments made | It has been assumed that this comment relates to the Hallow Drive site although no confirmation has been received. The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation. | None |
| 26 | Dyer, L. | DM05 | Objects to the proposed allocation of Hallow Drive as the site is regularly used for children's play, with no alternative readily available. Also states that brownfield sites should be used instead to deliver housing, and | Justified | Remove Housing Site 25 (Land to the south of Hallow Drive, Throckley) from DM5. | The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation. | None |

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| | | | that despite significant development in Throckley little improvement to infrastructure, public services, schools etc has been made. | | | | |
| 8 | Fairlie, S. (Councillor) | DM05 | Objects to the proposed allocation of Hallow Drive as the site is regularly used for children's play, with no alternative readily available. Also states that brownfield sites should be used instead to deliver housing. | Justified | Remove Housing Site 25 (Land to the south of Hallow Drive, Throckley) from DM5. | The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation | None |
| 16 | Fleming, J. (Gladman Development Ltd) | DM05 | <p>the Council should demonstrate a flexible supply of housing land and maintain a flexible and responsive supply of housing for delivery (across a range of sites).</p> <p>Additional buffer of sites may be required to offset delivery of more difficult to deliver sites (as proposed in regenerations areas).</p> <p>An appropriate strategy for accommodating growth must be selected that responds to the Council's proportionate evidence base.</p> <p>Greater flexibility in the Development and Allocations Plan would allow sustainable locations for growth to be brought forward if there is a lack of a 5-year housing land supply.</p> | Justified Consistent with national policy Positively prepared Effective | An additional buffer of sites may be required to ensure the necessary level of contingency is planned for within the Development and Allocations Plan. | The Development and Allocations Plan already allocates land with greater capacity than is required to meet the objectively assessed needs to 2030, and includes sites in different parts of the city, different site sizes and a number of private led sites for development. | None |
| 21 | Harding, J. (Home Builders Federation) | DM05 | <p>Important that all the sites contained within the plan are deliverable over the plan period.</p> <p>the Council's assumptions on sites in relation to delivery and capacity should be realistic based on evidence supported by the parties responsible for housing delivery and sense checked by the Council based on local knowledge and historical empirical data.</p> | No comments made | No comments made | the Council's methodology for the assessment of sites has been clearly set out in the Housing and Economic Land Availability Assessment and supporting evidence. Development Principles have also been published for sites that do not benefit from planning permission. | None |
| 19 | Hooper, B. (Historic England) | DM05 | <p>Broadly supports the policy, but considers that the development principles ought to be more detailed in their maps and recommendations regarding the historic environment and conservation issues.</p> <p>The Development Principles document requires amending, to ensure that it is providing the necessary advice to ensure that the historic environment is protected and enhanced.</p> | Support with minor changes | <p>Site No 12- 5305 No mention of the Jesmond Dene Conservation Area (although the presence of CAs is noted in the Potential Constraints), or Grade II Jesmond Dene Park and Garden. These should be noted on the map, and identified as constraints.</p> <p>The Conservation Area Management Plan SPD for Jesmond Dene should be referenced, as this will provide some key development principles.</p> <p>No 13- 5004</p> | Subsequent to the representation and a meeting with Historic England, the Development Principles documents (in the Development and Allocations Plan evidence library) supporting the allocation sites in DM5 have been amended, to ensure developers fully understand the historic context. | None |

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| | | | | <p>Listed Buildings are mentioned in first part of text but not on map. Proximity of the adjacent buildings (part of the Grade II* Byker Estate) should be identified, and the should acknowledge “development should preserve and enhance the setting of the listed buildings in the vicinity of the site”.</p> <p>Byker Estate conservation plan, A Byker Future, may provide additional design guidance, and could be referenced within the development principles.</p> <p>No 18-3058 Grade II LB (80-88 Elswick Road) is mentioned as a potential constraint, but not marked on the map. The development principles should state that “development should preserve and enhance the setting of the listed buildings in the vicinity of the site”.</p> <p>No mention is made of the adjacent Grade II Church of St Paul, Life Transformation, which is also on the Heritage at Risk register.</p> <p>No 22-4213 Site is opposite a number of Grade II LBs (Former Lodge to Benwell Towers; Gate Piers to the Mitre Public House and Wellburn House), but these are not mentioned in the text or on the map.</p> <p>The potential constraints mentions it is bounded by site of archaeological interest, but this is not identified on the map, or mentioned in the development principles.</p> <p>Development principles should state that “development should preserve and enhance heritage</p> | | |
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| | | | | <p>assets, including their setting, in the vicinity of the site”.</p> <p>No 23-4214 The potential constraints mentions listed buildings nearby - but we are unclear to which buildings this refers?</p> <p>No 25-5832 This site abuts Newburn Battlefield which is on the HAR register, and has its own policy in the Development and Allocations Plan, but it is not mentioned on the map, as a potential constraint, or within the text for the development principles.</p> <p>No 33- 3032 The conservation areas to the north and south east (St Nicholas Hospital and Gosforth) should be identified, and their Conservation Area Management Plans may provide useful design guidance to influence the development.</p> <p>No 35-5983 The proximity of listed buildings (2 x Grade II LBs, St Hilda’s Church and attached Sunday school) is noted in the potential constraints, but these are not identified on the map, or referenced in the development principles.</p> <p>No 36-5990 The site lies on the edge of the presumed extent of Benwell medieval village, but this is not identified on the map. While the need for an archaeological desk based assessment and building recording is identified in the potential constraints, this is not followed through to the development principles.</p> <p>No 38-1616</p> | | |
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| | | | | | <p>The site is close to the Grade II Park and Garden at St John's Cemetery, which is on the Heritage at Risk register. This should be identified on the map, and as a potential constraint, and may also influence the design.</p> <p>No 39-1294 The potential for Roman Military Way beneath the site is noted in the text, and the site is very close to Hadrian's Wall SAM and WHS Buffer zone at north of site. However, there is no identification of these on the map, and there is no mention of the need for archaeological assessment and evaluation in the development principles.</p> | | |
| 7 | Koszyczarek, M. (Rapleys LLP) | DM05 | Support the allocation of the Land at Whickham View, and confirm ongoing commitment to the site. | Support | N/A | Support noted. | None |
| 14 | Le Gallez, E. | DM05 | Objects to the proposed allocation of Hallow Drive as the site is regularly used for children's play, with no alternative readily available. | Justified | Remove Housing Site 25 (Land to the south of Hallow Drive, Throckley) from DM5. | The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation | None |
| 13 | Percy, C. (Elders Council of Newcastle upon Tyne) | DM05 | Supports policy but feels that it should specify which sites are suitable for specialist housing (with the exception of sites 40 and 41, which are a special case). | Support with minor changes | In order to make this policy fully effective and compliant with NPPF paras 59-61 there should be reference in the policy to suitability or not of sites for specialist housing. | Planning for the needs of elderly population and those with special needs is addressed in strategic policy CS11 of the Core Strategy and Urban Core Plan, which seeks to increase the choice of accommodation. Within the Development and Allocations Plan local plan Policy DM 8 Specialist Residential Accommodation addresses the locations and sets housing standards for such accommodation. Policy DM5 (sites 1-39) allocates sites for residential development, which will include a range of accommodation suitable for the elderly (Use Class C3 dwellinghouses) and DM 5 (sites 40-41) are specifically allocated with a higher percentage requirement for affordable and specialist accommodation within the residential mix. The products on the market serving older people are changing to facilitate the aim of independent living. Many of these types of development will be in use class C3, however, there will still be some that will be classified under use class C2 and potentially as a new build. The proposed modification to paragraph 4.1.5 | Policy DM5 provides clarity on sites prioritised to be brought forward for housing development (Use Class C3 Dwellinghouses) over the plan period. Other forms of specialist residential accommodation could also be accommodated to meet the city's needs. They The sites included in DM5 are generally smaller sites than allocated in the Core Strategy and Urban Core Plan. |

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| | | | | | | seeks to clarify that specialist residential accommodation would be an acceptable use within the site allocations. | |
| 36 | Simpson, K. (Lichfields (on behalf Northumbrian Water Ltd)) | DM05 | Support the inclusion of Throckley Water Treatment Works (Site Number 24) as a housing allocation in draft Policy DM5. | N/A | N/A | Support noted | None |
| 22 | Swan, R. (Barton Willmore (on behalf of Ashdale Land)) | DM05 | It is considered there are no significant constraints that could not be overcome (Land at Rotary Way (Housing and Economic Land Availability Assessment Ref. 4665)). There are several examples of sites identified in draft DM5 which have constraints which could have significant impact on delivery such as DM5.14, DM5.24 and DM5.34, and there is no explanation nor rationale as to why this Site has not also been allocated considering the favourable assessment in the Housing and Economic Land Availability Assessment and the appended Transport Access Note. The policy is not justified and effective, and considering the Council should be aiming to significantly boost the supply of housing, the policy is not considered to be positively prepared either. | Effective Consistent with national policy Positively prepared Justified | | The client's stated preference at both Draft Plan and pre-Submission stages is for an allocation for roadside commercial/employment uses, however, the site has been assessed as suitable for residential use in the Housing and Economic Land Availability Assessment. The evidence report Approach to Housing Employment and Mixed Use Allocations sets out the Council's approach to allocation of this site (page 50). The objector has been requested to submit preapplication options for the site so as to clarify the preferred uses and the establish the supporting evidence. | |
| 52 | Taylor, L. | DM05 | DM5 is inconsistent with sustainability assessment, inconsistent with national policy to promote sustainable development which minimises trip generation and journey length, and inconsistent with Development and Allocations Plan section 5. Allocating large blocks of land to housing in one area and large blocks to employment in another area almost mandates car use. Housing in Callerton and Great Park and employment at Newburn and the Airport will lead to large increases in traffic on the A1. Evidenced as housing developments are currently blocked pending upgrades to roads in the area. | Consistent with national policy | New paragraph 4.1.12 <i>"Mixed-use development, integrating use classes A1-A5, B1, C1-C4, D1 and D2, will be encouraged on new housing sites to form new urban cores and minimise trip generation and journey length. However all development on these sites must include a significant proportion of housing in order to meet the housing requirements identified in Core Strategy and Urban Core Plan Policy CS10."</i> | Strategic housing sites including Callerton were allocated as part of the Core Strategy and Urban Plan. Transport Assessment work was carried out to support these allocations and the Plan was adopted in March 2015. Transport policies in both the Core Strategy and Urban Core Plan and the Development and Allocations Plan promote sustainable travel modes and major schemes are underway to deliver sustainable travel. Both the Core Strategy and Development and Allocations Plan promote sustainable development. Mixed use development sites were also identified in the Core Strategy and Urban Core Plan including Key Sites and Development Opportunity sites. | None |
| 9 | Williams, M. (Councillor) | DM05 | Thinks it is unlikely that the site will come forward due to constraints. Two water mains cross the site and there are questions regarding the capacity and viability | Effective | No comments made | The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation. A geo-environmental survey has been carried out on the site which has concluded | None |

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| | | | | | | that there is no significant contamination on the site, there was no evidence of shallow mineworkings or quarrying and no further SI work is recommended. Updated information regarding the water mains has been received and this may impact on the proposed capacity and house type. | |
| 10 | Wright, L. (Councillor) | DM05 | Objects to the proposed allocation of Hallow Drive as the site is regularly used for children's play, with no alternative readily available. | Justified Positively prepared Effective Compliant with duty to cooperate | Remove Housing Site 25 (Land to the south of Hallow Drive, Throckley) from DM5. | The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation. | None |
| 32 | Taylor, R. (Newcastle University) | DM05; para. 4.1.7 | Newcastle University object to the site of the former Henderson Hall of residence being included in the supporting evidence base (Housing and Economic Land Availability Assessment) to Policy DM5 on the basis that the University do not intend to develop the site for housing. | No comments made | Object to the inclusion of Henderson Hall in the Housing and Economic Land Availability Assessment as the site is not available. | the Council will review the site classification when the Housing and Economic Land Availability Assessment is next published (2019). There would be no significant change to the housing trajectory if this site were to be removed from the supporting Housing and Economic Land Availability Assessment (2018) evidence. | None |
| 15 | Cuggy, S. (Savills (on behalf of Gentoo Homes)) | DM06 | Supports the proposal to encourage the delivery of accessible and adaptable housing in principle but not the intention to introduce this requirement without compromise or flexibility across all residential development proposals of 11 homes or more. DM6 is arbitrarily placing this requirement upon developments whilst ignoring the recommendations of the Core Strategy and Urban Core Plan Inspector and the intentions of policy CS11 which could have significant implications on the deliverability and viability of future residential developments. the Council must provide further evidence to show the potential impact this policy requirement could have upon viability to show that sites will remain deliverable and contribute towards meeting the identified housing need. | No comments made | Further evidence is needed to address viability concerns and additional justification as to how this policy will provide the accessible homes needed in line with the requirements of the PPG. | Policy DM6 is proposed in the Development and Allocations Plan to provide the measured target for accessible and adaptable homes, the principle of which was established in the Core Strategy and Urban Core Plan Policy CS11. However, in introducing the accessible and adaptable standard (building regulation M4(2)) the PPG clarifies this is the only possible option and is a measured requirement (para. ID 56 008 20160519). The Council's the Council's 'Addressing Housing Needs and Standards' evidence was first published to support the Draft Development and Allocations Plan and then again for the Pre Submission Development and Allocations Plan and clarifies the evidence considered to comply with PPG (ID 56-07) and the type of evidence required. The Viability and Deliverability Report (2018) shows that by applying 25% M4 (2) it does not change the viability outcome of any schemes. In other words, all of the schemes that were viable in the base appraisal testing remain viable if the policy is brought in. Overall the plan costs are considered marginal and would not | None |

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| | | | Do not consider that of itself an ageing population is sufficient evidence to identify a need for M4(2) homes. Approach is not in accordance with PPG (ID 56-07). | | | therefore undermine the 'delivery of the plan' (NPPF, para. 34) The Gateshead & Newcastle Housing for People with Disabilities supplemental report has updated the evidence base in relation to accessibility standards. This expands on the outputs of the Strategic Housing Market Assessment 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26). The Council agrees that an ageing population alone is not a justification for the need for adapted housing, but evidence that the ageing population will require more adapted housing is important. The update to the analysis in the Strategic Housing Market Assessment 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes. | |
| 16 | Fleming, J. (Gladman Development Ltd) | DM06 | Previously raised concerns regarding the use of M4(2) standards and the need for further evidence. the Council has since published 'Addressing Housing Needs and Standards' topic paper. Core Strategy and Urban Core Plan CS11 encourages the provision of accessible homes, thus DM6 places an onerous burden on development which may threaten viability. the Council need to be aware of the impacts of this requirement on development viability. The Strategic Housing Market Assessment evidence is somewhat dated. The referenced ageing population is not sufficient evidence to justify a need for M4 (2). | Justified Consistent with national policy Positively prepared Effective | No comments made | Gladman made the following comment on the Draft Development and Allocations Plan (policy DM6): <i>"the Council should ensure that it is able to demonstrate robust evidence on viability and whether this is actually achievable across the plan period and its consideration on viability of the Plan as a whole in terms of delivering the above policy and what effects it may have on other policies of the Plan and development viability"</i> . The Council's 'Addressing Housing Needs and Standards' evidence was first published to support the Draft Development and Allocations Plan and then again for the Pre Submission Development and Allocations Plan in order that consultees have the opportunity to comment on the detail of the evidence through the plan making process. The Viability and Deliverability Report (2018) has tested the notional schemes and sites based on DM6 requirement. The Gateshead & Newcastle Housing for People with Disabilities supplemental report has updated the evidence base in relation to | None |

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| | | | Further evidence relating to the PPG advice on factors that local planning authorities can consider, should be also taken into account in the policy detail. | | | accessibility standards. This expands on the outputs of the Strategic Housing Market Assessment 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26) The Council agrees that an ageing population alone is not a justification for the need for adapted housing, but evidence that the ageing population will require more adapted housing is important. The update to the analysis in the Strategic Housing Market Assessment 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes. Please refer to the evidence on the Strategic Housing Market Assessment, Council's 'Addressing Housing Needs and Standards' and the Compliance paper | |
| 21 | Harding, J. (Home Builders Federation) | DM06 | <p>It is noted that the Addressing Housing Needs and Standards document quotes the Inspector's Report for the Core Strategy and Urban Core Plan in relation to meeting the needs of the forecast population and housing standards (CS11.2/3/4/5 & 6), in which the Inspector concluded: "There is widespread support for most other requirements of CS11. The clause encouraging the provision of Lifetime Homes and Wheelchair-Accessible Homes strikes an appropriate strategic balance between highlighting this important need whilst not making it a specific requirement that could compromise viability. A similar argument applies to the clause seeking increased choice for the elderly: many different types of accommodation are required and it is not feasible to set specific targets in a strategic policy." (para. 62).</p> <p>Addressing Housing Needs and Standards document suggests that Policy DM6 will help to deliver CS11 (2) and (3). Do not consider that DM6 is in line with CS11 which only seeks to encourage the provision of wheelchair accessible homes and increase the choice of suitable accommodation for the elderly population.</p> <p>Do not consider that of itself an ageing population is sufficient evidence to identify a</p> | No comments made | No comments made | <p>Policy DM6 is proposed in the Development and Allocations Plan as the measured target for providing accessible and adaptable homes, so as to deliver the lifetime neighbourhoods and accessible homes proposed in Core Strategy and Urban Core Plan Policy CS11(2). The optional building regulation standards replace the lifetime homes and wheelchair accessible standards that are part of the adopted plan for the city.</p> <p>The Viability and Deliverability Report (2018) concludes the updated, evidenced need for 60% new homes to be built to M4 (2) standard can be delivered albeit at a lower level of 25% so as not change the viability outcome of development or undermine the 'delivery of the plan'. Thus , DM6 seeks to require rather than encourage new homes built to M4(2) standard.</p> | none |

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| | | | need for M4(2) homes. Approach is not in accordance with PPG (ID 56-07). | | | The Gateshead & Newcastle Housing for People with Disabilities supplemental report has updated the evidence base in relation to accessibility standards. This expands on the outputs of the Strategic Housing Market Assessment 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26). The Council agrees that an ageing population alone is not a justification for the need for adapted housing, but evidence that the ageing population will require more adapted housing is important. The update to the analysis in the Strategic Housing Market Assessment 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes. | |
| 38 | Holland, R. (Persimmon Homes NE) | DM06 | <p>Disappointing to note that the Council have continued to seek the introduction of this policy without additional dialogue on the viability implications of its introduction and the additional work which would be required to justify the introduction of this policy.</p> <p>Introduction of this policy would have an impact upon the viability of development and there have been / are outstanding objections from the industry on the viability assumptions used in the supporting evidence. These are provided in previous representation response.</p> <p>Assumptions presented in the supporting evidence are flawed. The introduction of this policy on the basis of claimed savings to the</p> | Justified Consistent with national policy Positively prepared | No comments made | <p>The Council have undertaken significant engagement with Persimmon and stakeholders regarding the viability assumptions taken in the Viability and Deliverability Report (2018). A questionnaire has been published for comments on 2 occasions to support the plan making of the Development and Allocations Plan (See Appendix 2 a/2b) , 2 stakeholder workshops were held in 5 July 2017 (Strategic Housing Market Assessment Appendix 2) and June 2018 (Local Plan Viability) (Appendix 3) and separate meetings were held with HBF and each local plan viability objector in July 2018.</p> <p>At the Persimmon stakeholder meeting on 27 June 2018, and a further meeting was held with Persimmon on 1 February 2019 (see Appendix 4 of the Viability and Deliverability Report (2018)).</p> <p>The testing shows that by applying 25% M4 (2) it does not change the viability outcome of any schemes. In other words, all of the schemes that were viable in the base appraisal testing remain viable if the policy is brought in. Overall the plan costs are considered marginal and would not therefore undermine the 'delivery of the plan' (NPPF, para. 34).</p> <p>The accessible and adaptable homes policy is proposed to meet the citywide need</p> | None |

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| | | | <p>Council owing to ongoing conversion of housing stock is not accurate. This information suggests that through the adoption of this policy the Council will start to make savings against this ongoing cost, however this is not accurate. The ongoing requirement to adapt existing stock will continue and even be required on plots which meet the requirements of M4(2) of building regulations.</p> <p>Policy wording is not compliant with PPG which states that policies should make reference to part M of building regulations directly if seeking to impose this additional standard. While the reference is included in the supporting text this should, if taken forward, be included within the actual policy wording.</p> <p>In the supporting text and evidence it is presented by the Council that, through the adoption of the CS11, it is implicit that this policy should and can come forward as this policy supports this objective. This is not the case, the adoption of this policy must be tested upon its own merits and evidence presented to this EIP and cannot as a starting point be required owing to wording which states "encourage".</p> <p>Supports the objections raised by HBF and objects to the imposition and adoption of this policy on the above grounds. Ask that the Council undertake the appropriate work to review the impacts of this policy ahead of adoption.</p> | | | <p>evidenced in the Strategic Housing Market Assessment report. Policies DM6 and DM8 will improve the overall housing stock available to meet needs. M4 (2) standard requires homes to be built with some accessible measures already built and allow for further adaptations over time. Adaptations to existing stock will continue to be required however, overtime improvements to new homes will help to reduce the scale and need for adaptations to homes and reduce the requirement for residents to move to more accessible homes (when the need arises).</p> <p>In introducing the accessible and adaptable standard (building regulation M4(2)), the PPG clarifies local authorities will need to set appropriate policies in their local plans (para. ID 56 002 20160519). The Council considers this has been achieved in the wording in the policy and justifying text of the plan.</p> <p>The Compliance paper and Addressing Needs and Standards topic paper address the PPG factors which local planning authorities can consider and take into account.</p> <p>The Council considers it has carried out due diligence in progressing Policy DM6 through the local plan making process: engaging with stakeholders, considering objections and verifying evidence in compliance with national policy and the neighbouring authority's evidence that was found sound (North Tyneside Local Plan adopted in 2017). See supplemental report on Gateshead & Newcastle Housing for People with Disabilities.</p> | |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM06 | <p>Concerned about the potential impact of using that standards and in particular the costs. Do not consider that of itself an ageing population is sufficient evidence to identify a need for M4(2) homes.</p> | Justified Consistent with national policy | the Council should fully assess the implications of imposing the optional standards in line with the NPPG, including viability testing. In the context of the national need to increase the rate of house building, the | <p>The Compliance Paper and the Viability and Deliverability Report (2018) assesses the impact of this policy. The Gateshead & Newcastle Housing for People with Disabilities supplemental report has updated the evidence base in relation to accessibility standards. This expands on the outputs of</p> | None |

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| | | <p>Approach is not in accordance with PPG (ID 56-07).</p> <p>Addressing Housing Needs and Standards document suggests that DM6 will help to deliver CS11(2) and (3). Do not consider that DM6 is in line with CS11 which only seeks to encourage the provision of wheelchair accessible homes and increase the choice of suitable accommodation for the elderly population.</p> <p>Strongly recommend that the Council considers viability before applying a blanket policy to all sites within the Authority Area.</p> <p>Supporting text should be amended to include a transition period between the adoption of the Development and Allocations Plan and when policy will be applied. Request clarity that the policy requirements will not be retrospectively applied to applications for Reserved Matters where a site benefits from outline planning permission or a minded to approve permission before the end the end of the transition period. This would be consistent with the approach to Policy DM7 and the supporting text at para. 4.3.2.</p> | | <p>Development and Allocations Plan should not seek to include policies which are not fully justified which could obstruct housing delivery.</p> | <p>the Strategic Housing Market Assessment 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26). The Council agrees that an ageing population alone is not a justification for the need for adapted housing, but evidence that the ageing population will require more adapted housing is important. The update to the analysis in the Strategic Housing Market Assessment 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes.</p> <p>The Compliance Paper and Addressing Needs and Standards topic paper address the PPG factors which local planning authorities can consider and take into account.</p> <p>The Viability and Deliverability Report (2018) concludes the updated, evidenced need for 60% new homes to be built to M4 (2) standard can be delivered albeit at a lower level of 25% so as not change the viability outcome of development or undermine the 'delivery of the plan'. Thus , DM6 seeks to require rather than encourage new homes built to M4(2) standard.</p> <p>The testing shows that by applying 25% M4 (2) it does not change the viability outcome of any schemes. In other words, all of the schemes that were viable in the base appraisal testing remain viable if the policy is brought in. Overall the plan costs are considered marginal and would not therefore undermine the 'delivery of the plan' (NPPF, para. 34).</p> <p>There is no general requirement on local plan policies to set out a transition period. The exception to that is in the PGG for the Nationally Described Space Standards, however, if this had also been the intention for accessible and adaptable standards a transition period would have been included in the PPG. The requirement in DM6 is less than 50% of the city's needs for M4(2) and there is no requirement carried forward from</p> | |
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| | | | <p>Para. 4.2.6 refers to off-site contributions being sought to meet citywide targets, where on-site measures cannot be implemented. This was not the intention of Government in bringing in this 'optional' standard and would likely be applied to sites where development costs will have increased due to technical constraints. The contributions should be included in the viability appraisal (it is not clear that they have been) and the policy should clearly set out the intended associated costs.</p> | | | <p>the Strategic Housing Market Assessment to meet M(4)(3) wheelchair users due the viability testing. Furthermore, recent testing of consented site layouts indicates the house substitutions would be normally be possible without impact on the scheme capacity.</p> <p>Off site contributions is incorporated into the supporting text to provide developers with some flexibility whilst ensure to help meet as much of the needs as possible through a 25% requirement. Notional viability appraisals include the M4(2) policy costs and any off site contributions would be of equivalent value.</p> <p>the Council considers it has carried out due diligence in progressing Policy DM6 through the local plan making process: engaging with stakeholders, considering objections and verifying evidence in compliance with national policy and the neighbouring authority's evidence that was found sound (North Tyneside Local Plan).</p> | |
| 45 | Newsome, R. (Story Homes) | DM06 | <p>Addressing Housing Needs and Standards document suggests that DM6 will help to deliver CS11(2) and (3). Do not consider that DM6 is in line with CS11 which only seeks to encourage the provision of wheelchair accessible homes and increase the choice of suitable accommodation for the elderly population.</p> <p>Do not consider that of itself an ageing population is sufficient evidence to identify a need for M4(2) homes. Approach is not in accordance with PPG (ID 56-07).</p> | Justified Consistent with national policy | Further consideration is required to the wording of Policy DM6 to establish whether the Policy can be made effective and justified so as to be sound. | <p>Policy DM6 is proposed in the Development and Allocations Plan to as the measured target for providing accessible and adaptable homes, so as to deliver the lifetime neighbourhoods and accessible homes proposed in Core Strategy and Urban Core Plan Policy CS11(2).</p> <p>The Addressing Needs and Standards topic paper (and compliance paper) addresses the PPG factors which local planning authorities can consider and take into account. The Gateshead & Newcastle Housing for People with Disabilities supplemental report has updated the evidence base in relation to accessibility standards. This expands on the outputs of the Strategic Housing Market Assessment 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26) . The Council agrees that an ageing population alone is not a justification for the need for adapted housing, but evidence that the ageing population will require more</p> | None |

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| | | | Proposed blanket provision of 25% of all homes to be M4(2) compliant is not considered to be robustly justified or consistent with national policy and as such unsound. | | | <p>adapted housing is important. The update to the analysis in the Strategic Housing Market Assessment 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes.</p> <p>The compliance paper addresses the alignment of the Development and Allocations Plan policy with national policy. The need for the requirement is contained in the Strategic Housing Market Assessment. The Viability and Deliverability Report (2018) sets out the challenges that face the area and impact of plan costs. The policies in the plan do not affect the overall outcomes of viability and thus are considered to be aligned to the national policy that states 'such policies should not undermine the deliverability of the plan.' (NPPF para. 34).</p> | |
| 13 | Percy, C. (Elders Council of Newcastle upon Tyne) | DM06 | <p>Welcomes the commitment to achieving Accessible and Adaptable Standard. Note the stated need to cross refer to existing and possible future government standards so that policy is future proofed, but would consider if the wording is adequate to make the policy fully effective, in case the title of the relevant legislation or regulations or guidelines are considerably different in future.</p> <p>Supporting text is unclear in explaining what the status is of Buildings Regulation M4(2). The wording from the Building Regulations, Access to and use of buildings, Volume 1: Dwellings, Page 1 * might help to explain that M4(2) is an "optional requirement" that can be imposed through a condition on a planning permission and from NPPF footnote 46 that this is actively encouraged, not just being an 'option'.</p> | Support with minor changes | No comments made | <p>Policy DM6 relates to accessible and adaptable housing requirements for an uplift to building regulation standard M4(2), if subsequent changes are made to the national standards, the equivalent level of accessibility and adaptability would be sought through policy DM6.</p> <p>The validation checklist for applicants will (on adoption) clarify that M4(2) accessible and adaptable dwellings will be secured via planning conditions of relevant planning permission.</p> | None |
| 5 | Ward, A. (Barratt David Wilson Homes North East) | DM06 | <p>Viability and Deliverability Report (Local Plans) September 2018</p> <p>6.8 Scheme typologies - dwelling size/mix and density Average house sizes used in the viability modelling are much smaller than BDW's standard housetypes. On average they are approximately 15% smaller than BDW's average house types (GIA).</p> | Justified Compliant with law Consistent with national policy Positively prepared Effective | <p>6.8 Scheme typologies - dwelling size/mix and density</p> <ul style="list-style-type: none"> • Smaller than BDW's standard housetypes - review allowance • Use GIA • Should not dictate housing mix • Greater flexibility within housing mix policy to meet local, site specific need and ensure the scheme is viable | <p>the Council has consulted specifically on viability assumptions with housebuilders and stakeholders on a number of occasions in order to inform the Viability and Deliverability Report (2018). Appendix 2a and 2b of the Viability and Deliverability Report (2018) identifies the issues and responses to previous consultation on the viability assumptions in 2017 and 2018.</p> <p>Dwelling size</p> | None |

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| | | <p>the Council does not state whether this is GIA measurements. Would support the use of GIA measurements. Refer to definition contained within RICS 'Code of Measuring Practice: A Guide for Property Professionals' (6th Ed).</p> <p>Supportive of providing a broad mix of housing; but Council should not dictate the housing mix across the City. The Development and Allocations Plan and Core Strategy and Urban Core Plan should achieve this mix through identifying the level of provision and the broad distribution of new housing.</p> <p>Unnecessary and inflexible to seek to control the housing mix, since it would mean the housing market would be unable to adjust to market movements.</p> <p>Supportive of providing a range and choice of homes to meet the needs of the local area. Ensures sites deliver an appropriate mix of houses and help create a varied streetscene.</p> <p>Should ensure greater flexibility within the housing mix policy to meet local, site specific need and ensure viability.</p> <p>6.9 Average Sales Values – Market Value Dwellings Urge the Council to base average sales values on GIA sqm, including internal and detached garages.</p> <p>6.11 Plot Construction Costs Urge the Council to use median BCIS across the whole area and across all sites. It does not cost less to build in lower value areas and is not impacted by enhanced materials and enhanced specifications.</p> <p>6.12 Externals, contingency and professional fees Ask the Council to break up the percentage total into individual percentages for externals, contingency and professional fees. Urge the Council to allow for 5% contingency, 15% externals and 10% professional fees. If using low BCIS, externals should be at 40%. If using BCIS median, the lower figure of 15% would be appropriate.</p> | | <p>6.9 Average sales values - market value dwellings</p> <ul style="list-style-type: none"> • Base average sales values on GIA <p>6.11 Plot construction costs</p> <ul style="list-style-type: none"> • Use median BCIS across the whole area and across all sites • Does not cost less to build in lower value areas and not impacted by enhanced materials and enhanced specification <p>6.12 Externals, contingency and professional fees</p> <ul style="list-style-type: none"> • Use 5% contingency, 15% externals and 7% professional fees <p>6.13 Abnormals</p> <ul style="list-style-type: none"> • Suggest a much higher allowance - an allowance of £400,000 per net Ha and £600,000 per net Ha for Brownfield sites, as a minimum, simply for viability testing <p>6.14 Marketing and legal fees</p> <ul style="list-style-type: none"> • Use 6% for marketing. Important to recognise that sales and marketing cost includes a range of costs incurred <p>6.17 Developer profit</p> <ul style="list-style-type: none"> • 20% on revenue applied to all houses <p>6.18 Residential Benchmark Land Value (BLV)</p> <ul style="list-style-type: none"> • Reconsider the recommended BLV assumptions in low value urban areas and high value urban areas and consider the disparity between urban and non-urban areas, particularly focusing on the low BLV assumptions being suggested in non-urban areas | <ul style="list-style-type: none"> - Previous viability testing (e.g. CIL) included average dwelling sizes. The allowances were accepted through an Inspection process. - The average sizes of dwellings are broadly consistent with viability studies undertaken by other Local Authorities. - The average sizes were also consistent with sales data from the area. - Barratts may choose to construct larger dwellings, however for the purposes of the viability testing we have to assess the average dwelling size for an area, which is what has been undertaken. - Notwithstanding this, we have also tested schemes based on the Nationally Described Space Standards average rates, which include increased dwelling sizes for 2 and 3 bed housing, so the modelling does also consider increased dwelling sizes. <p>Dwelling size calculation</p> <ul style="list-style-type: none"> - The average size of dwellings is based on the 'total floor area' as used when assessing a property for the purposes of an Energy Performance Certificate. <p>Dwelling mix</p> <ul style="list-style-type: none"> - The Cocunil is not dictating dwelling mix, but instead assessing average mixes given the scale of each typology. - The PPG recognises that viability testing cannot consider all permutations associated with development (including mix) and therefore average considerations are deemed appropriate for the purposes of the testing. <p>Dwelling size and garages</p> <ul style="list-style-type: none"> - For the purposes of an area-wide study the assessor is looking to establish appropriate average sales values. It is accepted that the sales data collected through the Land Registry will reflect a variety of different dwelling types, for example some of dwellings that form the date will comprise garages and some of which will not. The rates per sq m data will therefore show a range of figures to reflect these variations. However, we have not looked to adopt values at the top end of the range, but instead looked | |
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| | | <p>6.13 Abnormals Agree with this approach, especially having a single abnormal costs allowance for greenfield and brownfield sites, as some greenfield sites have poor ground conditions requiring piled foundations.</p> <p>Consider an allowance of £150,000 per net Ha for the majority of the typologies and £300,000 per net Ha for city centre locations as being way too low. Suggest a much higher allowance, an allowance of £400,000 per net Ha for Greenfield sites and £600,000 per net Ha for brownfield sites, as a minimum, simply for viability testing.</p> <p>Typology of site/Abnormal cost per nett Ha Brownfield site on city edge £1,023,286 Greenfield site in high market area £419,559 Brownfield site on city edge £378,939</p> <p>6.14 Marketing and Legal Fees Suggest 6% for marketing. Important to recognise that sales and marketing cost includes a range of costs incurred.</p> <p>6.15 Finance Support proposed approach.</p> <p>6.17 Developer Profit Suggest 20% on revenue applied to all houses. No differentiation is made for affordable housing transfer values.</p> <p>No allowance appears to have been made for planning obligations, S106 and CIL. This should be included in any land value assessment before the residential benchmark land value can be calculated and the site deemed viable or unviable.</p> <p>Planning obligations can be substantial and have a significant impact on land value and viability. These must be added in to the assessment before the residential benchmark land value is calculated as they will have massive implications.</p> <p>6.18 Residential BLV A BLV of £200,000/ha (urban areas) would be too low in low value areas to secure a 'reasonable' landowner. The BLV of £2,100,000/ha (urban areas) would be very</p> | | <ul style="list-style-type: none"> No allowance for planning obligations, S106 and CIL <p>8.1 Telecommunications and Digital Infrastructure Delete this policy.</p> | <p>to arrive at average values, which mitigates these variations in the data.</p> <ul style="list-style-type: none"> In other words, it would not be appropriate to assume that all dwellings have garages and likewise it would not be appropriate to assume that all dwellings don't have garages. By averaging the Land Registry data we already allow for the fact that some dwellings have garages and some do not. <p>BCIS Median</p> <ul style="list-style-type: none"> The BCIS is a useful database, but it has its limitations. As discussed in the report the majority of the data is derived from small schemes delivered by local or relatively small contractors. These types of builders are unable to make the savings (on labour and materials) that a national volume house builder can (who would most likely implement schemes of 50 or more dwellings). It is also the case that volume housebuilders do not contribute to the RICS data. For this reason the figures can be regarded as being inherently high (when applied to larger scale schemes). The BCIS recognises this (article from Oct 2016 as referred to in the report). There are appeal decisions where figures lower than the median are accepted. Other Local Authorities also depart from the BCIS median in their own viability studies. That all said, BCIS median is applied to higher value areas (where it is recognised the specification of the product would be enhanced). The approach was previously accepted through examination. <p>Breakdown of externals, contingency & professional fees</p> <ul style="list-style-type: none"> A breakdown of these allowances is already included (section 6.12). This was previously accepted through examination. <p>Abnormals</p> | |
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| | | <p>high, if taking into account planning obligations and S106 costs.</p> <p>Question the disparity between recommended BLV assumptions in urban and non-urban areas. The non-urban BLV assumptions seem way too low to secure a 'reasonable' landowner.</p> <p>Interested to know what areas are considered urban and which areas are considered non-urban. Have bought sites where values needed to be much higher than the recommended BLV assumptions to secure a 'reasonable' landowner and bring the sites forward.</p> <p>Urge the Council to reconsider the recommended BLV assumptions in low value urban areas and high value urban areas, and consider the disparity between urban and non urban areas, particularly focusing on the low BLV assumptions being suggested in non-urban areas.</p> <p>Important that the Council recognises that each site is different and it is impossible to agree or put forward meaningful valuation brackets without knowing the individual details of each site. Two sites close by could have totally different development costs and land value could be wildly different.</p> <p>Urge the Council to consult with landowners to determinate what value they would sell their sites for to ensure land still comes to market.</p> | | | <ul style="list-style-type: none"> - Any allowance for abnormals is arbitrary as this will vary significantly from case to case. - That said, we consider it appropriate to include 'something' for the abnormal costs. - As per the PPG, though, there is a relationship between the benchmark land value and the abnormals. Broadly, if abnormals increases this reduces the benchmark land value and vice versa. Therefore, any increase in abnormal costs allowance would be broadly offset by reductions in the benchmark land value. <p>Marketing</p> <ul style="list-style-type: none"> - The evidence identified and discussed in the report shows an allowance of 3% on revenue is reasonable. <p>Developer profit</p> <ul style="list-style-type: none"> - PPG recognises that profit can fluctuate and suggests a range of 15% to 20% on revenue. The allowances assumed in the testing falls within this range. - The evidence identified suggests profit fluctuates and is not set at 20%. - Affordable dwellings are typically transferred in bulk to a single Registered Provider, with the deal having been agreed prior to construction having commenced. The risk associated with building these dwellings is therefore significantly reduced when compared to speculatively releasing market value dwellings. It therefore is reasonable to assume that each carries a different risk profile (and therefore attracts a different level of profit). - Planning obligations - Section 7.5 refers to S106 and CIL payments. - The S106 allowances range from £2,000 to £4,000 per dwelling (for the reasons set out in the report). - CIL allowances have been adopted in line with the current CIL rates for each authority. <p>Benchmark land values</p> <ul style="list-style-type: none"> - This built on previous figures accepted through examination. It is was | |
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| | | | | | | <p>considered important to ensure, where possible, consistency in the testing.</p> <ul style="list-style-type: none"> - That said, the approach adhered to the PPG, which clearly sets out a requirement for determining the BLV based on the 'existing use value + premium' method. - Urban / non-urban-d`ifference was previously accepted through examination. - Non-urban will have a lower existing use value, therefore the assessment approach is different. | |
| 5 | Ward, A. (Barratt David Wilson Homes North East) | DM06 | <p>Supports the provision of a range and choice of homes and recognises the evidence of an ageing population. Needs to be further justification for need for these standards with reference to the Written Ministerial Statement in March 2015 and factors identified in the PPG (ID 56-07) and recognition of the viability implications as it is likely to make some sites identified as unviable.</p> <p>The 25% requirement should be justified further than relying on evidence of an ageing population.</p> <p>Underpinning assumptions used for viability testing does not take into account s106 and CIL costs.</p> | <p>Justified Compliant with law Consistent with national policy Positively prepared Effective</p> | <p>To address soundness matters, the Council should:</p> <ul style="list-style-type: none"> - Review the evidence base to demonstrate the need for M4(2) houses - Remove the requirement for 25% of all homes to be built to Accessible and Adaptable Standard - Viability test a lower percentage, 10% perhaps, to demonstrate what % can be delivered viably - Consider the need for transitional arrangements | <p>The Council considers it has addressed the factors to be considered in the need for justifying the accessible and adaptable policy – the Compliance Statement and topic paper 'Housing Needs and Standards' provide the full justification.</p> <p>the Council's consultant has tested viability assumptions and notional schemes.</p> <p>The Gateshead & Newcastle Housing for People with Disabilities supplemental report has updated the evidence base in relation to accessibility standards. This expands on the outputs of the Strategic Housing Market Assessment 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26) . The Council agrees that an ageing population alone is not a justification for the need for adapted housing, but evidence that the ageing population will require more adapted housing is important. The update to the analysis in the Strategic Housing Market Assessment 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes.</p> <p>The Council has engaged with stakeholders on the development of the viability assumptions over a period of years underpinning the Core Strategy and CIL. The Viability and Deliverability Report (2018) Appendix 2C responds to the remaining assumptions that are queried. CIL and s106 cost assumptions incorporated</p> | None |

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| | | <p>Does this mean the Council are only looking for developments of 15-50 houses (excluding low mid and low urban/surburban areas, which are unviable) and only developments of 100 houses in high, high mid and mid non-urban areas?</p> <p>Urge the Council to review the requirement for 25% M4(2) houses as it is clear that this target is not viable. Urge the Council to viability test a lower percentage to determine what % can be delivered viably.</p> <p>Implementing a policy requirement which will make schemes unviable is not a sustainable approach. Schemes will no longer come forward in Newcastle, which will mean Newcastle do not meet their housing target.</p> <p>If policy is implemented the Council must consider the need for transitional arrangements. Some schemes without full planning permission have already been purchased for agreed land values or have minimum land values attached to them.</p> | | | <p>into the testing are explicitly stated in the appraisal summaries (Appendices 13-20).</p> <p>The testing shows that by applying 25% M4 (2) it does not change the viability outcome of any schemes. In other words, all of the schemes that were viable in the base appraisal testing remain viable if the policy is brought in.</p> <p>In response to BDW's request testing baseline appraisals at 10% was also undertaken. In short, whether the M4 (2) is set at 10% or 25% it doesn't impact on the overall viability outcomes of the base appraisals.</p> <p>The Viability and Deliverability Report (2018) sets out the challenges that face the area and impact of plan costs. The policies in the plan do not affect the overall outcomes of viability and thus are considered to be aligned to the national policy that states 'such policies should not undermine the deliverability of the plan.' (NPPF para. 34). NPPF allows for the applicant to justify the need for a viability assessment at the application stage (para. 57, NPPF). Chapter 10 of the report also sets the delivery interventions the Council has instigated to help drive housing delivery alongside broadening tenure.</p> <p>There is no general requirement on local plan policies to set out a transition period. The exception to that is in the PGG for the Nationally Described Space Standards, however, if this had also been the intention for accessible and adaptable standards a transition period would have been included in the PPG. The requirement in DM6 is less than 50% of the city's needs for M4(2) and there is no requirement carried forward from the Strategic Housing Market Assessment to meet M(4)(3) wheelchair users due the viability testing. Furthermore, recent testing of consented site layouts indicates the house substitutions would be possible without impact on the scheme capacity.</p> <p>The Annual Monitoring Reports will be published each year and set out how we are performing on delivery of policies and when</p> | |
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| | | | | | | it considered that there is a significant departure from the policy approach action will be taken. | |
| 6 | Westwick, N. (Bellway) | DM06 | <p>Requested additional supporting text at draft stage to clarify which parts of the Building Regulations are applicable to DM6, and changes have now been made.</p> <p>Comments on considering the impact of the policy and in particular the costs do not appear to have been taken into account.</p> <p>Concerned about the potential impact upon build cost, affordability, viability and housing delivery.</p> <p>Addressing Housing Needs and Standards document suggests that DM6 will help to deliver CS11(2) and (3). Do not consider that DM6 is in line with CS11 which only seeks to encourage the provision of wheelchair accessible homes and increase the choice of suitable accommodation for the elderly</p> | Justified Consistent with national policy | To make the Development and Allocations Plan sound, we consider that the Council should fully assess the implications of imposing the optional standards in line with the NPPG. In the context of the national need to increase the rate of house building, the Development and Allocations Plan should not seek to include policies which are not fully justified which could obstruct housing delivery. | <p>The Council made some changes to the supporting text to Policy DM6 to clarify the requirement for M4(2) standard.</p> <p>The Addressing Needs and Standards topic paper, Viability and Deliverability Report (2018), and Compliance Paper addresses the PPG factors which local planning authorities can consider and take into account. The Viability report assesses the cost for implementing M4(2) standards (taken from the Government impact assessment) with cumulative plan costs including s106 and CIL liabilities.</p> <p>The viability assumptions, including build costs, have been the subject analysis (Section 6.9), separate consultations (Viability Questionnaire) and Council response summaries (Appendix 2a & 2b), which have all been published through plan making stages. The potential impact of housing standards on viability, affordability and delivery is addressed in chapter 8 of the Viability and Deliverability Report (2018).The report assesses different proportions of M4(2) compliance and concludes the 60% need requirement for M4(2) evidenced in the Strategic Housing Market Assessment cannot be justified on viability grounds, however the report recommends M4(2) accessible and adaptable standard requirement at 25% of dwellings does not change the viability outcome of any scheme. The M4(3) standard should not be brought forward, as this would potentially undermine scheme viability (para. 11.13). The plan costs are considered marginal and would not therefore undermine the 'delivery of the plan' (NPPF, para. 34).</p> <p>The Addressing Needs and Standards topic paper, Viability and Deliverability Report (2018) (and Compliance Paper) addresses the PPG factors which local planning</p> | None |

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| | | <p>population. Approach is not in accordance with PPG (ID 56-07). The enhanced standards should only be used if clear evidence of need is demonstrated and that the proposals are viable.</p> <p>CS11 seeks to encourage the provision of accessible homes and the Inspector's Report for the Core Strategy and Urban Core Plan (at para. 62) states that: "The clause encouraging the provision of Lifetime Homes and Wheelchair-Accessible Homes strikes an appropriate strategic balance between highlighting this important need whilst not making it a specific requirement that could compromise viability. A similar argument applies to the clause seeking increased choice for the elderly: many different types of accommodation are required and it is not feasible to set specific targets in a strategic policy."</p> <p>Recommend that the Council considers viability before applying a blanket policy to all sites within the Authority Area.</p> <p>Supporting text should be amended to include a transition period between the adoption of the Development and Allocations Plan and when policy will be applied. Request clarity that the policy requirements will not be retrospectively applied to applications for Reserved Matters where a site benefits from outline planning permission or a minded to approve permission before the end the end of the transition period. This would be consistent with the approach to Policy DM7 and the supporting text at para. 4.3.2.</p> <p>Para. 4.2.6 refers to off site contributions being sought to meet citywide targets, where on-site measures cannot be implemented. This was not the intention of Government in bringing in this 'optional' standard and would likely be applied to sites where development</p> | | | <p>authorities can consider and take into account.</p> <p>Policy DM6 is proposed in the Development and Allocations Plan to provide the measured target for accessible and adaptable homes, delivering on the requirement to provide of Lifetime homes adopted in Core Strategy and Urban Core Plan Policy CS11. The Viability and Deliverability Report concludes the updated, evidenced need for 60% new homes to be built to M4 (2) standard can be delivered albeit at a lower level of 25% so as not change the viability outcome of development or undermine the 'delivery of the plan'. Thus, DM6 seeks to require rather than encourage new homes built to M4(2) standard.</p> <p>The Development and Allocations Plan (para. 4.1.9) and supporting Viability and Deliverability Report (2018) evidence recognises the delivery of homes in parts of the city remains challenging, however, the PPG states the role for viability assessment is primarily at the plan making stage (PPG 10-002-20180724). It is for the applicant to demonstrate whether circumstances justify the need for a viability assessment at the application stage (PPG 10-007-20180724).</p> <p>There is no requirement in NPPF or NPPG to incorporate a transitional period for the adoption of plan policies, not for the M4(2) optional technical housing standard. This is only a 25% requirement on sites over 11 dwellings and, subject to further detailed testing undertaken recently, the potential impact on outline approved scheme layouts and capacity are considered minimal.</p> <p>In site specific cases where exceptional circumstances can be demonstrated e.g. where implementing the accessible and adaptable homes standard cannot be</p> | |
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| | | | <p>costs will have increased due to technical constraints. If such a policy is to be introduced then the contributions should be included in the viability appraisal (it is not clear that they have been) and the policy should clearly set out the intended associated costs.</p> <p>the Council should fully assess the implications of imposing the optional standards in line with the NPPG. In the context of the national need to increase the rate of house building, the Development and Allocations Plan should not seek to include policies which are not fully justified which could obstruct housing delivery</p> | | | <p>delivered due to site constraints which cannot be overcome then off site contributions may be appropriate. Notional viability appraisals include the M4(2) policy costs and any off site contributions would be of equivalent value.</p> <p>The evidence is set out in the evidence library documents: Strategic Housing Market Assessment (2017); Addressing Needs and Standards topic paper; Viability and Deliverability Report (2018) and Compliance Paper.</p> | |
| 5 | Ward, A. (Barratt David Wilson Homes North East) | DM07 | <p><i>Table 1: Trigger Points and Potential Remedial Actions</i></p> <p>DM5: The proposed trigger for remedial action - We would suggest that the Council define 'significantly' and 'persistently' with a specific % requirement.</p> <p>DM6: The proposed trigger for remedial action - We would suggest that the Council define 'significantly' with a specific % requirement.</p> | Justified Compliant with law Consistent with national policy Positively prepared Effective | To address soundness matters, the Council should define 'significantly' and 'persistently' with a specific % requirement. | The Annual Monitoring Report will be published each year and sets out how we are performing on delivery of policies and when it is considered that there is a significant departure from the policy approach action will be taken. | None |
| 15 | Cuggy, S. (Savills (on behalf of Gentoo Homes)) | DM07 | Supports HBF position put forward in previous rounds of consultation on the Development and Allocations Plan in respect of this policy and the lack of evidence contained within the Addressing Housing Needs and Standards document to justify its implementation. | Justified Consistent with national policy | Encourage the Council to provide further appropriate evidence to justify its introduction | <p>The Council's evidence and justification is set out in the Strategic Housing Market Assessment, Addressing Needs and Standards topic paper, the Viability and Deliverability report (2018). The Compliance Paper also summarises the PPG factors which local planning authorities should take into account including need, viability and timing. Furthermore, the Council has continued to assess the need for Nationally Described Space Standards given the representations received and a supplemental report to the Gateshead and Newcastle Strategic Housing Market Assessment has been prepared on 'Compliance with Nationally Described Space Standards Targets' (March 2019).</p> <p>Policy DM7 is proposed in the Development and Allocations Plan to provide the measured target for internal space in new homes, in order to deliver on the strategic policy that requires development 'to provide adequate space inside (and outside) of the home to meet the needs of residents', Core</p> | None |

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| | | | | | <p>Strategy and Urban Core Plan Policy CS11. The subsequent introduction by the Government of the Nationally Described Space Standards standard is a measured requirement that enables both the strategic and Development and Allocations Plan policy to be effective. Nationally Described Space Standards is also the only standard of internal space that a local authority can adopt. (para. ID 56 018 20150327).</p> <p>The Council's evidence and justification is set out in the Addressing Needs and Standards topic paper and the Viability and Deliverability report (2018) and Compliance Paper and addresses the PPG factors which local planning authorities should take into account including need. There is no requirement to assess quality of life impacts, which was discussed at the HBF meeting on 11 July 2018 (Appendix 6 of the Viability and Deliverability Report (2018)). With reference to demand for smaller sized homes, the Core Strategy and Urban Core Plan on adoption released land for strategic housing allocations to a lack of a 5 year housing land supply. Where housebuilders are providing a similar range of products to meet identified demand, lack of choice can be a limiting factor.</p> <p>Overcrowding of dwellings can be an indicator that the size of dwellings and need are not balanced. The Core Strategy and Urban Core Plan Policy CS11 requires 60% of private new homes across the city to be 3 bedroom or more to be 'suitable for and attractive to families', and this policy is justified by the need for this size of dwelling confirmed in the updated Strategic Housing Market Assessment (2017). Policy DM7 applied alongside CS11 will help to ensure that the size of space in bedrooms and homes is sufficient to meet the needs of families or occupants. . The supplemental report to the Gateshead and Newcastle Strategic Housing Market Assessment has been prepared on 'Compliance with Nationally Described Space Standards Targets' (March 2019). The sample evidence indicates 80-90% of dwellings could fall below the Nationally Described</p> | |
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| | | | | | | <p>Space Standards minima for at least one bedroom (pages 10-12).</p> <p>the Council have undertaken significant engagement with HBF and stakeholders regarding the viability assumptions adopted in the Viability and Deliverability Report (2018) (see Appendices 2-9). The Council has sought clarification on the assumptions of which the HBF have remaining concerns and these are again addressed in the Updated Appendix 2C. The Council considers a cautious approach has been taken, with flexible margins to several viability assumptions.</p> <p>The baseline viability testing of notional schemes have a similar pattern of unviable outcomes with cumulative policy and CIL costs, with the majority of mid, high-mid and high value areas returning a viable outcome, the low mid and low areas remaining generally unviable. However, the low cost model testing indicated all of the low-mid value and some of the low value typologies were shown to be viable and represented a change from the base appraisals. This testing suggested that the private sector could deliver sites in lower value locations (in line with actual site delivery in recent years and sites currently being brought forward / promoted).</p> | |
| 16 | Fleming, J. (Gladman Development Ltd) | DM07 | <p>Refers to the Written Ministerial Statement (March 2015) which confirms that the optional technical standards should only be required through new local plan policies if they address a clearly evidenced need, and where their impact on viability has been considered in accordance with PPG. the Council should only adopt the policy if it is justified by meeting the criteria in the PPG on need, viability and impact on affordability.</p> <p>Concerns relate to the additional cost and implication for affordability. Adding cost to a 2 bedroom dwelling could further exacerbate affordability issues in the area and may also limit the number of dwellings to be delivered on site to less than suggested in the Development and Allocations Plan.</p> | Justified Consistent with national policy Positively prepared Effective | No comments made | <p>The Council 's supporting topic paper and Viability and Deliverability Report (2018) together respond to the PPG identified areas of justification (need, viability and timing).</p> <p>Concerns regarding affordability have also been considered. The Strategic Housing Market Assessment concludes that housing market pressure in Newcastle is generally comparable to those in similar areas and in many cases lower than national averages, and that recommends there is no need to uplift the objectively assessed need to higher than household projections. The Viability and Deliverability Report (2018) also considers affordability impact given responses from some housebuilders, it concludes there may be some limited impact on affordability in the market place, however for most purchasers it is not envisaged that</p> | None |

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| | | | | | | the increase in size impact on their ability to proceed with a purchase. Yet, a slight narrowing of the purchaser market could be argued to result in a slight slowing of sales rates (Viability and Deliverability Report) (para. 7.1.16-7.1.21). | |
| 21 | Harding, J. (Home Builders Federation) | DM07 | <p>Highlight that the PPG (ID 56-020) identifies the type of evidence required to introduce such a policy. Local planning authorities should take account for need, viability and timing.</p> <p>CS11 only states that providing a range and choice of housing will be achieved by providing adequate space inside and outside of the home to meet the needs of residents. CS11 does not require this to be done through the introduction of the optional housing standards. Do not consider that the 'need' for Policy DM7 and the introduction of the Nationally Described Space Standards has been demonstrated.</p> <p>Just collating evidence of the size of dwellings completed does not in itself identify need. Was expected that the evidence would include market indicators such as quality of life impacts or reduced sales in areas where the standards are not currently being met.</p> <p>No evidence provided that the size of the homes being completed are considered inappropriate by those purchasing them or that these homes are struggling to be sold in comparison to homes that do meet the standards.</p> | No comments made | | <p>The Council's evidence and justification is set out in the Strategic Housing Market Assessment, Addressing Needs and Standards topic paper, the Viability and Deliverability Report (2018). The Compliance Paper also summarises the PPG factors which local planning authorities should take into account including need, viability and timing. Furthermore, the Council has continued to assess the need for Nationally Described Space Standards given the representations received and a supplemental report to the Gateshead and Newcastle Strategic Housing Market Assessment has been prepared on 'Compliance with Nationally Described Space Standards Targets' (March 2019).</p> <p>Policy DM7 is proposed in the Development and Allocations Plan to provide the measured target for internal space in new homes, in order to deliver on the strategic policy that requires development 'to provide adequate space inside (and outside) of the home to meet the needs of residents', Core Strategy and Urban Core Plan Policy CS11. The subsequent introduction by the Government of the Nationally Described Space Standards standard is a measured requirement that enables both the strategic and Development and Allocations Plan policy to be effective. Nationally Described Space Standards is also the only standard of internal space that a local authority can adopt. (para. ID 56 018 20150327).</p> <p>The Council's evidence and justification is set out in the Addressing Needs and Standards topic paper and the Viability and Deliverability Report (2018) and Compliance Paper and addresses the PPG factors which local planning authorities should take into account including need. There is no requirement to assess quality of life impacts, which was discussed at the HBF meeting on 11 July 2018 (Appendix 6 of the Viability and Deliverability Report (2018)). With reference</p> | None |

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| | | <p>Evidence collected by HBF suggests that housebuilders in the area do not have issues with selling properties at less than the Nationally Described Space Standards.</p> <p>Questioned whether the Council consider the introduction of the Nationally Described Space Standards would alleviate overcrowding. Or whether introduction of the standard could lead to people purchasing homes with a smaller number of bedrooms, but larger in size due to the Nationally Described Space Standards and have the potential to increase issues with overcrowding.</p> <p>Have concerns around a number of the assumptions made with the Viability Report and consider that a more cautious approach should have been taken. Do not consider that given the evidence provided the Nationally Described Space Standards is necessarily viable or that it would not undermine the overall plan deliverability.</p> <p>Note that a number of site typologies are not considered viable in the base scenario which included the use of the Nationally Described Space Standards standard.</p> | | | <p>to demand for smaller sized homes, the Core Strategy and Urban Core Plan on adoption released land for strategic housing allocations to a lack of a 5 year housing land supply. Where housebuilders are providing a similar range of products to meet identified demand, lack of choice can be a limiting factor.</p> <p>Overcrowding of dwellings can be an indicator that the size of dwellings and need are not balanced. The Core Strategy and Urban Core Plan Policy CS11 requires 60% of private new homes across the city to be 3 bedroom or more to be 'suitable for and attractive to families', and this policy is justified by the need for this size of dwelling confirmed in the updated Strategic Housing Market Assessment (2017). Policy DM7 applied alongside CS11 will help to ensure that the size of space in bedrooms and homes is sufficient to meet the needs of families or occupants. . The supplemental report to the Gateshead and Newcastle Strategic Housing Market Assessment has been prepared on 'Compliance with Nationally Described Space Standards Targets' (March 2019). The sample evidence indicates 80-90% of dwellings could fall below the Nationally Described Space Standards minima for at least one bedroom (pages 10-12).</p> <p>the Council have undertaken significant engagement with HBF and stakeholders regarding the viability assumptions adopted in the Viability and Deliverability Report (2018) (see Appendices 2-9). The Council has sought clarification on the assumptions of which the HBF have remaining concerns and these are again addressed in the Updated Appendix 2C. The Council considers a cautious approach has been taken, with flexible margins to several viability assumptions.</p> <p>The baseline viability testing of notional schemes have a similar pattern of unviable outcomes with cumulative policy and CIL costs, with the majority of mid, high-mid and high value areas returning a viable outcome, the low mid and low areas remaining generally unviable. However, the low cost</p> | |
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| | | | | | | model testing indicated all of the low-mid value and some of the low value typologies were shown to be viable and represented a change from the base appraisals. This testing suggested that the private sector could deliver sites in lower value locations (in line with actual site delivery in recent years and sites currently being brought forward / promoted). | |
| 38 | Holland, R. (Persimmon Homes NE) | DM07 | <p>Previous objections continue to be unalleviated from the substantial concerns raised. Since previous objection the Council has prepared "Addressing Housing Needs and Standards" document which in its title demonstrates the flawed approach the Council have applied to evidencing this policy.</p> <p>Basis for DM7 is clearly stated as CS11. Aspirations of CS11 are supported, however the Council have failed to demonstrate the adequacy of both new and existing housing for the needs of its residents.</p> <p>the Council fail to demonstrate why meeting Nationally Described Space Standards standard is either necessary or beneficial on a local level. In its assessment report, the Council points to several studies at a national level undertaken between 2006 and 2017, the most recent of which is the Park Report. This report makes no reference to the needs of the North East or Newcastle specifically.</p> | Justified Consistent with national policy Positively prepared | | <p>The Council published the 'Addressing Housing Needs and Standards' topic paper alongside the Draft Development and Allocations Plan and then re-published it at Pre – submission stage taking into account responses received to the Draft Development and Allocations Plan (See Compliance paper DM6).</p> <p>Policy DM7 is proposed in the Development and Allocations Plan to provide the measured target for adequate space inside homes, the principle requirement of which was established in the Core Strategy and Urban Core Plan Policy CS11.</p> <p>The published Development and Allocations Plan topic paper 'Addressing Housing Needs and Standards' and Strategic Housing Market Assessment (Sept. 2017) sets out the need for introducing Nationally Described Space Standards in the city. The compliance paper summarises the justification in relation to meeting the Core Strategy and Urban Core Plan Vision and Objective 6 to meet the housing needs of families and provide 60% of new homes as 3 bedrooms or more. The Strategic Housing Market Assessment highlights the greatest deficiency against the Nationally Described Space Standards standards in Newcastle falls within the 3 bedroom housetypes, indicating improvements are required to ensure delivery meets the Core Strategy and Urban Core Plan objectives.</p> <p>The supplemental report to the Gateshead and Newcastle Strategic Housing Market Assessment has been prepared on 'Compliance with Nationally Described Space Standards Targets' (March 2019) responding to requests for further data. The report assesses the deviation from the</p> | None |

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| | | <p>In its assessment of local need the Council points to the adoption of North Tyneside's Space Standard and sites that they share a housing market area with Newcastle. The approach to adopt or base a policy requirement upon the recent adoption of a neighbouring authority is flawed, notwithstanding the significant level of objection that the policy in North Tyneside received. The policy basis within North Tyneside is substantially different as the objections raised by the industry were in the context of overriding and general support for the plan as a whole, this is not the case for Newcastle nor Gateshead who will be seeking to impose this through the DPD which is subject to direct objection and not supported.</p> <p>Policy has not been supported by suitable nor robust evidence of the need for its introduction which is in direct contradiction to ministerial guidance and contradicts the policy "hook" within policy CS11 (it does not directly relate to the needs of local residents). Had the effects of this policy been suitably considered holistically by the Council and presented to the public and elected members in an open manner, this would not have resulted in the proposal of this policy. As a minimum, a full examination on the effects the imposition of this policy will have on city wide affordability and sales, alongside a full and proper assessment of the needs of local residents in conjunction with the industry should be undertaken.</p> <p>Assumptions presented in the Viability assessment has been that as the revenues will remain the same but multiplied across new</p> | | | <p>bedroom minima for a sample of sites. The evidence indicates reducing floorspace sizes in new homes in Newcastle (2010-18) (fig.1) and 80-90% of dwellings falling below the Nationally Described Space Standards for at least one bedroom (pages 10-12).</p> <p>North Tyneside, Gateshead and Newcastle share a Housing Market Area (Strategic Housing Market Assessment, Sept 2017), and as such, it is considered appropriate to consider the market context for the introduction of Nationally Described Space Standards and housing standards. The Development and Allocations Plan topic paper 'Addressing Housing Needs and Standards' provides the wider overview of Nationally Described Space Standards compliance in the market area, which is important due to the similarities of the market and recent consideration of soundness at examination by the North Tyneside Local Plan inspector. If DM7 is also adopted in Newcastle and the corresponding policy in Making Spaces for Growing Places local plan is adopted in Gateshead, the whole market area would operate under accessible and adaptable and Nationally Described Space Standards standards of build.</p> <p>The Strategic Housing Market Assessment addresses objectively assessed housing needs and resident needs by size of accommodation and concludes that the Core Strategy and Urban Core Plan targets and policies remain robust 2015-30. the Council considers it has carried out due diligence in progressing Policy DM7 through the local plan making process: engaging with stakeholders, considering objections and verifying evidence in compliance with national policy and the neighbouring authority's evidence that was found sound (North Tyneside Local Plan).</p> <p>Concerns regarding affordability have also been considered. Paragraph 7.1.15 onward in the Viability and Deliverability Report (2018) deals with affordability. There would be an adjustment in price, however we conclude that the impact would be relatively minimal and not to the extent where it would</p> | |
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| | | <p>floor areas that the “cost” of the adoption of Nationally Described Space Standards can be absorbed viably in the plan. This is false as it requires that developments can sell larger dwellings for an increased amount in the same market and makes no assessment of the impact this will have upon the market nor the effects on development if this was not able to occur.</p> <p>Agreed that the most substantial change in house type occurs in the 2 bedroom dwelling range. This range is the most commonly sold and most popular house type found within the sales range of most house builders and is particularly popular with first time buyers and new young families.</p> <p>Based upon the average household income (gross) would be £45,076 the Net annual household income from this would be £31,627 or £2,635 per month. In our market assessment of an average 3 bedroom dwelling house (appendix) the increase in price impact of the introduction of Nationally Described Space Standards takes the average 3 bedroom house price from £167,400 to £201,450. The impacts policy DM7 would be:</p> <ol style="list-style-type: none"> Based upon an average 90% mortgage the deposit requirement increases from £16,500 to £20k The increase to the level of stamp duty goes from approx. £1100 to £1860 This increase based upon acceptable levels of disposable income and saving rates calculated by the HCA affordability model would mean the household would need to save for an extra 13 months (average saving rate calculated at £300 per month) to afford to buy the house. <p>Mortgage availability is now calculated upon income and affordability. The HCA in its mortgage assessment toolkit states that mortgage payments should be well below 45% of the net household income to be classified as affordable. The effect of the house size and price increase from Nationally Described Space Standards adoption is:</p> <ol style="list-style-type: none"> If purchasing a house at £167,400 the household would need to borrow | | | <p>undermine sales. The Strategic Housing Market Assessment concludes that housing market pressure in Newcastle is generally comparable to those in similar areas and in many cases lower than national averages, and that recommends there is no need to uplift the objectively assessed need than the higher than household projections. The Local Housing Need methodology in the revised NPPF (2018) includes an affordability ratio. In Newcastle the latest data for 2017 is an affordability ratio of 5.48 (compared to 7.78 in England and Wales).</p> <p>Having looked at the increases in sales values the Viability and Deliverability Report concluded that increases in build costs weren’t sufficient to fundamentally undermine demand, however it could result in slightly slower sales rate (which were inherently factored in to the appraisals).</p> <p>The evidence submitted by Persimmon at Draft Development and Allocations Plan (Regulation 18) (Appendix 3 sales rates of new Persimmons homes in the NE) indicated that 2 bed properties were 14% of market sold dwellings, compared to 58% 3 beds and 28% 4 bed.s plus in 2015-16. The Strategic Housing Market Assessment (2017) found that the 3 bed property was the most common type of dwelling completed in Newcastle (Fig. 146).</p> <p>The Viability and Deliverability Report (2018) also considers affordability impact given responses from some housebuilders, it concludes there may be some limited impact on affordability in the market place, however for most purchasers it is not envisaged that the increase in size impact on their ability to proceed with a purchase (para. 7.1.16-7.1.21).</p> <p>The concerns regarding affordability are considered in detail within the report. Further analysis has been undertaken since this time.</p> <p>Conclusion is that the introduction of the Nationally Described Space Standards would not serve to undermine affordability. However, it is accepted that there could be</p> | |
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| | | | <p>£150,660 whereas at £201,450 this would be increased to £181,305</p> <p>b. Based upon an average mortgage of 20 years this would mean at present the household would pay £907 per month at a standard rate of interest of 3.92%. This is increased to £1091 through the adoption of Nationally Described Space Standards.</p> <p>c. From this we can show that for an average household the affordability of a mortgage at the non Nationally Described Space Standards price would be considered affordable however the introduction of Nationally Described Space Standards pushes the ratio of affordability to 45% of the average net household income, which is not affordable.</p> <p>Above example shows that the introduction of the Nationally Described Space Standards has and will end up rendering some households unable to afford to buy dwellings in the Newcastle Housing market. It may increase the time in dependent or rented accommodation by over a year.</p> <p>This policy would disproportionately impact upon those who are in lower income households and may even increase the level of those qualifying for affordable housing benefit and need across the plan area. It is expected to significantly reduce sales rates and effect delivery of housing sites and anticipated completion of housing targets set in Core Strategy and Urban Core Plan. the Council evidence assumptions that revenues based upon increased floor areas will absorb the increased costs have not been examined nor have they been proven in reality based upon actual affordability in the local housing market. These could have significant effects upon development viability.</p> <p>the Council have not assessed the implications that this may have upon the plan's delivery.</p> | | | <p>some impact on sales rates, which has been factored into the appraisal testing. It is also stressed that there is flexibility within the Nationally Described Space Standards, which allows a range of dwelling sizes. The viability modelling adopts an average size, however there is an opportunity to construct houses below this average level and still be Nationally Described Space Standards compliant.</p> <p>The Viability and Deliverability Report (2018) considers the impact on both viability and density. It concludes the impact on density would not be to the extent as to undermine scheme delivery or site capacity.</p> | |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM07 | <p>Requirement for new development to meet Nationally Described Space Standards has not satisfied the tests for introducing the standards.</p> <p>1) No evidence that the size of the homes being built are considered inappropriate by</p> | Justified Consistent with national policy | Consider that the Council should provide justification for requiring internal space policies in accordance with NPPG. We are not convinced that there is justification for Nationally Described Space Standards and | the Council's evidence and justification is set out in the Strategic Housing Market Assessment, Addressing Needs and Standards topic paper, the Viability and Deliverability Report (2018). The Compliance Paper also summarises the PPG factors which local planning authorities | None |

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| | | <p>those purchasing them. No evidence which indicates that non-Nationally Described Space Standards compliant homes are struggling to sell in comparison to homes that do meet the standards.</p> <ol style="list-style-type: none"> 2) Strategic Housing Market Assessment (2017) reports that, in a two year period, 41% of new homes sampled meets the Nationally Described Space Standards. Reporting trends of the size of dwelling does not in itself identify need. Any assessment should consider market indicators such as quality of life impacts or reduced sales in areas where the standards are not currently being met. 3) No overwhelming evidence that houses not complying with the optional standards is negative – there is generalised reference to national-level studies which seek to correlate internal space with health issues which is emotive and misleading. 4) There is no evidence that smaller properties that do not meet the standards, in the second hand market, are being abandoned in favour of alternative. For example, Victorian homes suffer from market failure but for other reasons – clearly internal space is not one. <p>There is no evidence that the impact of the Nationally Described Space Standards has been considered in relation to:</p> <p>Density – The bigger floorplates will make it more difficult to achieve appropriate densities for the most sustainable sites with implications for efficiency of development.</p> | | <p>consider that this could potentially obstruct housing delivery.</p> | <p>should take into account including need, viability and timing.</p> <ol style="list-style-type: none"> 1) The impact of Nationally Described Space Standards is assessed in Chapter 7 of the Viability and Deliverability Report (2018). It is accepted that there may be a narrowing of choice for smaller sized properties within specific property types, however, there may also be reduced choice for purchasers currently. This is not a reason to resist improvements to the overall stock to the meet needs of all. Research indicates that 2.5/3 storey homes are continuing to be built and feature – for example the Middle Callerton West allocation site has 11% 3 storey properties in the approved scheme. 2) The compliance paper summarises the justification in relation to meeting the Core Strategy and Urban Core Plan Vision and Objective 6 to meet the housing needs of families and provide 60% of new homes as 3 bedrooms or more. The Strategic Housing Market Assessment highlights the greatest deficiency against the Nationally Described Space Standards standards in Newcastle falls within the 3 bedroom housetypes, indicating improvements are required to ensure delivery meets the Core Strategy and Urban Core Plan objectives. 3) The Nationally Described Space Standards are government standards that have been developed to ensure that dwellings are fit for purpose. If the inside space is inadequate, then dwellings are unlikely to be used to meet the identified needs and the intended residential mix in the Strategic Housing Market Assessment. Policy DM7 seeks to deliver the strategic objective 6 and Policy CS11 to meet the housing needs of families. 4) There is no requirement to assess the degree of variance (adequacy) across the existing stock, which would be a significant cost. Abandonment of dwellings is an indicator of significant market failure with complex root causes. | |
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| | | <p>CIL Payments – Which will increase (disproportionately) for 2 and 3 bedroom houses with no kickback in revenues. Costs – The standards will increase costs relative to revenues. There is a lack of information in the evidence on what build cost assumptions have been used.</p> <p>Seeking to increase the policy burden at this stage in the local plan process allied to the post-plan introduction of CIL, will have viability implications for the delivery of sites (particularly those associated with strategic green belt deletions) many of which were secured on terms negotiated prior to Core Strategy and Urban Core Plan adoption. This will inevitably lead to delays in sites coming forward whilst contracts are renegotiated (if that is possible) which will impact on the Council's delivery trajectory and will require the allocation of further land to make up the short-fall. May bring forward the need for strategic review of Core Strategy and Urban Core Plan and pressure on Green Belt.</p> <p>Impact of Nationally Described Space Standards on development density should be assessed as projected yields may not take these standards into account, which could lead to a requirement for additional land being allocated for housing. The increased internal floorspace requirement will have a negative impact on the deliverability of sites across Newcastle as the increased floorspace leads to increased build costs.</p> | | | <p>As detailed in the report all floorspace permutations of Nationally Described Space Standards cannot be tested. In line with the requirements of the PPG it is therefore appropriate to test average Nationally Described Space Standards figures. Paragraph 7.1.11 of the Viability and Deliverability Report (2018) considers the potential impact on density. Where density does increase, this is in lower value locations where there is greater scope for 2.5/3 storey dwelling types. Also, the Nationally Described Space Standards rates assumed are average and could be reduced in lower value locations where concerns about density are identified.</p> <p>CIL impacts on high and high-mid locations only. Here, there are a higher proportion of 4b dwellings, reducing the concerns raised about CIL increasing for 2/3 beds. Furthermore, overall densities are similar to previous Council testing, minimising the CIL impact.</p> <p>Build cost assumptions are reviewed at para.6.11 of the Viability and Deliverability Report (2018). Additionally, paragraph 7.1.15 onwards of the report addresses affordability and costs. There would be an adjustment in price with increased floorspace, however we conclude that the impact is relatively minimal and not to the extent where it would undermine sales.</p> <p>The Viability and Deliverability Report (2018) identifies there is flexibility in the application of the Nationally Described Space Standards, through the range of complaint dwelling size options available to the developer, whilst a simple average has been assumed in the strategic and site viability appraisals. Adopting this approach increases density rates in some value locations (low, low mid and mid) by around 5-10%, however, applying the minimum Nationally Described Space Standards figures the densities are reduced compared to previous viability report assumption. This is not considered to be to the extent as to undermine scheme delivery or site capacity. Recent analysis of permissions post adoption of the Core Strategy indicates</p> | |
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| | | | <p>An assessment of Nationally Described Space Standards should consider the impact across various different housing market character areas and across different tenures. There is potential for Nationally Described Space Standards to have a negative impact on regeneration initiatives, affordable housing provision and adversely affect demand in lower value market areas.</p> <p>Given the breadth and variety of market typologies across Newcastle, a detailed assessment of the impact of this policy needs to be prepared and published.</p> <p>Welcome the amendment to para. 4.3.2 in the supporting text which confirms that the standards will not be applied retrospectively to applications for Reserved Matters where a site benefits from outline planning permission or a minded to approve permission before the end the end of the transition period. Suggest that this paragraph be amended to include a reference to developments with approved masterplans.</p> | | | <p>strategic sites in the High Mid area could be designed to be Nationally Described Space Standards compliant within the structure of the housing layout scheme simply with substitution of equivalent Nationally Described Space Standards compliant house types to the same overall site capacity (30% of units West Middle Callerton do not meet Nationally Described Space Standards, and 96% do not meet Nationally Described Space Standards at Dinnington North) There is not considered to be, therefore, a concern regarding density of development at Nationally Described Space Standards, or implications to the trajectory of supply sites in the city. The delivery of homes has improved since 2015 and cumulative completions exceed the Core Strategy target (See Figure 21, housing delivery) (Housing and Economic Land Availability Assessment, 2018)</p> <p>Within the housing market area, North Tyneside have policies to secure accessible and adaptable homes and internal space standards. Gateshead Council are also proposing to take forward similar policies in their local plan (pre-submission draft) published in October 2018.</p> <p>Analysis of tenure has been considered within the Strategic Housing Market Assessment 2014-16 sample of 390 affordable units). The most frequent compliance of affordable units were located within the Low and Low viability areas (approx..80%) compared with compliance in the urban core and High Mid viability areas (0-5%%) (See Figure 8) (Compliance with Nationally Described Space Standards Target) (March 2019).</p> <p>The notional schemes tested in the Viability and Deliverability Report (2018) are those that have been used consistently in the viability testing of the city underpinning the recently adopted Core Strategy and CIL, and have been subject to numerous consultations.</p> <p>Masterplans do not have the same status of sites with planning permissions. Land transaction agreements should be</p> | |
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| | | | | | | undertaken in accordance with NPPF and PPG guidance on setting appropriate benchmark land values to incorporate policy costs. | |
| 45 | Newsome, R. (Story Homes) | DM07 | <p>The reference back to evidence in 2017 Strategic Housing Market Assessment on the size of dwellings completed in only a small sample and over a short period is not considered to be a justification of a 'need'. There has been no consideration or reference to other market indicators such as quality or sales rates.</p> <p>Consideration or reference to other market indicators such as quality or sales rates should be given.</p> <p>the Council's assertion that the Nationally Described Space Standards can be viably provided and would not undermine overall plan deliverability is not considered to be justified.</p> <p>HBF and the development industry retain concerns about the assumptions this position is based on in the Council's Viability Report, including in respect of a number of site typologies which are not considered viable with Nationally Described Space Standards included as an assumption.</p> | No comments made | No comments made | <p>the Council's evidence and justification is set out in the Addressing Needs and Standards topic paper and the Viability and Deliverability report (2018) and Compliance Paper addresses the PPG factors which local planning authorities should take into account including need.</p> <p>The Nationally Described Space Standards evidence assessed in the Strategic Housing Market Assessment was commissioned and published in 2017 and is considered up to date evidence. In addition, the Council has continued to review evidence through each stage of plan making.</p> <p>The base appraisal shows weak viability outcomes. However, the sensitivity analysis shows how schemes can be viable in these types of locations (particularly the low cost developer model). Viability is a holistic exercise where all sensitivity testing should be considered before a final conclusion is reached. The results of the base appraisals have not therefore been taken in isolation, but considered alongside the sensitivity analysis. Furthermore, the Council is conscious that schemes are being brought forward in low and low-mid value locations, suggesting viability can be attained in more challenging market areas. The testing undertaken shows the imposition of this policy has a relatively minor impact (in financial terms). Where schemes are shown to be unviable this is often not because of this policy, it is due to other factors.</p> <p>The Council have undertaken significant engagement with HBF and stakeholders regarding the viability assumptions adopted in the Viability and Deliverability Report (2018). A questionnaire has been published for comments on 2 occasions to support the plan making of the Development and Allocations Plan (and Council responses published (see Viability and Deliverability Report (2018) Appendices 2-9).</p> | None |

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| | | | Remains a distinct risk to the deliverability of housing in the City through the proposed introduction of the Nationally Described Space Standards which would affect the Council's five year land supply and impact on the Council's future Housing Delivery Test results. | | | The Viability and Deliverability Report (2018) identifies there is flexibility in the application of the Nationally Described Space Standards, through the range of compliant dwelling size options available to the developer, whilst a simple average has been assumed in the strategic and site viability appraisals. Adopting this approach increases density rates in some value locations (low, low mid and mid) by around 5-10%, however, applying the minimum Nationally Described Space Standards figures the densities are reduced compared to previous viability report assumption. This is not considered to be to the extent as to undermine scheme delivery or site capacity. Recent analysis of permissions post adoption of the Core Strategy indicates strategic sites in the High Mid area Nationally Described Space Standards compliant dwellings could be accommodated within the structure of the housing layout | |
| 36 | Simpson, K. (Lichfields (on behalf Northumbrian Water Ltd)) | DM07 | <p>Need for the Policy is questionable, given that there is no evidence that the size of homes being built are considered inappropriate by those purchasing them.</p> <p>If considered essential to include in the emerging Development and Allocations Plan then PPG sets out the evidence which Councils should provide when assessing the need for requiring space standards – these relate to need, viability and consideration of timing (Reference ID: 56-020-20150327).</p> <p>Draft policy does not allow for the introduction of space standards to be subject to viability, which should be reflected in the policy. There is a question as to the 'need' of the policy in the first place (given the lack of evidence provided).</p> <p>Do not consider the policy to be effective or compliant with national policy. Should the policy be included in the final adopted plan then the Council should provide the</p> | Consistent with national policy | <p>We do not consider the policy to be effective nor aligned with national planning policy and as such should be deleted. However if it's inclusion is considered essential then the policy should be better aligned with the PPG.</p> <p>Draft Policy DM7: 'The design of all new homes, will be required to meet the relevant minimum internal floorspace for the type of dwellings, <i>subject to viability</i> complying with the Nationally Described Space Standards'.</p> | <p>the Council's evidence and justification is set out in the Addressing Needs and Standards topic paper and the Viability and Deliverability Report (2018), and Compliance Paper addresses the PPG factors which local planning authorities should take into account including need.</p> <p>The Development and Allocations Plan (para. 4.1.9) and supporting Viability and Deliverability Report (2018) evidence recognises the delivery of homes in parts of the city remains challenging, however, the revised NPPF and PPG states the role for viability assessment is primarily at the plan making stage. It is for the applicant to demonstrate whether circumstances justify the need for a viability assessment at the application stage (PPG 10-007-20180724).</p> <p>Council considers it has carried out due diligence in progressing Policy DM7 through the local plan making process: engaging with stakeholders, considering objections and verifying evidence in compliance with</p> | None |

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| | | | justification required to be in accordance with national PPG. | | | national policy and the neighbouring authority's evidence that was found sound (North Tyneside Local Plan). | |
| 5 | Ward, A. (Barratt David Wilson Homes North East) | DM07 | <p>Government 2014 housing standards review confirmed the that rather than an additional policy burden the standards were meant to assist developers to speed up delivery of housing. They were confirmed as optional technical standards in PPG and a Ministerial Written Statement confirmed LA's can determine to take forward the standards in local plan policies where need is identified and impact considered (para. ID 56-002-20160519/ 20)</p> <p>the Council should review the transition period identified in the policy as sites that do not have planning permission but where land value has already been agreed, if the Council do not allow for an appropriate transitional arrangement there could be serious implications for delivery owing to: increase in build costs being passed on to the purchaser, which could then result in fewer sales or demand deflected to other areas of the housing market or second hand market. Affordability may remain at current levels or in likelihood worsen. Fewer homes being built at reserved matters stage, reductions to housing land supply (impact on housing targets), fewer homes to share infrastructure and policy burdens (and viability would be a concern).</p> <p>Note the Council's recognition that the introduction of Nationally Described Space Standards may have on: viability, impact of larger homes on housing land supply, affordability, size of dwellings is dictated by the market demand, Nationally Described Space Standards would narrow the choice to purchasers.</p> | Justified Compliant with law Consistent with national policy Positively prepared Effective | <p>the Council should:</p> <ul style="list-style-type: none"> - Consider transitional arrangements - consider what happens for sites that do not have full planning permission but are already bought at an agreed land value or have a minimum purchase price already agreed - Consider key questions before considering implementing Nationally Described Space Standards - Recognise that BDW carefully consider the housing mix for each site based on specific housing market - Recognise that BDW's best-selling houses are below Nationally Described Space Standards, demonstrating a real demand for these homes - Consider that first time buyers might become priced out of the market and consider how many more households will be pushed into affordable housing - Council need to consider the longer time it will take to build bigger houses and the implication on the delivery of schemes which might now be unviable or require extensive S106 negotiations to be deliverable. It may also affect the deliverability of sites which need infrastructure investment to bring them forward and where dependent on a certain number of houses to facilitate this. the Council must consider the implication of this on the housing target - Determine the impact of Nationally Described Space Standards on the number of houses which could fit on sites and the implications on | <p>It is considered that Nationally Described Space Standards Policy will provide certainty of suitable house types and quicker consideration of planning application details.</p> <p>Land transaction agreements should be undertaken in accordance with NPPF and PPG guidance on setting appropriate benchmark land values to incorporate policy costs. The 12 month transition period identified in the supporting text (Pre Submission Development and Allocations Plan) (para.4.3.2) is considered a reasonable time frame, given that adequate space is an existing Core Strategy and Urban Core Plan policy (CS11) which would reasonably be anticipated would lead to Nationally Described Space Standards detailed policy in the planned Development and Allocations Plan.</p> <p>An allowance has been made in the Development and Allocations Plan ((para.4.3.2) for sites with outline permission so that reserved matters applications will not require Nationally Described Space Standards compliance retrospectively.</p> <p>The impact of Nationally Described Space Standards is assessed in chapter 7 of the Viability and Deliverability Report (2018). It is accepted that there may be a narrowing of choice for smaller sized properties within specific property types, however, there may also be reduced choice for purchasers currently. This is not a reason to resist improvements to the overall stock to the meet needs of all. Research indicates that 2.5/3 storey homes are continuing to be built and feature – for example the Middle Callerton West allocation site has 11% 3 storey properties in the approved scheme.</p> | None |

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| | | <p>Urge the Council to further consider: what housing is currently being built, current sales rates and need for market intervention, existing stock and the second hand market, meeting needs and affordability, impact on housing demand and the housing market area, deliverability rate assumptions.</p> <p>the Council should carefully consider the housing mix for each site based on the housing market in the area. The current building regulations provide flexibility. BDW's best selling homes fall below Nationally Described Space Standards standards demonstrating a real demand for these, and demand from first time buyers. BDW have a 5 star satisfaction rating.</p> <p>The town houses (2.5/ 3storey) are the least popular housetypes and are not always easily accessible and adaptable.</p> <p>Urge the Council to consider affordability and the number of first time buyers who would be priced out of the market on the introduction of Nationally Described Space Standards and how many households are pushed into need for affordable housing as a result of higher</p> | | <p>viability, to supplement the consideration on the impact on density/ha</p> <ul style="list-style-type: none"> - Clarification on whether the average house sizes in para 6.8 of the Deliverability and Viability Report are GIA - Reconsider the introduction of Nationally Described Space Standards - If introduce Nationally Described Space Standards review the evidence base to justify it | <p>the Council's evidence and justification is set out in the Strategic Housing Market Assessment, Addressing Needs and Standards topic paper, the Viability and Deliverability Report (2018). The Compliance Paper also summarises the PPG factors which local planning authorities should take into account including need, viability and timing.</p> <p>The sample of housing completions assessed in the Strategic Housing Market Assessment included 64 Barratt dwellings. Of these 72% were Nationally Described Space Standards compliant.</p> <p>2.5 / 3 storey dwelling types are currently being offered for sale in the Newcastle area at:</p> <ul style="list-style-type: none"> (i) Backworth Park, Backworth (ii) St Bartholomews Court, Benton (iii) Elmwood Park Court (Persimmon), North Gosforth (iv) Holystone Park (Bellway), Holystone (v) Brunton Meadows (Persimmon), North Gosforth (vi) North Gosforth Park (Barratts), Wideopen (vii) Augusta Park (Persimmon), Dinnington (viii) Heritage Green (Miller Homes), Shiremoor (ix) Brunton Green (Taylor Wimpey), Newcastle (x) Sheraton Park (Keepmoat), Dinnington (xi) The Rise (Barratts), Scotswood (xii) The Garth (Keepmoat), West Denton <p>The widespread offering for 2.5 / 3 storey products suggests there is a market for this type of housing across the Newcastle area.</p> <p>The Strategic Housing Market Assessment assesses market signals and the affordability ratio (ratio between the lower quartile house prices and lower quartile earnings) and market signals in the city</p> | |
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| | | <p>prices. Consider a 6.5-14% increase (as per affordability evidence in the evidence base) could be very significant for first time buyers or young families trying to buy a home. This will become more significant with the cap the government announced on the Help to Buy in the budget in March 2021.</p> <p>Newcastle will be one of the first councils to adopt Nationally Described Space Standards and it may be that purchasers will choose to buy homes elsewhere in the housing market area. The deliverability rate assumptions should take into account the longer time period to build larger homes</p> <p>Would expect the densities to reduce with larger homes. Given BDW best selling homes do not meet the Nationally Described Space Standards averages, the percentage increase in densities would be higher</p> <p>Welcome clarification from the Council if the average sizes are gross internal area measurements and the percentage changes for certain sized dwellings.</p> <p>The Housing white paper (Feb 2017) indicated the government may want to review aspect of space standards.</p> | | | <p>(pages 14-15). The Strategic Housing Market Assessment concludes that housing market pressure in Newcastle is generally comparable to those in similar areas and in many cases lower than national averages, and that recommends there is no need to uplift the objectively assessed need than the higher than household projections. The Viability and Deliverability Report (2018) also considers affordability impact given responses from some housebuilders, it concludes there may be some limited impact on affordability in the market place, however for most purchasers it is not envisaged that the increase in size impact on their ability to proceed with a purchase. Yet, a slight narrowing of the purchaser market could be argued to result in a slight slowing of sales rates (para. 7.1.16-7.1.21).</p> <p>Within the housing market area, North Tyneside have policies to secure accessible and adaptable homes and internal space standards. Gateshead Council are also proposing to take forward similar policies in their Local Plan (pre submission draft) published in October 2018.</p> <p>There is flexibility in the application of the Nationally Described Space Standards, through the range of complaint dwelling size options available to the developer, whilst a simple average has been assumed in the strategic and site viability appraisals. Adopting this approach increases density rates in some value locations (low, low mid and mid) by around 5-10%, however, applying the minimum Nationally Described Space Standards figures the densities are reduced compared to previous viability report assumption. This is not considered to be to the extent as to undermine scheme delivery or site capacity. For this reason, if the Nationally Described Space Standards is applied to the viability testing the net developable areas would not require adjustment (para.s 7.1.11-7.1.15).</p> <p>Clarification was made by email to confirm that the average size of dwellings is based on the 'total floor area' as used when assessing a property for the purposes of an Energy Performance Certificate.</p> | |
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| 6 | Westwick, N. (Bellway) | DM07 | <p>In relation to evidence of 'Need' for Nationally Described Space Standards;</p> <ol style="list-style-type: none"> 1. There is no evidence that the size of the homes being built are considered inappropriate by those purchasing them. There is no evidence which indicates that non-Nationally Described Space Standards compliant homes are struggling to sell in comparison to homes that do meet the standards. 2. 2017 Strategic Housing Market Assessment reports that, in a two year period, 41% of new homes sampled meets Nationally Described Space Standards. Reporting trends of the size of dwelling does not in itself identify need. Any assessment should instead consider market indicators such as quality of life impacts or reduced sales in areas where the standards are not currently being met. 3. There is no overwhelming evidence that houses not complying with the optional standards is negative – there is generalised reference to national-level studies which seek to correlate internal space with health issues which is emotive and misleading. 4. There is no evidence that smaller properties that do not meet the standards, in the second hand market, are being abandoned in favour of alternative. For example, Victorian homes suffer from market failure but for other reasons – clearly internal space is not one. | Justified Consistent with national policy | the Council should provide justification for requiring internal space policies in accordance with PPG. We are not convinced that there is justification for Nationally Described Space Standards and consider that this could potentially obstruct housing delivery. | <p>The Council's evidence and justification is set out in the Strategic Housing Market Assessment, Addressing Needs and Standards topic paper, the Viability and Deliverability Report (2018).The Compliance Paper also summarises the PPG factors which local planning authorities should take into account including need, viability and timing. There is no requirement to consider market indicators such as quality of life impacts or reduced sales in areas where the standards are not currently being met.</p> <ol style="list-style-type: none"> 1) The impact of Nationally Described Space Standards is assessed in chapter 7 of the Viability and Deliverability Report (2018). It is accepted that there may be a narrowing of choice for smaller sized properties within specific property types, however, there may also be reduced choice for purchasers currently. This is not a reason to resist improvements to the overall stock to the meet needs of all. Research indicates that 2.5/3 storey homes are continuing to be built– for example the Middle Callerton West Core Strategy and Urban Core Plan allocation site has 11% of 3 storey properties in the approved scheme. 2) The compliance paper summarises the justification in relation to meeting the Core Strategy and Urban Core Plan Vision and Objective 6 to meet the housing needs of families and provide 60% of new homes as 3 bedrooms or more. The Strategic Housing Market Assessment highlights the greatest deficiency against the Nationally Described Space Standards standards in Newcastle falls within the 3 bedroom housetypes, indicating improvements are required to ensure delivery meets the Core Strategy and Urban Core Plan objectives. 3) The Nationally Described Space Standards are government standards that have been developed to ensure that dwellings are fit for purpose. If the inside space is inadequate, then dwellings are unlikely to be used to meet the identified needs and the intended residential mix in the Strategic Housing Market Assessment. The supplemental report to | None |
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| | | | <p>There is no viability evidence that the impact of the Nationally Described Space Standards has been considered in relation to:</p> <ol style="list-style-type: none"> 1. Density – The bigger floorplates will make it more difficult to achieve appropriate densities for the most sustainable sites with implications for efficiency of development. 2. CIL Payments – Which will increase (disproportionately) for 2 and 3 bedroom houses with no kickback in revenues. 3. Costs – The standards will increase costs relative to revenues. There is a lack of information in the evidence on what build cost assumptions have been used. With 3 and 4 bed homes accounting for over 75% of Bellway sales in the North East, the increased internal floorspace requirement will clearly have a negative impact on the deliverability of sites across Newcastle as the increased floorspace leads to increased build costs. <p>Seeking to increase the policy burden at this stage in the local plan process allied to the post-plan introduction of CIL, will have viability implications for the delivery of sites (particularly those associated with strategic green belt deletions) many of which were secured on terms negotiated prior to Core</p> | | | <p>the Gateshead and Newcastle Strategic Housing Market Assessment has been prepared on 'Compliance with Nationally Described Space Standards Targets' (March 2019) responding to requests for further data. The report assesses the deviation from the bedroom minima for a sample of sites. The evidence indicates a trend of reducing floorspace sizes in new homes in Newcastle (2010-18) (fig.1) and 80-90% of dwellings falling below the Nationally Described Space Standards for at least one bedroom (pages 10-12)..</p> <ol style="list-style-type: none"> 4) There is no requirement to assess the degree of variance (adequacy) across the existing stock, which would be a significant cost. Abandonment of dwellings is an indicator of significant market failure with complex root causes. <p>As detailed in the Viability and Deliverability Report (2018) all floorspace permutations of Nationally Described Space Standards cannot be tested. In line with the requirements of the PPG it is therefore appropriate to test average Nationally Described Space Standards figures. Paragraph 7.1.11 of the report considers the potential impact on density. Where density does increase, this is in lower value locations where there is greater scope for 2.5/3 storey dwelling types. Also, the Nationally Described Space Standards rates assumed are average and could be reduced in lower value locations where concerns about density are identified</p> <p>CIL impacts on high and high-mid locations only. Here, there are a higher proportion of 4b dwellings, reducing the concerns raised about CIL increasing for 2/3 beds. Furthermore, overall densities are similar to previous Council testing, minimising the CIL impact.</p> <p>Build cost assumptions are reviewed at Paragraph 6.11. of the Viability and Deliverability Report (2018) and affordability and costs are considered at paragraph 7.1.15 onwards. There would be an adjustment in price with increased floorspace, however we conclude that the</p> | |
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| | | <p>Strategy and Urban Core Plan adoption. This will inevitably lead to delays in sites coming forward whilst contracts are renegotiated (if that is possible) which will impact on the Council's delivery trajectory and will require the allocation of further land to make up the short-fall. Inevitably this may bring forward the need for strategic review of Core Strategy and Urban Core Plan and pressure on Green Belt.</p> <p>The effect on density should be assessed as projected yields may not take these standards into account, which could lead to a requirement for additional land being allocated for housing.</p> <p>An assessment of Nationally Described Space Standards should consider the impact across various different housing market character areas and across different tenures. There is potential for Nationally Described Space Standards to have a negative impact on regeneration initiatives, affordable housing provision and adversely affect demand in lower value market areas. Given the breadth and variety of market typologies across Newcastle, a detailed assessment of the impact of this policy needs to be prepared and published.</p> | | | <p>impact is relatively minimal and not to the extent where it would undermine sales.</p> <p>The Viability and Deliverability Report (2018) identifies there is flexibility in the application of the Nationally Described Space Standards, through the range of compliant dwelling size options available to the developer, whilst a simple average has been assumed in the strategic and site viability appraisals. Where density does increase, this is in lower value locations where there is greater scope for 2.5/3 storey dwelling types. Recent analysis of permissions post adoption of the Core Strategy indicates strategic sites in the High Mid area could be designed to be Nationally Described Space Standards compliant within the structure of the housing layout scheme simply with substitution of equivalent Nationally Described Space Standards compliant house types to the same overall site capacity (30% of units West Middle Callerton do not meet Nationally Described Space Standards, and 96% do not meet Nationally Described Space Standards at Dinnington North). There is not considered to be, therefore, a concern regarding density of development at Nationally Described Space Standards, or implications to the trajectory of supply sites in the city. The delivery of homes has improved since 2015 and cumulative completions exceed the Core Strategy target. target (See Figure 21, housing delivery) (Housing and Economic Land Availability Assessment, 2018).</p> <p>Within the housing market area, North Tyneside have policies to secure accessible and adaptable homes and internal space standards. Gateshead Council are also proposing to take forward similar policies in their local plan (pre submission draft) published in October 2018.</p> <p>Analysis of tenure has been considered within the Strategic Housing Market Assessment 2014-16 sample of 390 affordable units). The most frequent compliance of affordable units were located within the Low and Low viability areas (approx..80%) compared with compliance in</p> | |
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| | | | | | | <p>the urban core and High Mid viability areas (0-5%%) (See Figure 8) (Compliance with Nationally Described Space Standards Target) (March 2019).</p> <p>The notional schemes tested in the Viability and Deliverability Report (2018) are those that have been used consistently in the viability testing of the city underpinning the recently adopted Core Strategy and CIL, and have been subject to numerous consultations.</p> <p>Council considers it has carried out due diligence in progressing Policy DM7 through the local plan making process: engaging with stakeholders, considering objections and verifying evidence in compliance with national policy and the neighbouring authority's evidence that was found sound (North Tyneside Local Plan).</p> | |
| 19 | Hooper, B. (Historic England) | DM09 | Support the amendments to Policy DM9. | Support with minor changes | It would be helpful to reference in supporting text that an additional report has been prepared for this site, which includes development principles, to ensure that its recommendations are not lost in the implementation of this plan. | Further discussions have been held with Historic England and reference will be made in the supporting text to the Campus for Ageing and Vitality Site Evidence Paper & Sequential Test. | Further guidance is set out in the Campus for Ageing and Vitality Site Evidence Paper & Sequential Test. |
| 49 | Bray, L. (Tyne & Wear Joint Local Access Forum) | DM10 | The Development and Allocations Plan foresees a very substantial house building programme and RoW will experience greater use. New non-motor routes should be planned for and should mesh with the existing and upgraded PRow. Appropriate safe crossings should be provided with controls placed within easy reach for disabled users and horse riders. There should be specific mention of disabled and less mobile users. | No comments made | No comments made | Many of the points raised are addressed in the supporting text which refers to developments facilitating equestrian movement through the creation of linkages and safe crossings. Other suggestions made are too specific for this policy. This policy should be read together with the Core Strategy and Urban Core Plan Policy CS13 Transport which refers to improving equality of access to transport for everyone. | None |
| 8 | Fairlie, S. (Councillor) | DM10 | Support this policy and hope it will be applied rigorously to new developments, especially those in the Outer West of the city. Essential that the large housing sites in "The Callertons" are integrated with existing settlements and that as full a range of local services as possible can be accessed without having to rely on private cars. | Support | N/A | Support noted | None |
| 24 | Hanney, J. | DM10 | There is no evidence of walking and cycling routes being included in the initial planning and developments end up with no permeability for walking and cycling. | Positively prepared Effective | No comments made | DM10 is clear that developments are required to provide connections through developments both to the existing and future wider pedestrian and cycle network. the Council is currently developing its Local Cycling Walking Infrastructure Plan and | None |

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| | | | | | | once complete developments will need to consider it as part of their proposals. | |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM10 | <p>There may be circumstances when all three elements of the policy could not be achieved so a more flexible approach is sought.</p> <p>A number of sites have approved masterplans and walking and cycling provision has already been agreed. A sentence should be included at the end of this policy to advise that this policy does not apply to the allocated residential sites.</p> | Justified Consistent with national policy | <p>Policy DM10 <i><u>“Development will be required to should seek to undertake the following, where appropriate and practical:”</u></i></p> <p>Paragraph 5.1.3 <i>“To improve accessibility for pedestrians and cyclists, developments <u>should</u> are required to provide links through sites and routes to the wider walking and cycling network, where possible. This includes the Public Rights of Way (PROW) Network and the pedestrian and cycle network. The PROW network is also important for equestrians. Developments should facilitate equestrian movement by enhancing the existing network through the creation of linkages and safe crossings, and by increasing access to the PROW network, where appropriate and practical. A pedestrian and cycling network plan will be developed based on the Department for Transport’s (DfT) Local Cycling and Walking Infrastructure Plans guidance and this will form part of the Council’s Cycling Strategy.”</i></p> <p>New Paragraph 5.1.6 <i>“The requirements of this policy do not apply to the existing sites with residential allocations within the Core Strategy and Urban Core Plan and/or with planning permission. This is because the approved masterplans and established masterplanning principles for these sites have been formulated to take into account site specific accessibility considerations.”</i></p> | The proposed wording ‘development should seek to undertake the following where appropriate and practical’ would weaken the policy and it would no longer be positively prepared. Each element of the policy is important if we are to meet national and local ambitions to make cycling and walking the natural choices for shorter journeys, or as part of a longer journey. | None |
| 45 | Newsome, R. (Story Homes) | DM10 | Concerns regarding the effectiveness and deliverability of the policy. Could require | Justified Effective | DM10 | It is the Government’s ambition to make cycling and walking the natural choices for | None |

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| | | | <p>developers to undertake work on third party land outside of their control. This is not a realistic or deliverable requirement.</p> | | <p><i>Development will be <u>required encouraged, where appropriate and deliverable</u>, to:</i></p> <p>Paragraph 5.1.2 <i>Development <u>must should</u> be designed to encourage walking and cycling. Consideration should be given to how barriers to walking and cycling, such as gaps in the pedestrian and cycle network, gradients, poor quality and maintenance of routes and concerns regarding safety can be addressed. To achieve this, routes <u>must should</u> be legible, inviting, direct, pleasant and easy to use.</i></p> <p>Paragraph 5.1.3 <i>To improve accessibility for pedestrians and cyclists, developments are <u>required encouraged, where appropriate and deliverable</u>, to provide links through sites and routes to the wider walking and cycling network. This includes the Public Rights of Way (PROW) Network and the pedestrian and cycle network. The PROW network is also important for equestrians. Developments should facilitate equestrian movement, <u>where appropriate</u>, by enhancing the existing network through the creation of linkages and safe <u>crossings where these are deliverable within developments</u>, and by increasing access to the PROW network. A pedestrian and cycling network plan will be developed based on the Department for Transport's (DfT) Local Cycling and Walking Infrastructure Plans guidance and this will form part of the Council's Cycling Strategy.</i></p> | <p>shorter journeys, or as part of a longer journey. This is set out in the DfT's Cycling and Walking Investment Strategy and reinforced in the Local Cycling and Walking Infrastructure Plan technical guidance for LA's. The NPPF also states that planning policies and decisions should aim to provide layouts that encourage walking and cycling and the use of clear and legible pedestrian routes to create safe and accessible places, opportunities to promote walking and cycling are identified and pursued and provide for high quality walking and cycling and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans). Changing the wording to development will be encouraged, where appropriate and deliverable will compromise that ability to meet national ambitions and fulfil the requirements of the NPPF and does not meet the requirement to be positively prepared. The importance of improving walking and cycling facilities will also help to improve air quality.</p> <p>The policy will only be applied to planning proposals where it is relevant, and any requirements must be fairly and reasonably related in scale and kind to the development.</p> | |
| 29 | Crawford, L. (Newcastle Great Park Consortium) | DM11 | The Consortium are keen to discuss the future management and use of the P&R with the Council including its dual use with the schools. Policy DM11 and para. 5.2.7 should be | Justified Consistent with national policy | Policy DM11: 2. Callerton Parkway, Newcastle Great Park, Kingston Park and Regent | The S106 agreement secured under application 1999/1300/01/OUT designates the park and ride. It will be retained for future use and any future proposals will be | None |

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| | | | amended to refer to the dual use and the review mechanism. | | <p><i>Centre are designated on the Policies Map as park and ride facilities. <u>There are opportunities to share the use of the Newcastle Great Park park and ride facilities with the schools.</u></i></p> <p>Paragraph 5.2.7: <i>“Newcastle Great Park and Ride is a 500 space car park on the northern edge of the city with direct links to the A1. The facility provides direct access to a high-frequency bus public transport corridor, linking the Great Park with the Regent Centre Interchange, Gosforth and the Urban Core. Expanded housing developments at the Great Park and to the north of the city will increase parking demand at this location. <u>the Council will be reviewing the long-term use of the park and ride and the opportunities for its increased use, including a dual use with the schools.</u>”</i></p> | considered as part of the planning application process. | |
| 8 | Fairlie, S. (Councillor) | DM11 | <p>Disappointed that enhancement of Bank Foot station is not planned.</p> <p>Failure to reserve corridors of land through new Callerton will make it impossible to extend the metro or provide other transport infrastructure.</p> | Support with minor changes | No comments made | <p>Bank Foot station is surrounded by residential development and therefore there is no scope to increase provision for Park and Ride.</p> <p>The sites and associated policies allocated through the Core Strategy have been through an EIP and are adopted. They are not being considered as part of this plan.</p> | None |
| 30 | Ford, A. (Newcastle Green Party) | DM11 | Text states that new developments should be served by a frequent bus service. There is no definition and is therefore not enforceable. | Support with minor changes | A minimum frequency should be specified. | Additional supporting text is proposed to clarify text on bus services. Developments must be served by existing or new bus services at a frequency commensurate with the scale, nature and location of the development proposed. | To ensure major developments are accessible by public transport they should be within 400 metres walking distance of a bus stop or 800 metres of a Metro station, and served by a frequent daytime bus service to the Urban Core and key local facilities. Development must be served by existing or new bus services at a frequency commensurate with the scale, nature and location |

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| | | | | | | | of the development proposed. The layouts of new major developments should be designed to facilitate the efficient operation of bus services and routes should be as direct as possible. |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM11 | <p>The requirement that developments should be within 400m walking distance of a bus stop, 800m of a metro and served by a frequent daytime bus service are onerous, not based on robust evidence and contrary to NPPF.</p> <p>CIHT Providing for journeys on foot 2km stating acceptable walking distances is 1km with a max of 2km.</p> | Justified Consistent with national policy | <p>Paragraph 5.2.3: “To ensure developments are accessible by <u>Developments</u> should have good accessibility to public transport through being situated within 1km they should be within 400 metres walking distance of a bus stop or 800 metres of and through being accessible to a Metro station via walking, cycling or by bus. Developments should be and served by a frequent daytime bus service to the Urban Core and key local facilities, where practical. The layouts of new developments should be designed to facilitate the efficient operation of bus services, where appropriate, and routes should be as direct as possible.”</p> | <p>The NPPF states that opportunities to promote public transport are identified and pursued. Therefore, requiring major developments to promote and facilitate the use of public transport is not considered onerous but rather a fundamental consideration and that is already established in current developer guidance. 400m to public transport points are already established in adopted Developer Guidance 2015 and contained in Nexus Planning Liaison Policy 2016 and 400m and 800m are referred to in CIHT guidance 2015.</p> <p>Reference to 1km acceptable walking distance is the entire journey and not to a bus stop. 300m/400m to public transport points is established in Newcastle’s developer guidance 2015 and contained in Nexus Planning Liaison Policy 2016 and 400m and 800m are referred to in CIHT guidance Planning for Walking, and 400m is referred to in CIHT guidance Buses in Urban Environments 2018.</p> <p>Additional supporting text is proposed to clarify text on bus services.</p> | <p>To ensure major developments are accessible by public transport they should be within 400 metres walking distance of a bus stop or 800 metres of a Metro station, and served by a frequent daytime bus service to the Urban Core and key local facilities. Development must be served by existing or new bus services at a frequency commensurate with the scale, nature and location of the development proposed. The layouts of new major developments should be designed to facilitate the efficient operation of bus services and routes should be as direct as possible.</p> |
| 45 | Newsome, R. (Story Homes) | DM11 | The wording of the policy and supporting text is too rigid and lacks flexibility. Requiring development to promote and facilitate the use of public transport is onerous as not all sites will be able to meet the walking distances to bus or metro stops or be viably designed to include infrastructure for the most direct bus routes within site layouts. | Justified Effective | <p>DM11 1. Major development will be required encouraged to promote and facilitate the use of public transport and demonstrate accessibility by public transport to the Urban Core and other key local facilities where appropriate.</p> <p>Paragraph 5.2.3 <i>To ensure developments are accessible by public transport they should be within 400 metres walking distance of a bus stop or 800 metres of a Metro station, or other appropriate recognised</i></p> | <p>The NPPF states that opportunities to promote public transport are identified and pursued. Therefore, requiring major developments to promote and facilitate the use of public transport is not considered onerous but rather a fundamental consideration and that is already established in current developer guidance.</p> <p>300m / 400m to public transport points is established in Newcastle’s developer guidance 2015 and contained in Nexus Planning Liaison Policy 2016 and 400m and 800m are referred to in CIHT guidance Planning for Walking, and 400m is referred to in CIHT guidance Buses in Urban Environments 2018.</p> | <p>To ensure major developments are accessible by public transport they should be within 400 metres walking distance of a bus stop or 800 metres of a Metro station</p> |

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| | | | | | <i>distances as appropriate, and served by a frequent daytime bus service to the Urban Core and key local facilities. The layouts of new <u>major</u> developments should, <u>where viable and appropriate</u>, be designed to facilitate the efficient operation of bus services and routes should be as direct as possible.</i> | It is proposed that paragraph 5.2.3 will be amended to refer to major as suggested in the first and second sentence. | |
| 52 | Taylor, L. | DM11 | <p>Policy omits the safeguarding of corridors for new Metro and tram routes.</p> <p>There is particular opportunity regarding the old railway route from Central station to Callerton.</p> | Consistent with national policy | <p>New paragraph 5.2.9 <i>“Old railway and waggonway alignments are recognised as important potential transport corridors and shall be safeguarded.”</i></p> <p>New paragraph 5.2.10 <i>“The old railway alignment from Central Station through Scotswood to Lemington and Callerton is recognised as an important strategic transport corridor and shall be safeguarded for sustainable transport development. A corridor shall also be safeguarded through the Callerton housing development to ensure the feasibility of future expansion to Darras Hall and Ponteland.”</i></p> | <p>Safeguarding land requires evidence of delivery within the plan period and at this time the council does not have the justification to safeguarding corridors for transport routes.</p> <p>However, Policies D1 Discovery and D3 Forth Yards Development Opportunity Site Forth Yards of the Core Strategy and Urban Core Plan identifies the former Carlisle Railway Line as having potential to improve access to this area.</p> | None |
| 50 | Whittle, C. (Tyne & Wear Passenger Transport Executive (Nexus)) | DM11 | <p>Support the designation of land at Callerton Parkway as a park and ride facility in the Plan. Support the designation of further land at Callerton Parkway for park and ride purposes in accordance with reasoned justification para 5.2.6.</p> <p>There is a need for extra flexibility in the policy to allow for alternative uses which would complement the park and ride facility and increase its attractiveness to customers / passengers. Core Strategy and Urban Core Plan allocated an extensive area at the airport for Airport Related Uses. There are various housing developments planned in the west of the City which may increase the demand for park and ride, an outcome which is generally supported.</p> | Support with minor changes | <p>Requested that DM11 criterion 2 be amended to; <i>“Callerton Parkway, Newcastle Great Park and Regent Centre are designated on the Policies Map as park and ride facilities and are primarily reserved for this purpose”.</i></p> <p>An additional sentence could be added to reasoned justification para. 5.2.6 such that it reads; <i>“This designation ensures the existing sites, together with additional land, is available for parking at this site. The additional land is primarily reserved for further parking. Complementary uses which would contribute to the</i></p> | The policy relates to designation of land for park and ride. Policies relating to retail are included in the Core Strategy and Urban Core Plan Policy CS7 and the Development and Allocations Plan Policies DM3 and DM4 and any proposal for such uses would need to be assessed against these policies. | None |

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| | | | Attractiveness and sustainability of Callerton Parkway would increase if a portion of the allocated area was available for a small convenience store / similar neighbourhood facility and ask for flexibility in the policy to allow for such. | | <i>attractiveness and sustainability of the facility including for example a small convenience store or neighbourhood facility would also be acceptable in principle."</i> | | |
| 15 | Cuggy, S. (Savills (on behalf of Gentoo Homes)) | DM12 | Support DM12 however it should retain a level of flexibility on how these facilities can be delivered, particularly the delivery of cycle storage facilities within residential developments. This should be stated in the supporting text. | No comments made | Request that the supporting policy text makes reference to flexibility in how such facilities can be provided. | It is considered that the policy is flexible in that it does not specify how cycle storage facilities should be delivered, but rather the design principles of being safe, secure and useable are met. Further guidance on cycle storage design is included in the council's Transport Assessments, Travel Plans and Parking Developer guidance which is referred to in the supporting text. | None |
| 11 | Adsley, C. (CPRE Northumberland) | DM13 | The policy nor the associated map refer to Tyne & Wear Freight Partnership preferred freight routes. | Positively prepared | The policy and/or policy map and/or Fig 8 in Appendix 2 should include reference to the "preferred freight routes" in and around the city as prepared by the Tyne & Wear Freight Partnership. | The Tyne & Wear Freight Partnership website contains both preferred freight routes and abnormal load routes. These were considered as part of the development of the road hierarchy and are referenced in the evidence report Road Hierarchy Justification Report which forms part of the evidence base. | None |
| 31 | Cowen, J. (Newcastle International Airport) | DM13 | Plan designates Brunton Lane and Kingston Park Road as a 'secondary distributor road, which is welcomed by the Airport. Will be vital for linking the Core Strategy employment sites to the south of the Airport to the A1. Development which would compromise this function should not be supported. The plan does not designate the Great Park spine road. This is inconsistent with Core Strategy and Urban Core Plan that envisages that the Great Park Spine Road should act as distributor road, alongside Brunton Lane/ Kingston Park Road corridor. | Effective Positively prepared | Requests that the Great Park spine road is designated in policy DM13 as a secondary distributor road. | The Development and Allocations Plan only includes roads that are built in the road hierarchy. | None |
| 51 | Rook, V. | DM13 | Where a new development is to take place connecting roads to surrounding areas through which traffic from new areas will travel need to have a modal plan prior to such development taking place. | Support with minor changes | No comments made | DM14 mitigation and highway management policy requires development to adequately mitigate against its impact on the highway network. Current Transport Assessment, Travel Plans and Parking Developer Guidance expects developments over the defined threshold to demonstrate public transport accessibility at planning application stage through a Transport Assessment or Transport Statement. Developments which result in a significant amount of traffic are also expected to be supported by a Travel Plan. | None |
| 53 | Mo, L. (Environment Agency) | DM14 | Support inclusion of policy, however as many of rivers are designated as 'Heavily Modified' due to the impacts of urbanisation including | Support with minor changes | Would welcome references to mitigating the impacts of the | This was raised at draft Development and Allocations Plan consultation. Reference to the impact of the transport network on water | None |

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| | | | highway networks. Highways and its drainage should be designed to address the polluting effects of the highway run off, particles, hydrocarbons, road salt etc. on the water quality of our rivers. Highway drainage which go through swales or sustainable drainage systems (SuDs) would also benefit water quality and ecology under the Water Framework Directive (WFD). | | road network on water quality of rivers | quality was included in policy text in DM26.3.vi and in DM26 supporting text paragraph 6.12.9. | |
| 11 | Adsley, C. (CPRE Northumberland) | DM15 | Clause 3 of the policy requires that just one of two criteria (i) and (ii) needs to be met for the unlisted heritage asset to be demolished. This does not give effective protection - both criteria (i) and (ii) should be met before demolition is allowed. | Effective | 1. The demolition of an unlisted building in a conservation area will only be allowed if: (i) the building is of limited merit and makes little or no contribution to the character or appearance of the conservation area; <u>and</u> | Proposed modification to Policy DM15 to address the point raised and ensure that the policy provides effective protection of heritage assets. | i. the building is of limited merit and makes little or no contribution to the character or appearance of the conservation area; or and |
| 19 | Hooper, B. (Historic England) | DM15 | Part (2) should be amended to state 'preserved and enhanced'. | Support with minor changes | Part (2) should be amended to state 'preserved and enhanced'. | On further discussion Historic England agreed that the policy could remain as currently worded. | None |
| 36 | Simpson, K. (Lichfields (on behalf Northumbrian Water Ltd)) | DM15 | DM15 mentions "setting, appearance or character" while the NPPF speaks about significance. This should be redrafted to make the policy NPPF compliant. NPPF para. 189 says the impact of the proposal should be assessed by the local planning authority not the applicant. NPPF para. 190 places the burden of assessing the impact of the proposal on the local planning authority. NPPF para. 194, states that a clear and convincing justification is only required under NPPF where harm would be caused (195-196). NPPF sets out balancing principles to be applied when there is deemed to be "harm". See NPPF para 195-196. DM15 does not allow for the balancing principles to be applied and is therefore unsound. | Consistent with national policy | <u>Proposals which conserve and, where appropriate, enhance the significance of a heritage asset will be supported. Proposals which would harm the significance of a designated asset will not be approved unless there is a clear and convincing justification in the form of public benefits outweigh the harm using the balancing principles set out in national planning policy and guidance.</u> 4. The alteration, extension, restoration or development of heritage assets must sustain, conserve and, where appropriate, enhance their significance, appearance, character and setting. Proposals will be required to: i. be accompanied by a detailed analysis and justification of potential impact of the development on the heritage asset and its context; ii. conserve built fabric and architectural detailing that contributes to the heritage | The policy as worded is not in conflict with the 'balancing principles' in the NPPF and is considered to be consistent with national policy. | None |

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| | | | | | <p>asset's significance and character; and</p> <p>iii. e Ensure that extensions or alterations to heritage assets are appropriate in scale, mass, footprint, materials and architectural detailing and reflect the significance of the heritage asset.</p> <p>2. Development must ensure that the significance of a conservation area and registered park and garden is preserved or enhanced, including retention of historically important features.</p> <p>3. The demolition of an unlisted building in a conservation area will only be allowed if:</p> <p>i. the building is of limited merit and makes little or no contribution to the character or appearance of the conservation area; or</p> <p>ii. any replacement development or new use would contribute to the conservation or enhancement of the character or appearance of the conservation area; and a contract for the approved replacement development has been let.</p> | | |
| 19 | Hooper, B. (Historic England) | DM16 | One minor amendment is required to ensure that it reflects the wording of legislation and the NPPF. | Support with minor changes | Part (1) should be amended to state "conserves and enhances the significance". | After further discussion with Historic England it was agreed that the policy remain as currently worded. | None |
| 36 | Simpson, K. (Lichfields (on behalf Northumbrian Water Ltd)) | DM16 | <p>NPPF refers to the impact of development in terms of "Significance" and "Harm" rather than "Setting or surrounding key views".</p> <p>The policy as worded does not allow the "balancing principles" in the NPPF (para. 195-196) to be applied.</p> <p>Point 2 provides no clarity on how the decision maker should consider "additional impacts, including the degree of permanence of any impact". The NPPF requires plans to be clearly worded and unambiguous (NPPF para. 16).</p> | Consistent with national policy | <p>Development proposals which impact on the setting of heritage assets will be required to:</p> <p>1. Ensure that its design, location, siting, form and appearance conserves or enhances the <u>has regard to the</u> significance of the heritage asset, its setting and surrounding key views.</p> <p>2. Consider any additional impacts on the setting of heritage assets, including the degree of permanence of any impact.</p> | The policy as written is considered to be clearly worded and sound and in accordance with the NPPF. | None |

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| 37 | Spencer, S. (Ouseburn Trust) | DM16 | The policy is supported. | Support | N/A | Comments and support noted. | N/A |
| 8 | Fairlie, S. (Councillor) | DM17 | Supports initiatives that can benefit heritage assets and their wider recognition. | Support | N/A | Comments and support noted. | N/A |
| 19 | Hooper, B. (Historic England) | DM17 | <p>Amend the policy to comply with NPPF.</p> <p>DM17 Part 1 includes the term “investigations” could be misinterpreted to mean post-determination archaeological works.</p> <p>Part 2 does not appear to be fully reflecting para. 193-197 of the NPPF.</p> <p>Recommended that part 2 of the policy state the following to reflect NPPF paras. 193 and 197</p> <p>Part 3 should be made more accurate.</p> | Support with minor changes | <p>Part 1 should state “through undertaking archaeological investigations assessment and evaluation where proposed development”.</p> <p>Part 2 should state “where assessment and evaluation have established that proposed development will adversely affect a site or area of archaeological interest, clear and convincing justification will be required. Where development harmful to a heritage asset is to be given permission, its archaeological remains below ground and on the surface will be recorded and excavated prior to development commencing”.</p> <p>Part 3 should state “protect, maintain and enhance the integrity and understanding of the Frontiers of the Roman Empire World Heritage site and its buffer zone and its wider landscape setting.”</p> <p>Part 4 should incorporate “Any significant archaeological findings will also be published in a publicly-accessible form.”</p> | Proposed modification to the criteria of Policy DM17 and its supporting text to align with the NPPF. | <p>2. Where assessment and evaluation have established that proposed development will adversely affect a site or area of archaeological interest the developer will be required, where justified to preserve the remains in-situ.</p> <p>3. The Outstanding Universal Value (OUV) of the Frontiers of the Roman Empire World Heritage Site will be protected and sustained. To achieve this, development will be required to protect, maintain and enhance the integrity and understanding of the Frontiers of the Roman Empire World Heritage site, and its buffer zone and its wider landscape setting.</p> <p>6.3.3 Policy DM17 relates to both designated and non-designated heritage assets and requires that, where appropriate, planning applications will be accompanied by an archaeological investigations: desk-based assessment, and field evaluation report. Evaluation may include geophysical survey, fieldwalking, topographical survey and evaluation trenching. The findings of the preliminary archaeological work may indicate the need for further</p> |

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| 45 | Newsome, R. (Story Homes) | DM17 | <p>There are inconsistencies between policy and supporting text.</p> <p>Argue that wording of Point 2 could apply to “any development”, because all development will result in the disturbance or loss of archaeological remains.</p> <p>The wording in the policy does not conform with the wording in 6.3.5 which states that the LA will determine the need to preserve remains in-situ.</p> | Effective | DM17 points 1 & 2, as well as para. 6.3.3/6.3.4/6.3.7 should state that archaeological investigation should be proportionate to the potential archaeological importance and impact involved. This is in order to be compliant with NPPF para. 199. | The policy as written is considered to be sound and is in accordance with the NPPF. | None |
| 36 | Simpson, K. (Lichfields (on behalf Northumbrian Water Ltd)) | DM17 | <p>The representation states that the NPPF requires desk-based assessments and asks whether the policy (DM17 point 1) reference to “archaeological evaluations” refers to both desk based and field assessments. Clarification of this point is requested.</p> <p>If field assessments are required then they request that these only be required where necessary.</p> <p>NPPF para. 195-7 set out “balancing principles”. These deal with how proposals which will harm the significance of a designated or non-designated heritage asset (including archaeological remains) should be assessed.</p> <p>They outline that DM17 point 2 is ambiguous, because where a development would not affect the site/ remains no preservation would be needed.</p> <p>The respondent comments that the policy should be reworded to clarify that where there are adverse effects, the balancing principles in the NPPF would apply and that where remains exist preservation in situ is the preferred strategy.</p> <p>Regarding point 3 the respondent comments that the policy is inconsistent with the NPPF as it does not allow for the balancing principles to be applied.</p> | Consistent with national policy | <p>1. Development will be required to safeguard the understanding of the historic environment of the city through undertaking aArchaeological Investigations, <u>comprising a desk-based assessment and where necessary field evaluation, will be required</u> where proposed development may affect a known site or potential area of archaeological remains.</p> <p>2. Where assessment and evaluation have established that proposed development will adversely affect a site <u>contains archaeological remains, or area of archaeological interest</u> the developer will be required to preserve in-situ <u>unless the harm or loss can be justified in accordance with the principles set out in national planning policy</u>. Where preservation in-situ is not justified <u>in accordance with the principles set out in national planning policy</u>, the archaeological remains below ground and on the surface will be recorded and excavated prior to development commencing.</p> <p>3. <u>Proposals for development that would affect the</u></p> | The policy as written is considered to be sound and is in accordance with the NPPF. | None |

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| | | | | | <p>Outstanding Universal Value (OUV) of the Frontiers of the Roman Empire World Heritage Site will be protected and sustained. To achieve this, development will be required to <u>will be supported where they would conserve or enhance its significance and</u> protect, maintain and enhance the integrity and understanding of the Frontiers of the Roman Empire World Heritage site, its buffer zone and its wider landscape setting. <u>Any harm to its significance must be justified in accordance with the principles set out in national planning policy.</u></p> <p>4. The results of archaeological investigations must be deposited with the Tyne and Wear Historic Environment Record. Any significant archaeological findings will also be published.</p> | | |
| 37 | Spencer, S. (Ouseburn Trust) | DM17 | This policy is supported. | N/A | N/A | N/A | N/A |
| 36 | Simpson, K. (Lichfields (on behalf Northumbrian Water Ltd)) | DM18 | <p>States that policy DM18 requires building recording of heritage assets to be carried out prior to demolition, alteration, extension or restoration.</p> <p>State that the NPPF only requires recording to be carried out if any heritage assets will be lost (wholly or in part). This makes the policy inconsistent with the NPPF.</p> | Consistent with national policy | Prior to the <u>loss (in whole or part) demolition, alteration, extension or restoration</u> of heritage assets (both designated and non-designated) appropriate building recording relevant to the asset's significance and the scope of works will be undertaken and the results deposited with the Tyne and Wear Historic Environment Record Office. | The policy as written is considered to be sound and is in accordance with the NPPF. | None |
| 8 | Fairlie, S. (Councillor) | DM19 | Pleased to see special recognition of this historical heritage asset. Hope that further benefit to the city can be gained by increasing the public profile of the site and the part it played in shaping our national identity. | Support | N/A | Comments and support noted. | N/A |
| 19 | Hooper, B. (Historic England) | DM19 | <p>Para. 6.5.1 and policy suggest that the significance of the battlefield is limited to landscape and appearance.</p> <p>Recommended changes include reference to:</p> <ul style="list-style-type: none"> The archaeological potential of the site. | Support with minor changes | Amend part 1 to state: 1. Protecting it against development that would adversely affect the interpretation of the course | Proposed modification to Policy DM19 to broaden the scope of the policy to be in line with the full significance of the Registered Historic Battlefield. | Protecting it against development which results in changes to the landscape which adversely affects the interpretation of the |

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| | | | <ul style="list-style-type: none"> The need to protect, evaluate and interpret any surviving artefacts. | | of events during the battle, by impacting upon; <ul style="list-style-type: none"> a. The below ground archaeological potential; and b. The landscape | | course of events during the battlefield. |
| 11 | Adsley, C. (CPRE Northumberland) | DM20 | Suggests that point 8 of Policy DM20 gives insufficient guidance on what might be suitable in terms of tree planting. It is not enough to say tree planting where appropriate. | Effective | Clause 8 (or an additional clause) should give guidance on what is appropriate or suitable tree planting e.g. native species, size, blossom & leaf fall, root depth & spread, water need, management regime needed, etc. | As set out in Paragraph 6.14.4 the council will prepare an SPD on Trees, Landscaping and Development. Once prepared this will be consulted upon in accordance with the council's Statement of Community Involvement. | None |
| 11 | Adsley, C. (CPRE Northumberland) | DM20 | DM20 appears to omit any requirement for energy efficiency. Considers additional guidance on this is needed. | Support with minor changes | An additional policy clause requiring design to enhance passive heat gain, natural light use and energy conservation would be useful. Embedding of micro-renewable energy should be promoted. | Core Strategy and Urban Core Plan Policy CS16 requires development to be sustainable and consider energy efficiency. A minor amendment is proposed in supporting text to incorporate wording relating to requiring development to minimise energy consumption, in line with Core Strategy and Urban Core Plan policy CS16. | Development must minimise energy consumption, and the their impact of development upon local microclimatic conditions, including daylight/sunlight, shadowing and wind. Will all need to be considered. |
| 30 | Ford, A. (Newcastle Green Party) | DM20 | Not compliant with NPPF para 150. There is no mention of energy efficiency standards, renewable generation potential or district heat or power schemes in DM20. | Consistent with national policy Effective | DM20 should include a prescription for minimum energy efficiency standards and for provision of renewable energy generation. Designs should also be required to include minimum levels of locally and sustainably sourced materials. | Core Strategy and Urban Core Plan Policy CS16 requires development to be sustainable and consider energy efficiency. A minor amendment is proposed in supporting text to incorporate wording relating to requiring development to minimise energy consumption, in line with Core Strategy and Urban Core Plan policy CS16. | Development must minimise energy consumption, and the their impact of development upon local microclimatic conditions, including daylight/sunlight, shadowing and wind. Will all need to be considered. |
| 44 | McGuire, D. (Sport England) | DM20 | Should be amended to include a criteria that development should include measures which have a positive impact on physical activity. | Consistent with national policy Effective | Policy DM20 should be amended to include a criteria that development should include measures which have a positive impact on physical activity. | Proposed modification to Policy DM20 to clarify additional criteria relating to promote active and healthy lifestyles. | 9. Providing high quality inclusive spaces and buildings which promote active and healthy lifestyles |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM20 | Some of the criteria are onerous, inflexible and could be difficult to achieve on some sites. <ul style="list-style-type: none"> 5 requires an appropriate mix of uses to be accommodation, this may not always be appropriate 6 promotes higher densities, but higher densities are not defined 7 comprehensive and co-ordinated approach to development, will not be relevant to small scale 8 requires tree planting to be maximised, no justification has been provided and not required by national policy | Justified Consistent with national policy | Policy DM20 <i>"Development will be required to <u>should deliver high quality and sustainable design by:</u></i> <ol style="list-style-type: none"> <i>Accommodating an appropriate mix of uses, <u>where appropriate.</u></i> <i>Making efficient use of land by promoting higher densities (of over 30 dwellings per hectare) where appropriate, taking account of the character of the area and location.</i> | The suggested changes would make the policy difficult to apply. Consider current policy wording is justified. In terms of density Paragraph 123 of the NPPF outlines that where there is an existing or anticipated shortage of land for meeting identified housing needs that planning policies should consider policies on density. Newcastle does not have a shortage of land to meet housing needs. Paragraph 6.6.3 states that proposals should make optimal use of land particularly in highly accessible locations subject to assessment of site constraints. | None |

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| | | <ul style="list-style-type: none"> • 9 requires development in incorporate measures to address the impacts of climate change and adverse microclimate conditions, no details are provided of what this relates to. Measures could have viability implications and need to be viability tested • 10 requires mechanical plant, refuse and cycle storage are integrated into the design of a building, considers this is not relevant to residential developments. <p>Para. 6.6.3 states that a range of options should be explored demonstrating appropriate massing and a mix of uses for the site. Considering a mix of uses may not be relevant to a residential development. Para 6.6.6 refers to buildings being adaptable to other uses; this may not be relevant to a residential development.</p> | <p>7. <i>Taking a comprehensive and co-ordinated approach to development, <u>where appropriate.</u></i></p> <p>8. <i>Incorporating hard and soft landscaping as an integral part of design, maximising tree planting, where appropriate, and providing for its long-term maintenance.</i></p> <p>9. <i>Incorporating measures to address the impacts of climate change and adverse microclimatic conditions, <u>where possible and subject to development viability.</u></i></p> <p>10. <i>Integrating mechanical plant, refuse and cycle storage into the design of <u>non-residential a buildings.</u></i></p> <p>Paragraph 6.6.3 <i>“Development should ensure it is integrated into its surrounding built, natural and historic environments by adding to the overall quality of the area. A range of options should be explored demonstrating appropriate massing and a mix of uses for the site, <u>where appropriate.</u> Buildings should also be flexible so that they can change and adapt over time. In order to achieve sustainable development, proposals should make optional use of land, particularly in highly accessible locations subject to an assessment of site constraints. The opportunity for high quality hard and soft landscape design will be integral to achieve a successful design.”</i></p> <p>Paragraph 6.6.6 <i>“High quality design should create buildings and spaces that can be successfully accessed and used by everyone safely, ensure that they assess the defence and security threats, can be adaptable to other uses</i></p> | | |
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| | | | | | <i>and are resilient to the effects of climate change, where appropriate. This requires consideration as to how buildings and their individual elements are viewed and function together to encourage multiple benefits for all. In considering the design of buildings, their impact of development upon local microclimatic conditions, including daylight/sunlight, shadowing and wind will all need to be considered."</i> | | |
| 45 | Newsome, R. (Story Homes) | DM20 | Raises issues with the soundness of the policy in respect of its effectiveness, this is based on the policy 'requires' development to meet all 11 points of the Development and Allocations Plan. | Effective | Recommends additional where 'appropriate' statements to be added to the policy. | The suggested changes would make the policy difficult to apply. Consider current policy wording is justified. | None |
| 37 | Spencer, S. (Ouseburn Trust) | DM20 | The policy is supported. | N/A | N/A | N/A | None |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM23 | <p>Considers aspects of DM23 as onerous and conflicts with national policy. For example, the NPPF does not require that all trees are protected, instead it allows for mitigation. Considers that "just because something is considered to be unacceptable does not mean that there is a significant harmful effect and that the development should be avoided, whilst the effects on any impact could be appropriately mitigated.</p> <p>Para. 6.9.2 raises concern about increased activity, traffic, noise, disturbance as a result of development; however, mitigation can be used to help minimise any impacts.</p> <p>Para. 6.9.3 refers to Design Guidance which will provide recommended separation distances between residential buildings. We trust that there will be the opportunity for the development industry to comment on the separation distances.</p> | Justified Consistent with national policy | <p>Policy DM23 - Residential Amenity</p> <p>2. <i>Impact on residential amenity will be assessed to:</i></p> <p>i. <i>protect or enhance the distinctive character of the existing building(s) and the surrounding area with respect to the design, scale and materials used on the building(s);</i></p> <p>ii. <i>protect trees and other soft landscaping of high amenity value, wherever possible, providing and provide replacement planting where necessary;</i></p> <p>iv. <i>avoid the introduction of unacceptable additional accesses, traffic or parking which would result in significant harm to highway safety or residential amenity, as a result of increased resulting in an increase of visual intrusion, noise or disturbance, unless appropriate mitigation can be provided; and</i></p> | <p>Considers current policy wording is justified. Requested amendments would make the policy difficult to apply.</p> <p>As set out in supporting text the council will prepare Design Guidance to support DM23. Once prepared this will be consulted upon in accordance with the council's Statement of Community Involvement</p> | None |

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| | | | | | <p>Paragraph 6.9.2 <i>“Residential areas can be adversely affected by development which increases building or population density including extensions, conversions, redevelopment, and sub-division of curtilages to create new building plots. The impact may arise directly from the building work, displacing garden space or other greenery, or resulting in a lack of reasonable outlook or light from windows. It may also arise indirectly from increased activity, traffic, noise, disturbance, or overlooking of private areas. <u>Mitigation will be sought to help reduce the impacts.</u>”</i></p> | | |
| 45 | Newsome, R. (Story Homes) | DM23 | <p>Considers the provision 2 i) 2 ii) of DM23 are unduly restrictive in seeking to protect aspects of existing buildings and trees/landscaping.</p> <p>Allowing for development to ‘conserve’ these features allows for appropriate change where greater benefit can be achieved through development whilst recognising the importance of the characteristics.</p> <p>Disappointed that details on separation distances have not been made in parallel to the Development and Allocations Plan. Request that design guidance should be developed with stakeholder involvement and not simply adopted by the council pursuant to the Development and Allocations Plan.</p> | Effective | <p>Seeks amendments from ‘protect’ to ‘conserve’.</p> <p>Recommends sub dividing two sentences in para 6.9.4 Design guidance for householders is a separate point. Matters relating to the design of development applies to all development not just householders.</p> | <p>Consider no action is needed regarding 2 i) protect the distinctive character.</p> <p>Consider current policy wording ‘protect’ is justified and is in line with DM28.</p> <p>As set out in the supporting text the council will prepare Design Guidance to support DM23. Once prepared this will be consulted upon in accordance with the council’s Statement of Community Involvement.</p> <p>Recommend minor change to supporting text to remove reference to householder design guidance to clarify that policy relates to all development.</p> | <p>Further Planning Guidance on appropriate forms of household extensions is contained within the Householder Design Guidance.</p> |
| 51 | Rook, V. | DM23 | <p>Policy is very well stated, but the individual resident needs to have a clear say in regard to their home and lifestyle, but at the same time an aspect of balance is needed whereby an appeal system concerning the individuals right to amenity and a collective community right.</p> | Support with minor changes | No comments made | <p>Both the Core Strategy and Urban Core Plan and Development and Allocations Plan set out polices which seek to protect amenity and provide a choice of housing for residents.</p> | None |
| 11 | Adsley, C. (CPRE Northumberland) | DM24 | <p>Dm24 iii) is unsound as it implies ignorance of land contamination is an acceptable opt-out.</p> | Consistent with national policy | <p>Suggests removal of the words ‘known or suspected’.</p> <p>Clause (iii) should be changed to: (iii) land contamination or instability which would place</p> | <p>It is considered that the policy wording requires satisfactory consideration of land contamination.</p> | None |

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| | | | | | existing or future occupants and users at risk Evidence of a thorough survey and research for land contamination or instability should also be required. | | |
| 31 | Cowen, J. (Newcastle International Airport) | DM24 | <p>Welcome the inclusion of the NPPF requirement for new development to consider the potential impact of noise from existing businesses, and that any mitigation should be enacted by the 'agent of change'.</p> <p>Concerned that housing schemes being developed close to the airfield could be impacted by noise from the airport operations. The airport cannot and should not change the nature of its operation to accommodate new development.</p> <p>Policy does not make clear what action should be taken where a mitigation scheme cannot be agreed. Without mitigation an application should be refused.</p> <p>Large scale facilities should be planned for, as per NPPF para 104. The forecast noise contours in the Airports Masterplan were given full weight in decision of 2017/0666/01/OUT. Permitting development which could subsequently have an adverse effect on the Airport increasing the level of operations from the existing site would be contrary to NPPF para 182.</p> | Effective Consistent with national policy | <p>The policy be amended to indicate that such an application should not be approved where a mitigation scheme which does not place restriction on the Airport is not available or cannot be agreed.</p> <p>Requested that the policy reflects that existing businesses like the Airport should not be constrained from more intensive use of their existing site which could change the nature of the noise profile.</p> | Consider DM24 wording is justified and sufficient. Reference to the Airport's Masterplan is not appropriate as this is not a council policy document. The Airports noise contours are considered as part of the planning process. | None |
| 38 | Holland, R. (Persimmon Homes NE) | DM24 | Objects to DM24 based on "there should be no unreasonable restrictions placed upon an existing noise generating use arising from a development", and considers its current wording does not fully reflect NPPF, para 182. | Justified Consistent with national policy Positively prepared | Object until a suitable alteration is provided which brings this statement into accordance with the NPPF. | Consider policy is justified and in accordance with the NPPF. | None |
| 53 | Mo, L. (Environment Agency) | DM24 | Welcome inclusion of policy, would support references to ensuring that future developments will not have an impact on the water environment. | No comments made | | Water quality is covered in the Core Strategy and Urban Core Plan Policy CS17, which requires development not to adversely affect water quality and where possible seek to improve water quality. Development and Allocations Plan Policy DM26 also relates to water quality issues relating to flood risk and water management., requiring development to implement appropriate water pollution control measures, and measures to treat surface water runoff pollution within the design of the drainage system. | None |

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| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM24 | Considers DM24 is overly onerous and implies that all of the assessments references are required for any planning application. | Justified Consistent with national policy | 1. Proposals will be required to demonstrate that there is no unacceptable adverse environmental and health impacts (including cumulative impacts) from the development. To achieve this <u>Where appropriate,</u> development must assess and mitigate the following environmental and health impacts: 2. <u>If applicable,</u> D development must assess the impact of existing noise generating uses on the proposed development and implement a mitigation scheme, where appropriate on the proposed use. There should be no unreasonable restrictions placed on an existing noise generating use arising from a development. | Consider current wording is justified. Requested amendments would make policy difficult to apply. | None |
| 45 | Newsome, R. (Story Homes) | DM24 | Considers DM24 is onerous in requiring that development must assess and mitigate impacts. Considers a blanket requirement is not justified or effective. Recommends the policy is amended so that only proposals where is a likely impact based on their location and nature should be assessed and mitigated. | Justified Effective | | Consider current policy wording is justified. Each planning application and any assessments or mitigation required would be considered as part of the planning process. | None |
| 13 | Percy, C. (Elders Council of Newcastle upon Tyne) | DM24 | Supports DM24, hoping it will be implemented robustly particularly in relation to emissions and the resulting poor quality; this is of key interest to older people and other vulnerable groups. Welcomes amended wording from draft version. To leave the wording as it is would not be effective as its meaning is unclear. | Support with minor changes | Change wording to: To achieve this development must assess and mitigate the following environmental and health impacts: i. emissions resulting in poor air quality and their effect on the health of individuals, particularly those in vulnerable groups. | Support Noted. Current policy wording is considered justified. | None |
| 6 | Westwick, N. (Bellway) | DM24 | Considers DM24 is overly onerous and implies that of the assessments referenced are required for any planning application. Requests a number of amendments to ensure DM24 is justified, i.e. "where appropriate development must assess and mitigate the following environmental and health impacts". | Justified Consistent with national policy | Taking account of the above, we request the following amendments to ensure the Policy DM24 is justified: 11. Proposals will be required to demonstrate that there is no unacceptable adverse environmental and health impacts (including cumulative impacts) from the development. To achieve | Consider wording is justified. Consideration of any mitigation measures requires would be dealt with as part of the planning process at application stage. | None |

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| | | | | | <p>this <u>Where appropriate</u>, development must assess and mitigate the following environmental and health impacts:</p> <p>v) odours which would have an impact on amenity; and/or</p> <p>12. <u>If applicable</u>, <u>Development</u> must assess the impact of existing noise generating uses on the proposed development and implement a mitigation scheme, where appropriate on the proposed use. There should be no unreasonable restrictions placed on an existing noise generating use arising from a development.</p> | | |
| 31 | Cowen, J. (Newcastle International Airport) | DM25 | Policy dedicated to aerodrome safeguarding welcomed. Largely happy with policy but suggest minor amends to policy wording. | Support with minor changes | Minor amends to the policy wording, to reflect really concerns aircraft rather than the airport itself, and the need for any mitigation strategy to reflect cumulative impact. For example consideration of wind turbines and how they could appear on radar would need to consider any existing turbines, whilst any proposed open water would need to consider existing habitat and birds would interact with it. | Minor Amendments required to supporting text and policy title to reflect comments from airport to clarify policy refers to aircraft safety rather than airport safety and for mitigation strategies to include assessment of cumulative impact. | <p>6.11 Airport Aircraft Safety</p> <p>Policy DM25 – Airport Aircraft Safety</p> <p>And t The impact of any proposals would need to be assessed and any mitigation strategy will need to consider any cumulative impact.</p> |
| 35 | Dobson, K. (Northumbrian Water Ltd) | DM26 | Support the content of section 6.12, from 6.12.1 to 6.12.9 as well as policy requirements. Fully support the comprehensive approach taken to sustainable water and flood risk management. | No comments made | N/A | Support noted | None |
| 53 | Mo, L. (Environment Agency) | DM26 | <p>Welcome inclusions of policy, would support references in the policy which directs new housing drains and sewage connections to be connected to the correct drainage (foul rather than surface water). This will help to protect water quality.</p> <p>Coal Authority are responsible for controlling minewater levels in and around Newcastle. Proposals to direct surface water to the ground should be discussed with the Coal Authority, the Council and Lead Local Flood Authority. Information on the potential for minewater level change is available in the</p> | No comments made | Would welcome references to North East Minewater Constraints map within the policy or policy narrative. | <p>The connection of new housing drainage and sewage connections to the correct outlet is not considered a planning policy consideration.</p> <p>Core Strategy and Urban Core Plan Policy CS17 requires development to assess flood risk from all sources of flood risk this includes ground and mining water flooding.</p> <p>Paragraph 6.12.3 advises that FRAs will need to assess flood risk from mine water.</p> | None |

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| | | | North East Minewater Constraints map. Potential minewater change should be considered as part of any new development. | | | A reference will be included in the updated Flood Risk and Water Management Guidance Note regarding mine water and consultation with the Coal Authority. | |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM26 | <p>Part 1(i) - there can be a need to culvert watercourses and it is not considered that such flexibility should be removed within this policy;</p> <p>Part 1 (ii) – the green roofs and walls should be subject to viability, as such provision has a cost implication and could impact on viability;</p> <p>Part 1 (iii) – river restoration and creation of upstream storage areas should only be sought if they are necessary to make the development acceptable in planning terms; otherwise there would be a conflict with the NPPF (para. 56);</p> <p>Part 1(iv) – the requirement to minimise development on existing green space where it has the potential to manage flood risk at a catchment scale should only be required if it is necessary to make the development acceptable in planning terms; otherwise there would be a conflict with the NPPF (para. 56);</p> <p>Part 2(vi) – with regard to SuDS, reference should be included to where ground conditions are appropriate; and</p> <p>Part 3 – the need to improve surface and ground water quality and quantity should only be required if it is relevant and necessary.</p> | Justified Consistent with national policy | <p>“1. Development will be required to manage and reduce flood risk by:</p> <p>i. avoiding the culverting of watercourses, building over culverts, and where possible, remove existing culverts;</p> <p>ii. maximising areas of soft landscaping, permeable surfaces, green roofs and walls (<u>where viable</u>) to reduce surface water run-off within Critical Drainage Areas;</p> <p>iii. contributing to reducing or delaying run-off within river catchments through river restoration, creation of upstream storage areas, and tree planting, where appropriate <u>and where necessary to make the development acceptable in planning terms;</u> and</p> <p>iv. minimising development on existing green space where it has the potential to manage flood risk at catchment scale and where this is relevant <u>and necessary to make the development acceptable in planning terms.</u></p> <p>2. Development will be required to demonstrate that its surface water drainage strategy, site layout and design will...:</p> <p>vi. provide the most sustainable SuDS techniques from the SuDS Hierarchy, <u>whilst taking into account ground conditions;</u></p> <p>3. Development must ensure it takes the opportunity to protect and improve surface and groundwater quality and quantity and enhances the river environment by <u>undertaking the following if necessary to make the development acceptable in planning terms:....”</u></p> | <p>The policy as written is considered to allow for flexibility for different site specifics. The supporting policy text explains how the policy will be applied.</p> <p>Amendments have been made to DM26 ii. Reference to green roofs and walls has been removed from policy wording.</p> | <p>DM26 ii. maximising areas of soft landscaping, permeable surfaces and incorporate green infrastructure, green roofs and walls to reduce surface water run-off within Critical Drainage Areas;</p> |

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| 45 | Newsome, R. (Story Homes) | DM26 | <p>DM26 lacks flexibility to provide effective planning for delivery. The inclusion of 'appropriate' or similar would add flexibility and tie them back into the provisions of the current NPPF and other relevant documentation. This will allow the policy to evolve as guidance is changed but tie in to the core provisions of current guidance.</p> <p>One item that is not included for in the NPPF is exceedance. The provisions of Policy DM26(2 ii) relating to this are not consistent with DEFRA guidance 'Sustainable Drainage Systems – Non-statutory technical standards for sustainable drainage systems' (March 2015). This states at para. S9 that: <i>'The design of the site must ensure that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property.'</i></p> <p>This explicitly provides that the design of the site for exceedance should be based on a reasonable and practicable approach rather than it driving a compromised or unviable design solution.</p> | Justified Consistent with national policy Effective | <p>2. Development will be required to demonstrate that its surface water drainage strategy, site layout and design will:</p> <ul style="list-style-type: none"> i. prevent properties from flooding from surface water, including an <u>appropriate</u> allowance for climate change and urban creep <u>in line with national guidance</u>; ii. not increase the risk of existing flooding elsewhere and that exceedance flows will be managed <u>so far as reasonably practicable</u>; iii. ensure run-off from development is constrained to greenfield rates, or as close to greenfield rates as possible for brownfield sites, up to a minimum 50% reduction; iv. manage surface water as close to source as possible and attenuate flows using source control measures; v. follow <u>the principles of the</u> SuDS management train approach, to manage water quantity and quality throughout the site; v. provide the most sustainable <u>appropriate</u> SuDS techniques from the SuDS Hierarchy, <u>unless there is clear evidence that this would be inappropriate</u>; vi. where feasible and appropriate, integrate SuDS into public open space and connect to adjacent watercourses or wetlands; and vii. demonstrate the life-time maintenance and management of the SuDS.' | The policy as written is considered to allow flexibility for different site specifics. The supporting policy text explains how the policy will be applied. | None |
| 53 | Mo, L. (Environment Agency) | DM26 Evidence | Strategic Flood Risk Assessment needs to reflect NPPF. Section 6.5 recommendations | No comments made | | The Strategic Flood Risk Assessment Level 1 will be updated to reflect the National Planning Policy Framework, new climate | None |

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| | | | <p>A, B, and C reference a 10% threshold. 10% threshold does not reflect NPPF or PPG.</p> <p>Environment Agency and Coal Authority have created a spatial screening tool (Mining and Groundwater Constraints for Sustainable Development and Drainage Systems) for local planning authorities to use in strategic planning, development planning, urban drainage, and engineering. The tool seeks to raise awareness of a variety of mining and groundwater constraints. Not sufficiently assessing mining and groundwater before commencing development works has led to sites experiencing groundwater flooding, prolonged flood duration and has the potential for sustainable drainage systems not functioning as intended. It is recommended that the Strategic Flood Risk Assessment takes into consideration the information detailed within the North East Constraints maps and the risk of potential minewater change.</p> <p>The Strategic Flood Risk Assessment and Local Plan must take account of UK Climate Projections (2018).</p> | | | change projections and references to groundwater and mine water and amendments to the 10% allowances on sites for Strategic Flood Risk Assessment recommendations A, B and C. | |
| 28 | Bekker, E. (Natural England) | DM27 | <p>Satisfied that previous advice has been taken into consideration.</p> <p>Welcome the development of a Green Infrastructure Delivery Framework which will provide further detail on green infrastructure opportunity areas, including projects and priorities for improvement. Welcome the development of an SPD on Biodiversity standards. These will provide a good framework for applying a biodiversity net gain and welcome being consulted on these in the future.</p> | No comments made | N/A | The Green Infrastructure Delivery Framework has been prepared to provide an update on the implementation of Green Infrastructure. It will be published and monitored. | None |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM27 | <p>This policy is not consistent with NPPF para 141, which requires local planning authorities to plan positively to enhance the beneficial use of the Green Belts, by improving public access, retaining and enhancing landscapes and biodiversity; and providing opportunities for outdoor recreation.</p> <p>NPPF requirements must be reflected in Policy DM27, with a clear statement that the strategic GI network is not strictly defined by the limited potential of the areas currently on the proposals map.</p> | Consistent with national policy Effective Compliant with law | <p>2. Addressing gaps in the Strategic Green Infrastructure network corridors; providing improvements in Opportunity Areas; and enhancing the function of the Green Belt as a Green Infrastructure resource.</p> <p>3.i. Where it can be demonstrated that there are no alternative sites available with less environmental impacts, or that the effects can be reduced by an alternative site layout.</p> | <p>Minor modification to consider the comments regarding NPPF paragraph 141, requiring local planning authorities to plan positively to enhance their beneficial use of the Green Belts.</p> <p>Minor modification to include Insert further wording at DM27 2. “and enhancing the function of the Green Belt as a Green Infrastructure resource”.</p> <p>The wording of the policy takes a balanced approach, ensuring adequate protection for green infrastructure, whilst permitting a</p> | <p>2. Addressing gaps in the Strategic Green Infrastructure Infrastructure Network corridors and, providing improvements within the Opportunity Areas, and enhancing the function of the Green Belt as a Green Infrastructure resource.</p> |

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| | | | <p>Need to consider alternative sites and alternative layouts is an integral part of the 'Mitigation Hierarchy'. The overriding aim should be to AVOID significant negative environmental effects in the first instance by considering an alternative site or layout. Only when any such opportunities are proven to be unavailable should the developer consider ways of REDUCING the impact through mitigation. As a last resort, COMPENSATION for significant harm should be considered.</p> <p>DM27 Point 3 does not take account of EIA Regulations 2017, Schedule 4 (2) and NPPF para 175 a, which sets out the mitigation hierarchy and the need to adhere to it.</p> | | <i>(existing points i. and ii. should be listed as ii. and iii.)</i> | structured approach to considering alternative use. | |
| 53 | Mo, L (Environment Agency) | DM27 | Supportive of DM27 and encourage developments to incorporate additional green infrastructure into their design proposals. This would reflect the principles of the Government's 25 year Environment Plan, which advocates the environmental net gains in development. | No comments made | No comments made | Support Noted | None |
| 46 | Newsome, L (Lichfields (on behalf of Taylor Wimpey North East)) | DM27 | <p>Designation on the Proposals Map conflict with some permissions and allocations on the Core Strategy and Urban Core Plan Policies Map at Callerton and Kenton Bank Foot.</p> <p>Some of this land has outline and full planning permission. Other parts are subject to approved masterplans and established masterplanning principles, however, planning application have not yet been submitted. The green infrastructure provision and open space standards for these developments have already been agreed and take into account site specific circumstances. Would be inappropriate to use policies, adopted after masterplans have been agreed, to retrofit green infrastructure requirements and open space standard. Important that flexibility is incorporated into DM27.</p> <p>Questioned whether there is a need for this policy as it repeats DM10, DM20, DM29, DM30 and DM31.</p> | Justified Consistent with national policy | <p>Either this policy is deleted given it repeats other policies or that the Policies Map is amended to exclude the residential allocations in the Core Strategy and Urban Core Plan or that the following text is included at the end of Policy DM27:</p> <p><i><u>"The requirements of this policy to protect green infrastructure and make alternative provision does not apply to the existing sites with residential allocations within the Core Strategy and Urban Core Plan and / or with planning permission in the Strategic Green Infrastructure Network corridor".</u></i></p> | The Council agrees the green infrastructure policy cannot be applied retrospectively on development which already has planning permission and where green infrastructure has been agreed. This could apply to several policies in the Development and Allocations Plan and it is not considered necessary to add the suggested wording. | None |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM27 Map | Delineation of Green Infrastructure on the proposals map is arbitrary. Large areas of Green Belt are excluded, most notably areas adjacent to existing housing and proposed urban expansion sites. | Consistent with national policy Effective Compliant with law | GI network should be designated as a much wider area encompassing the entirety of the urban fringe/Green Belt across the northern and outer areas of the City. Should include landscaping areas immediately | The Green Infrastructure Network is based on Green Infrastructure Evidence and a Green Infrastructure Strategy (see evidence base). These are proposed for designation on the policies map. The designations can change over time as sites come forward and | None |

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| | | | <p>NGP was allocated as a major urban expansion site in the UDP, on the basis of substantial environmental and ecological enhancements, focussed at Cells B1 and C3. These remain unlawfully unimplemented, despite relevant triggers in the s106 legal agreement that have long since passed. These must be recognised and protected in the Plan, as having significant potential in improving access to the countryside; providing for the recreational needs of the community; and compensating for loss of biodiversity by maintaining an east-west wildlife corridor.</p> <p>Strategic Land Release sites need the most compensatory measures to improve the nearby environment for people and wildlife.</p> <p>NPPF para 138 states that Plans should compensate for the loss caused by Green Belt release land by improving environmental quality and accessibility of remaining areas of Green Belt. This requirement has not been taken into account.</p> | | <p>to the north of the development cells of NGP; Cells B1 and C3. Cells B1 and C3 must form part of GI network.</p> <p>Essential that all land in the vicinity of Strategic Land Release sites form part of the GI network.</p> | <p>are developed. These will be updated in the future when the evidence is reviewed.</p> | |
| 54 | Leeder, D. | DM27/29 mapping | <p>Both Policies extend over residential areas along Moor Crescent, Gosforth, boundaries are through the built-up area in an arbitrary way.</p> | <p>Justified Consistent with national policy Effective Positively prepared</p> | <p>The policies map should be redrawn to avoid overlap between DM27 and DM29 and the existing conservation areas shown in DM15.</p> | <p>The designations are based on evidence (see evidence library). The different designations are for different purposes. They do not preclude development from happening within these designations.</p> | <p>None</p> |
| 11 | Adsley, C. (CPRE Northumberland) | DM28 | <p>The criterion in DM28 Clause 1 (ii) on loss of ancient woodland is not strong enough. NPPF para 175 clause (c) specifies “wholly exceptional reasons” as the only possible justification for the loss of ancient woodland.</p> | <p>Consistent with national policy</p> | <p>DM28 Clause 1(ii) should be brought into line with National Policy.</p> | <p>Minor modification to align the wording of the policy with NPPF paragraph 175 c).</p> <p>1.ii. the need and benefits of development clearly outweighs any harm to ecological value, landscape quality and historical importance of the area and in the case of ancient woodland and veteran tree provides exceptional public benefits; and unless there are wholly exceptional</p> | <p>1.ii. the need and benefits of development clearly outweighs any harm to ecological value, landscape quality and historical importance of the area and in the case of ancient woodland and veteran trees provides exceptional public benefits unless there are wholly exceptional reasons; and</p> |
| 53 | Mo, L (Environment Agency) | DM28 | <p>With the growth in tree pests and diseases, and the increase in climate change adaptation, we would welcome references within the policy which encourage tree planting of native species of local provenance. This will limit biosecurity risk and facilitate resilience planting for climate change.</p> | <p>No comments made</p> | <p>References within the policy which encourage tree planting of native species of local provenance</p> | <p>The Council are preparing supplementary planning guidance on trees, landscaping and biodiversity which can consider these issues in more detail.</p> | <p>None</p> |
| 46 | Newsome, L (Lichfields (on behalf of Taylor | DM28 6.14.4 | <p>Policy is unsound as it conflicts with NPPF. It states that development which harms or results in the loss of trees or landscape</p> | <p>Justified</p> | <p>Policy DM28 1. Development which would unacceptably harm or result</p> | <p>Policy as written allows for assessment of all trees and landscape on a case by case</p> | <p>None</p> |

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| | Wimpey North East)) | | <p>features will not be permitted unless three criteria can be demonstrated. However, this does not differentiate between high or low value trees and landscape features. The trees or landscape features could be of low value, unhealthy, dying or diseased. Their removal and replacement may be preferable.</p> <p>NPPF does not include a blanket policy which protects all trees. It advises that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists (para. 175(b)). No requirement in national policy that alternative locations for the development within the site have to be first considered before development can result in the loss of trees or landscape features.</p> <p>Para. 6.14.4 is too onerous. This may not always be possible to achieve on site and instead some flexibility should be retained.</p> | Consistent with national policy | <p><i>in the loss of <u>high value trees or landscape features (such as ancient woodland and ancient or veteran trees)</u>, will not be permitted unless it can be demonstrated that:</i></p> <ul style="list-style-type: none"> <i>i. development cannot be reasonably located elsewhere within the development site;</i> <i>ii. the need and benefits of development clearly outweighs any harm to ecological value, landscape quality and historical importance of the area and in the case of ancient woodland and veteran trees provides exceptional public benefits;</i> <i>or</i> <i>iii. appropriate mitigation and enhancement measures are provided.</i> <p>Paragraph 6.14.4 <i>"Trees and landscaping should also be used to mitigate and enhance sites affected by local environmental conditions including air quality, heat islands and wind tunnel effects, <u>where practical.</u>"</i></p> | <p>basis acknowledging trees and landscape have multiply benefits.</p> <p>The suggested additional wording is not considered necessary.</p> | |
| 45 | Newsome, R. (Story Homes) | DM28 | <p>Policy implies a blanket requirement to 'protect' existing trees when this may not be justified or appropriate e.g. where trees and landscaping are of poor quality and/or in poor health. Acknowledges that there are circumstances where removals may be acceptable and the first sentence is incongruous and conflicting with the wider provisions of the Policy.</p> <p>Disappointing that details of the Trees SPD have not been made available in parallel to emerging Development and Allocations Plan.</p> <p>It may be that appropriate mitigation is sufficient to offset harm or loss of trees and landscape features and that enhancement may not be necessary for part 1 iii).</p> | Justified | <p>'Development will be required to protect <u>conserve</u>, enhance and manage existing trees and landscape features <u>as appropriate</u>.'</p> <p>1.iii. appropriate mitigation and/or enhancement measures are provided <u>as necessary</u>.</p> | <p>The council does not consider it necessary to include the suggested additional wording to include conserve or as appropriate.</p> <p>Minor modification is considered appropriate to part 1, iii. to include and/or</p> <p>The Council will be preparing a supplementary planning guidance on trees and landscaping. This will be prepared in accordance with the Statement of Community Involvement and include the appropriate consultation.</p> | 1.iii. appropriate mitigation and / or enhancement measures are provided. |

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| | | | Tree Strategy and SPD should be developed with stakeholder and public involvement and should be subject to appropriate consultation through its development and not simply adopted pursuant to the Development and Allocations Plan. | | | | |
| 51 | Rook, V. | DM28 | Vital that the environment is protected to ensure health aspects. Air pollution research proves that 40,000 deaths can be attributed to this. Practical solutions in the form of better use of public transport and use of low emission vehicles help. The effect on the environment is not acceptable therefore this policy needs to be [enforced]. Developments need to have built safeguards in regard to roads and structures to aid easy transport for young and old with health needs such as walking, cycling and road safety aspects | Support | N/A | Comment noted. The Council are preparing an Air Quality Action Plan which will consider this area. | None |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM28; 6.14.3 | <p>NPPF Para 170 refers to need for development to minimise ecological impacts which the policy should reference.</p> <p>Para 6.14.3 should refer to the need to achieve net gains for biodiversity, by the planting of net gains of trees, whenever felling takes place. The numbers required should be based on tree compensation standards (as per draft plan comments). Standards must refer to the girth of the individual tree trunks to ascertain the likely replacement numbers required. A mature tree with an 80 cm+ girth makes an exceptional contribution to biodiversity, visual amenity, air pollution mitigation and flood prevention, and yet there is no acknowledgement in the Plan that the loss of such a tree should be compensated for by a much greater number of younger trees, whose benefits will take decades to reach the same value.</p> <p>NPPF paras 170 and 174 make it clear that plans must provide measurable net gains for biodiversity, and as trees are such an integral part of that, the compensation standard must be applied as a measurable tool in planning decisions. An integral part of the NPPF requirement for measurability is the need for monitoring and management of tree planting, along with replacements where trees fail to establish.</p> <p>The UDP included policies for community woodlands. The Development and Allocations</p> | Compliant with law Consistent with national policy Effective | <p>Policy should include: "i) the development cannot feasibly be reduced in scale and design to avoid any harm"</p> <p>Para 6.14.3 should refer to the need to achieve net gains for biodiversity, by the planting of net gains of trees, whenever felling takes place.</p> <p>Monitoring and management of tree planting, along with replacements where trees fail to establish, is a developer responsibility and should be added to para 16.14.3, in line with relevant good practice.</p> <p>Should encompass reference to UDP community woodland policies.</p> | <p>The policy as worded is considered acceptable to balance the need for development and the protection of trees and landscaping.</p> <p>The council is preparing a supplementary planning document which will consider the requirement for specific tree and landscape requirements.</p> <p>DM28 2. Requires development to include new trees and landscape features. The requirement to provide net gains is set out in policy DM29. 6</p> | None |

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| | | | Plan should encompass reference to these policies to ensure developers contribute to a certain number of trees or larger developments provide woodlands near, or within, their application site. | | | | |
| 29 | Crawford, L. (Newcastle Great Park Consortium) | DM28; 6.14.4 | <p>DM28 is unsound as conflicts with the NPPF. Policy does not differentiate between high or low value trees and landscape features. The trees or landscape features could be of low value, unhealthy, dying or diseased, whose removal and replacement would be preferable.</p> <p>NPPF does not include a blanket policy which protects all trees. It advises that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists (para. 175(b)).</p> <p>No requirement in national policy that alternative locations for the development within the site have to be first considered before development can result in the loss of trees or landscape features.</p> <p>Para. 6.14.4 is too onerous. This may not always be possible to achieve on site and instead some flexibility should be retained.</p> | Justified Consistent with national policy | <p>Policy DM28: <i>"1. Development which would unacceptably harm or result in the loss of <u>high value trees or landscape features (such as ancient woodland and ancient or veteran trees)</u>, will not be permitted unless it can be demonstrated that:</i> <i>i. development cannot be reasonably located elsewhere within the development site;</i> <i>ii. the need and benefits of development clearly outweighs any harm to ecological value, landscape quality and historical importance of the area and in the case of ancient woodland and veteran trees provides exceptional public benefits; and</i> <i>or</i> <i>iii. appropriate mitigation and enhancement measures are provided."</i></p> <p>Paragraph 6.14.4: <i>"Trees and landscaping should also be used to mitigate and enhance sites affected by local environmental conditions including air quality, heat islands and wind tunnel effects, <u>where practical.</u>"</i></p> | The policy as written is considered to allow for flexibility for different site specifics. The supporting policy text explains how the policy will be applied. The suggested additional wording is not considered necessary. | None |
| 31 | Cowen, J. (Newcastle International Airport) | DM29 | <p>Broadly supportive of intentions of DM29. Objects to the extent of the wildlife enhancement corridors around the airport site.</p> <p>The majority of land on employment site KEAc is designated as a wildlife enhancement corridor. The site is unique in the region in that it could provide direct airside access. Has the potential to provide for a large scale, regionally important freight and distribution development. Whilst the site would be designed with an onsite landscaping strategy, the entire of the site is required for employment development. Proposed designation would restrict the use of the site</p> | Positively prepared Effective | | <p>The Wildlife Enhancement Corridors are based on evidence. The Council does not consider the need to change any of the boundaries at the airport.</p> <p>The Wildlife Enhancement Corridor only covers the eastern end of KEAc which contains Dinnington Fen Site of Local Conservation (SLCI).</p> <p>Woolsington Lake and Woods Sites of Local Conservation Interest are located to the south of the site. The corridor buffers Dinnington Fen (SLCI), Sunnyside Ponds (SLCI) and Havannah (LNR). There are</p> | None |

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| | | | <p>for this purpose, and we object to the proposal. Suggested that the enhancement of the wildlife corridor to the south of the Airport should focus on the Ouseburn and Foxcover Wood and the route of the Airport Access Road, incorporating woodland around Woolsington Hall. Corridor cuts across TPO trees on site KEAb and encompasses land which will likely be occupied by buildings. Corridor should focus on the Abotswood Burn corridor, as is supported by the environmental statement for 2007/0949/02/REN.</p> <p>Same designation covers a swathe of land to the east of site KEAc. Land is identified in the Airport's Masterplan 2035 for development after Core Strategy and Urban Core Plan period. Object to the whole of this land parcel being given a restrictive designation. Suggested that the wildlife corridors could be maintained and enhanced around the fringes of the site which would still allow for the wider site to be developed.</p> <p>The Airport's Masterplan 2035 seeks to safeguard land for the extension of the current runway by circa 700m. Much of the land around the runway extension would need to be fenced off to enclose the operational area of the airfield. Although most of the area for the extension has been excluded from the wildlife corridor a portion covers the safeguarded land. It would not be possible to enhance a wildlife corridor if the area was to be fenced off. Enhancement of habitat in such close proximity to the runway end could attract wildlife hazardous to aircraft to a critical part of the airport. Request that the corridor at this location is reduced and concentrated to the western boundary of Brunswick and Hazelrigg.</p> | | | <p>historical records of great crested newts and bat roosts in that area.</p> <p>There is a standoff from the western end of the runway. Connectivity between Havannah and Big Waters is required, but land further east consists of industrial estates, housing and new residential development. No wildlife enhancements to this area are planned and any development would have to comply with a Bird Strike Risk Assessment.</p> | |
| 51 | Rook, V. | DM29 | <p>Part of a healthy environment which provides a rich sense of being for all residents. Encouraging children to appreciate other species is important in urban areas especially in the central parts of the city. The need to encourage this in areas which were once industrial and now need regeneration will bring a balance to such an area.</p> | Support | N/A | Comments noted | None |
| 29 | Crawford, L. (Newcastle Great Park Consortium) | DM29 | <p>DM29 is unduly onerous and conflicts with national policy.</p> <p>Part 2 conflicts with NPPF. With regard to SSSIs, the NPPF does not simply state that if</p> | Justified Consistent with national policy | Policy DM29: "2. Development which has a direct or indirect adverse effect on a Site of Special Scientific Interest (SSSI) and/or protected | Minor modification to include explanation of the exemption to development which has an adverse effect on a SSSI to be inserted into the supporting text at para 6.15.3 to align to NPPF. | Amendment to paragraph 6.15.3 The only exception to development which is likely to have an adverse effect on a Site of Special |

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| | | <p>there is an adverse effect that development should not normally be permitted (NPPF, para. 175 (b)). DM29 has not taken into account this exception.</p> <p>DM29(2) refers to “protected species”. However, the NPPF sets out a different test for protected species, (para. 175 (a)).</p> <p>Part 3 relates to other designated sites. The first sentence refers to adverse effects whilst the second sentence refers to significant harm. Suggested that consistent terminology is used and that the wording is amended to reflect that within the NPPF (para. 175 (a)).</p> <p>Part 6 requires development to maximise the opportunity to provide net gains in biodiversity. However, para. 174 (b) of the NPPF advises that plans should “<i>pursue opportunities for securing measurable net gains for biodiversity</i>” and para. 175(d) relates to encouraging net gains in biodiversity. The draft policy text is more onerous and goes beyond the requirements of the NPPF by requiring net gains instead of pursuing opportunities or encouraging net gains.</p> <p>Contrary to para. 6.15.6, the NPPF does not require a hierarchical approach whereby alternatives are first sought followed by mitigation. Instead the approach is avoidance, mitigation or compensation (para. 175(a)). This text is introducing tests which conflict with national policy, which is an unsound approach and cannot be justified.</p> <p>Recognise that the SW part of Cell B1 is allocated as a Site of Nature Conservation Importance (SNCI) and Local Nature Reserve (LNR) In the UDP and Core Strategy and Urban Core Plan. Welcomes the recognition that this land does not meet the designation criteria for SNCI and LNR and that this is now reflected on the emerging Policies Map. This is now consistent with the NPPF.</p> | <p><i>species should not normally be permitted. <u>The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.</u></i></p> <p><i>3. Development which has a directly or indirectly causes significant harm to adverse effect on Local Nature Reserves (LNR), Local Wildlife Site (LWS), Site of Local Conservation Interest (SLCI), as designated on the Policies Map, and/or to protected species, should not normally be permitted must be avoided. Where significant harm cannot be avoided, development will be refused unless:</i></p> <p><i>i. adequate mitigation measures to offset any loss or disturbance which outweigh the harm to the biodiversity value of the site, habitat and species is secured;</i></p> <p><i>ii. in exceptional circumstances as a last resort where harm cannot be avoided or fully mitigated compensatory measures are secured.</i></p> <p><i>6. Development should will be required to maximise the opportunity to protect and enhance habitats and will be encouraged to provide net gains in biodiversity by:...</i></p> <p>Paragraph 6.15.6: <i>“Development should aim to avoid significant harm to adversely affecting national and local designated nature conservation sites, protected species and priority habitats and species, by using alternative sites or layout designs,</i></p> | <p>“The only exception to development which is likely to have an adverse effect on a Site of Special Scientific Interest is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the sites that make it of special interest, and any broader impacts on the national network of Sites of Special Scientific Interest.”</p> <p>To clarify points raised the following minor modifications are proposed to policy wording:</p> <p>3. Development which has a directly or indirectly causes significant harm adverse effect on to a Local Nature Reserves (LNR), Local Wildlife Site (LWS), Site of Local Conservation Interest (SLCI), as designated on the Policies Map, and / or protected species, must should be avoided. Where significant harm cannot be avoided, development will be refused unless:</p> <p>ii. in exceptional circumstances as a last resort where harm cannot be avoided or fully mitigated compensatory measures are secured. To align with wording in NPPF 175.</p> <p>6. Development will be required to maximise the opportunity protect and enhance habitats and provide net gains in biodiversity by:</p> <p>Minor amendment to policy numbering to replace v with iv at part 6 of policy.</p> <p>The Council considers paragraph 6.15.6 in accordance with NPPF and the PPG.</p> | <p>Scientific Interest is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the sites that make it of special interest, and any broader impacts on the national network of Sites of Special Scientific Interest.</p> <p>2. Development which has a direct or indirect adverse effect on a Site of Special Scientific Interest (SSSI) and / or protected species should not normally be permitted</p> <p>3. Development which has a directly or indirectly causes significant harm adverse effect on to a Local Nature Reserves (LNR), Local Wildlife Site (LWS), Site of Local Conservation Interest (SLCI), as designated on the Policies Map, and / or protected species, must should be avoided. Where significant harm cannot be avoided, development will be refused unless:</p> <p>ii. in exceptional circumstances as a last resort where harm cannot be avoided or fully mitigated compensatory measures are secured.</p> <p>6. Development will be required to maximise the opportunity to protect and enhance habitats and provide net gains in biodiversity by:</p> |
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| | | | | | <i>adequate mitigation, or, as a last resort compensation. Where avoidance is not possible and the need for and benefit derived from development outweighs the nature conservation value of the site, habitat or species, the impact upon the wildlife sites, habitat or species must be adequately mitigated."</i> | | |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM29 Map | <p>The s106 legal agreement attached to 1999/1300/121/RVC provides the Council with a legal interest in the site, and the s106 states that public access to Strategic Open Space associated with the NGP (of which Cell B1 forms part) must be maintained in perpetuity. There is no reason why the designation for the LNR should be removed. With additional Green Belt land release in this vicinity associated with Core Strategy and Urban Core Plan it is even more pertinent that public access and ecological improvements are provided in the remaining Green Belt, according with NPPF para 138. NPPF para 141 refers to the need for Councils to plan positively to enhance the beneficial uses of Green Belts by, inter alia, enhancing landscapes, visual amenity and Biodiversity and improving public access. The removal of the LNR status of this land cannot be justified.</p> <p>The s106 requires the completion of landscaping works at Cell B1 pursuant to a trigger for Cell B development, which should have been completed in 2003. the Council has never sought to enforce the completion of the ecological enhancements and tree planting, which means a significant part of the NGP environmental impacts have not been subject to the levels of compensation required.</p> | Consistent with national policy Effective Compliant with law | The policies map should be amended to include the southern part of Cell B1, Newcastle Great Park, as a Local Nature Reserve, as per the adopted UDP, saved policy NC1.4. The Green Belt release associated with the NGP was agreed by the UDP inspector following its Examination in Public, on the basis that significant woodland and habitat creation with public access would be provided to its northern edges. The LNR is an integral part of that. | <p>The Council does not consider it necessary to amend the policies map to include the southern part of Cell B1 as a Local Nature Reserve (LNR).</p> <p>The south western part of cell B1 was allocated as a proposed Local Nature Reserve (LNR) in the UDP. This was never implemented as it did not meet Natural England's LNR criteria. This area was never proposed or designated as a SNCI (now known as a Local Wildlife Site), as once again it would not have met the Local Sites Partnership Guidelines. The south-western part of Cell B1 was marked on the UDP as a Site of Local Conservation Interest (SLCI). However, this was an error and is not recorded on any plans or surveys relating to this site except for the UDP. The Development and Allocations Plan has therefore rectified and clarified these issues.</p> | None |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM29 | <p>Policy is not clear and would not be effective in guiding planning decisions. Must be amended to provide clarity on the need for developers to adhere to the Mitigation Hierarchy as set out in Natural Environment PPG and NPPF para 175 (a).</p> <p>The Hierarchy of importance attributable to national and locally designated sites and habitats needs to be acknowledged in a clear manner. As presently drafted the policy implies that SSSIs MAY be given less</p> | Compliant with law Consistent with national policy Effective | <p>Point 3 of this policy should be amended to accord with para 175 (a) of the NPPF as follows: First sentence – Must be avoided... ADD by the consideration of any reasonable alternatives, including siting, or a different layout, scale and design, resulting in less environmental impacts.</p> <p>Second sentence – delete significant, because ANY harm</p> | <p>The council considers the policy as worded is acceptable and in accordance with NPPF.</p> <p>Minor amendment to policy numbering to replace v with iv at part 6 of policy.</p> | DM29 6. v iv. securing future management arrangements. |

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| | | | <p>protection than other types of designated sites that are lower in the hierarchy.</p> <p>NPPF para 175 d states the need for local planning authorities to secure measurable net gains for Biodiversity and it is imperative that the Development and Allocations Plan includes standards for ecological improvements (as outlined on our previous comments at draft stage).</p> <p>No clear definition of adequate mitigation, this requires further clarification.</p> | | <p>to habitats and biodiversity must be avoided as the primary aim of the policy. Please refer to para 170 (d) of the NPPF which states that planning policies and decisions should seek to MINIMISE impacts on, and provide net gains for, biodiversity.</p> <p>Point 6 has four numbered requirements but a v) is listed instead of iv).</p> | | |
| 27 | MB European Ltd | DM29 | <p>Object to DM29 and proposals map designation. It incorporates large parts of the Quayside, many of which are urban/built up or identified in the Core Strategy and Urban Core Plan for redevelopment. Includes the Forth Yards area, which incorporates Newcastle City Heliport which is identified for mixed use development in Core Strategy and Urban Core Plan. It is not considered necessary to have a designation associated with DM29 represented on the proposal map.</p> <p>Objects to the wording of point 6. i. Not consistent with NPPF as it does not provide any flexibility for instances where mitigation or compensation may be more appropriate as set out at NPPF para 175.</p> | Justified Consistent with national policy | No comments made | <p>The Council does not consider the need to amend the boundaries of the wildlife enhance corridor designation as shown on the policy map.</p> <p>This site in question sits within the previous UDP Wildlife Corridor and lies adjacent to the River Tyne Local Wildlife Site forming an important link within River Tyne corridor. This site includes areas of valuable brownfield habitat which include priority species and habitats which are included within the Local Biodiversity Action Plan and are listed as species and habitats of principal importance under Schedule 41 of the Natural Environment and Rural communities Act (NERC).</p> <p>It is considered that Part 3 of DM29 allows for flexibility in terms of mitigation or compensation in line with paragraph 175 of NPPF. Part 6 of the policy refers to the to provide net gains in biodiversity.</p> | None |
| 53 | Mo, L. (Environment Agency) | DM29 | <p>Would like to see policy extended to the water environment, particularly the River Tyne. The Tyne estuarine limit passes through the the Council area and the interaction of the river environment with the international and national coastal and marine designated sites should be acknowledged.</p> | No comments made | Extend DM29 to the water environment, particularly the River Tyne. | <p>The River Tyne is designated as a Local Wildlife site, a Wildlife Enhancement Corridor and a main corridor in the Green Infrastructure Network. Development and Allocations Plan DM29 addresses Local Wildlife Sites, DM27 relates to the Strategic Green Infrastructure Network and DM26 Flood Risk and Management Policy contains criteria related to the protecting and improving water quality and enhancing river environments.</p> <p>Minor amendment is proposed to the policy wording in paragraph 6.15.3 to include reference that the River Tyne and allow connectivity to international and national</p> | <p>Paragraph 6.15.3 The maintenance, enhancement and restoration of sites of national and local importance for biodiversity and geology will be promoted and supported. There are currently no internationally designated sites (Special Areas of Conservation, Special Protection Areas) within or in close proximity to the Newcastle boundary, however the River Tyne allows connectivity to</p> |

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| | | | | | | coastal and marine designated sites, which include the Northumbria SPA and Ramsar site and Durham Coast SPA. | international and national coastal and marine designated sites, which include the Northumbria SPA and Ramsar site and Durham Coast SPA. |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM29 | <p>DM29 is unduly onerous and conflicts with national policy.</p> <p>Part 2 conflicts with NPPF. With regard to SSSIs, the NPPF does not simply state that if there is an adverse effect that development should not normally be permitted (NPPF, para. 175 (b)). DM29 has not taken into account this exception.</p> <p>DM29(2) refers to “protected species”. However, the NPPF sets out a different test for protected species, (para. 175 (a)).</p> <p>Part 3 relates to other designated sites. The first sentence refers to adverse effects whilst the second sentence refers to significant harm. Suggested that consistent terminology is used and that the wording is amended to reflect that within the NPPF (para. 175 (a)).</p> <p>Part 6 requires development to maximise the opportunity to provide net gains in biodiversity. However, para. 174 (b) of the NPPF advises that plans should “pursue opportunities for securing measurable net gains for biodiversity” and para. 175(d) relates to encouraging net gains in biodiversity. The draft policy text is more onerous and goes beyond the requirements of the NPPF by requiring net gains instead of pursuing opportunities or encouraging net gains.</p> <p>Contrary to para. 6.15.6, the NPPF does not require a hierarchical approach whereby alternatives are first sought followed by mitigation. Instead the approach is avoidance, mitigation or compensation (para. 175(a)). This text is introducing tests which conflict with national policy, which is an unsound approach and cannot be justified.</p> <p>Across Newcastle are some large multi-phased sites with approved masterplans and established masterplanning principles, including sites at Callerton and Kenton Bank Foot. The ecological / biodiversity</p> | Justified Consistent with national policy | <p>Policy DM29</p> <p><i>“2. Development which has a direct or indirect adverse effect on a Site of Special Scientific Interest (SSSI) and/or protected species should not normally be permitted. <u>The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.</u>”</i></p> <p><i>“3. Development which has a directly or indirectly causes significant harm to adverse effect on Local Nature Reserves (LNR), Local Wildlife Site (LWS), Site of Local Conservation Interest (SLCI), as designated on the Policies Map, and / or to protected species, should not normally be permitted must be avoided. Where significant harm cannot be avoided, development will be refused unless:</i></p> <p><i>i. adequate mitigation measures to offset any loss or disturbance which outweigh the harm to the biodiversity value of the site, habitat and species is secured;</i></p> <p><i>ii. in exceptional circumstances as a last resort where harm cannot be avoided or fully mitigated compensatory measures are secured.”</i></p> <p><i>6. Development should will be required to maximise the opportunity to protect and enhance habitats and will be encouraged to provide net gains</i></p> | <p>Minor modifications are proposed to the policy wording and supporting text to align with the NPPF.</p> <p>The Council does not consider there is a need for the suggested paragraph after 6.15.4. The Council agrees the policy cannot be applied retrospectively on development which already has planning permission approved and biodiversity provision has been agreed. This could apply to several policies in the Development and Allocations Plan and it is not considered necessary to add the suggested wording regarding the policy not applicable to existing sites and allocations.</p> <p>The Council considers paragraph 6.15.6 in accordance with NPPF and the PPG.</p> | <p>Paragraph 6.15.3 The only exception to development which is likely to have an adverse effect on a Site of Special Scientific Interest is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the sites that make it of special interest, and any broader impacts on the national network of Sites of Special Scientific Interest.</p> <p>2. Development which has a direct or indirect adverse effect on a Site of Special Scientific Interest (SSSI) and / or protected species should not normally be permitted</p> <p>3. Development which has a directly or indirectly causes significant harm adverse effect on to a Local Nature Reserves (LNR), Local Wildlife Site (LWS), Site of Local Conservation Interest (SLCI), as designated on the Policies Map, and / or protected species, must should be avoided. Where significant harm cannot be avoided, development will be refused unless:</p> <p>ii. in exceptional circumstances as a last resort where harm cannot be avoided or fully mitigated compensatory measures are secured.</p> |

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| | | | <p>requirements for these sites have already been agreed and have been formulated to take into account site specific considerations. In these circumstances, it would be inappropriate to use policies, adopted after masterplans have been agreed, to seek more onerous requirements regarding ecology than those previously agreed. Request that a sentence is included at the end of this policy to advise that this policy does not apply to allocated sites.</p> | | <p><i>in biodiversity by:..."</i></p> <p>New Paragraph after Paragraph 6.15.4 <i>"The requirements of this policy do not apply to <u>the existing sites with residential allocations within the Core Strategy and Urban Core Plan and / or with planning permission.</u> This is because the approved masterplans and established masterplanning principles for these sites have been formulated to take into account site specific biodiversity considerations."</i></p> <p>Paragraph 6.15.6 <i>7. Development should aim to avoid significant harm to adversely affecting national and local designated nature conservation sites, protected species and priority habitats and species, by using alternative sites or layout designs, <u>adequate mitigation, or, as a last resort compensation.</u> Where avoidance is not possible and the need for and benefit derived from development outweighs the nature conservation value of the site, habitat or species, the impact upon the wildlife sites, habitat or species must be adequately mitigated."</i></p> | | <p>6. Development will be required to maximise the opportunity to protect and enhance habitats and provide net gains in biodiversity by:</p> |
| 45 | Newsome, R. (Story Homes) | DM29 | <p>Part 6 conflicts with NPPF para. 170 and 174. the Council's requirement to 'maximise the opportunity' is excessive compared to the provisions of the revised NPPF and not consistent with national policy. May conflict with other planning requirements when considering the planning merits of schemes as a whole.</p> <p>Para. 6.15.2 states that '<i>Biodiversity standards will be included in an SPD.</i>' The details on the approach to biodiversity standards expected</p> | Consistent with national policy | <p>6. Development will be required to maximise the opportunity to protect and enhance habitats and provide for net gains in biodiversity by:</p> <ul style="list-style-type: none"> i. retaining natural features and habitats and protecting them during construction <u>where necessary and feasible;</u> ii. maintaining and improving buffers and ecological | <p>Minor amendment proposed to remove 'maximise the opportunity' from part 6.</p> <p>The council does not consider additional wording 'where necessary and feasible' to be required.</p> | <p>DM29 6. Development will be required to maximise the opportunity to protect and enhance habitats and provide net gains in biodiversity by:</p> |

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| | | | <p>by the Council is extremely important to applicants and developers and it is disappointing that these details have not been made available in parallel to the emerging Development and Allocations Plan.</p> <p>SPD should be developed with stakeholder and public involvement and should be subject to appropriate consultation through its development and not simply adopted by the Council pursuant to the Development and Allocations Plan.</p> | | <p>connectivity to the wider environment;</p> <p>iii. creating and restoring habitat to provide corridors and stepping stones for wildlife; and</p> <p>v. securing future management arrangements.</p> | | |
| 22 | Swan, R. (Barton Willmore (on behalf of Ashdale Land)) | DM29 | <p>Site (south of Rotary Way, Gosforth) is washed over by a wildlife enhancement corridor. DM29 requires adequate mitigation where development would adversely affect a Wildlife Enhancement Corridor, and requires development to improve ecological connectivity and provide wildlife corridors and stepping stones.</p> <p>The site in the UDP, whilst being within Green Belt, was not covered by a Wildlife Corridor designation. The evidence used by the Council to assist in their proposed Development and Allocations Plan environmental designations does not show any clear or justified way why, having not been designated as a Wildlife Corridor in 1998, the Site now falls within and Wildlife Enhancement Corridor despite the further intensification of surrounding development since the UDP was adopted.</p> <p>The site is currently covered by UDP policy, EN3.4, which allocates land for the creation of Community Woodland. This is considered out of date when considering the NPPF and PPG. Considered that the Site's removal from the Green Belt as part of the Core Strategy and Urban Core Plan for future development purposes supersedes any limited weight attributed to UDP policy EN3.4, and should not form any basis for a proposed ecological designation as part of the Development and Allocations Plan.</p> <p>The Site does not appear to have been properly considered either in isolation or within a wider context, as part of the evidence base. Our own ecological work has found that there is no evidence of significantly protected species being present, and the site is of low</p> | Effective Consistent with national policy Positively prepared Justified | No comments made | <p>The Council considers the Wildlife Enhancement Corridor evidence to be acceptable and it is not necessary to amend the boundaries in relation to this site.</p> <p>Wildlife Corridors are covered in UDP Policies NC1.5 and NC1.6 and are delineated as diamonds on the Proposals Map. The diamonds indicate the general location of wildlife corridors. Policy NC1.5 is still applied to all sites that might affect a wildlife corridor.</p> <p>It is the position in the wildlife corridor that is of importance, not the actual quality of the site. The site should be thought of as a stepping stone within the ecological network, providing links with the Ouseburn corridor and Gosforth Park. Ecological assessments as part of development will assess the habitats and species on the site. The actual site may be of low ecological value, but the quality of habitat around the site is good. This would not stop development, but just require that any development would provide wildlife enhancements within the development site and retain important existing features such as hedgerows.</p> | None |

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| | | | <p>ecological value which lack any significant species diversity and has been, and still is, heavily managed agricultural land. The limited benefit the Site does possess is restricted to the mature trees to the south west corner and the hedgerow to the north and east, which is assessed to be species poor.</p> <p>There are significant barriers to ecology/biodiversity connectivity when considering the Site. The strategic highway of the A1 runs directly adjacent to the west, and Rotary Way (north) and the B1318 (east) are busy Primary and Secondary Distributary Roads respectively. As noted previously the land north of Rotary Way has now been fully developed for roadside commercial and employment and serves to provide an even greater barrier to the undeveloped land further north. These significant barriers will restrict the ability of the Site to assist in providing any interconnected habitat, and they currently contribute to the existing poor level of ecological benefit the Site currently possesses.</p> <p>CS18 of the Core Strategy and Urban Core Plan is perfectly acceptable and justifiable way to ensure that development of the Site does not have an adverse impact on biodiversity. Mitigation and enhancement can be provided and secured at the planning application stage. This is further reinforced by DM23, which requires development to protect trees and other soft landscaping of amenity value, and provide replacement planting where necessary.</p> <p>To apply a Wildlife Enhancement Corridor to the Site through the Development and Allocations Plan would provide an onerous burden and a significant constraint to a Site specifically removed from the Green Belt for the purposes of development. The lack of justification for the designation is evident through the evidence base when considering our own ecological survey work, and the washing over of the Site as a Wildlife Enhancement Corridor fails all four tests of soundness; we object.</p> | | | | |
| 32 | Taylor, R. (Newcastle University) | DM29 | A preliminary ecological appraisal has been undertaken. Have no immediate plans to develop the site (, but wishes it to be safeguarded for future sporting related uses or | Justified | Request that this designation is removed on the site and reinstated along the north-eastern boundary of the site | Wildlife Corridors are currently covered in UDP Policies NC1.5 and NC1.6 and are delineated as diamonds on the Proposals Map. The diamonds indicate the general | None |

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| | | <p>provision of buildings associated with the operations of the university.</p> <p>The report states that consultation with the Multi Agency Geographic Information for the Countryside website identified no statutory sites within 2km. The local records centre identified the presence of one Newcastle Local Wildlife Site (LWS), two Newcastle Sites of Local Conservation Interest (SLCI), one North Tyneside LWS and three North Tyneside SLCIs within 2km of the site. Notable species and numerous records of notable and common bird species were also provided.</p> <p>The initial appraisal states that the site is comprised primarily of amenity grassland, including a playing field, with semi improved grassland around the boundary and the playing field. There are a number of scattered trees within the site as well as immediately outside of the site boundaries. The amenity grassland within the site is considered to be of low ecological value. The coarse semi improved grassland margins are considered to be of at least local value, with a moderate species range recorded during the initial survey. The trees within the site are considered to be of local value.</p> <p>The site was considered likely to be of local value to bat species and further survey work is recommended. The site is considered to be of local value to bird species and further work is recommended. The value of the site is considered to be of low value to both badger and red squirrel due to its location.</p> <p>The potential for a breeding butterfly population to be present within the site is considered to be low and overall the value of the site is considered to be low to such species. Due to a lack of suitable habitats within the site, lack of suitable connectivity to suitable habitats within the local area and/or a lack of consultation records within 2km of the site, otter, water vole, white-clawed crayfish, great crested newt and reptile species are all considered likely to be absent. There is potential for hedgehog to be present on occasion.</p> | | <p>which forms the historic Waggon Way.</p> | <p>location of wildlife corridors. Policy NC1.5 is still applied to all sites that might affect a wildlife corridor.</p> <p>The Preliminary Ecological Appraisal assesses parts of the site as being of local ecological value, justifying its position within the Wildlife Enhancement Corridor. It should also be noted that Cochrane Park Site of Local Conservation Interest (SLCI) is adjacent to the western boundary of this site. However, the location of the site within the Wildlife Enhancement Corridor does not preclude development from coming forward on the site, subject to a grant of planning permission. However, development which would have an adverse effect on the biodiversity value or connectivity and function of the Wildlife Enhancement Corridor will only be permitted where adequate mitigation is secured, in line with Development and Allocations Plan policy DM29.</p> | |
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| | | | <p>The preliminary appraisal shows that the site does not have the significant potential to be of high value to local wildlife.</p> <p>The designation of the entirety of the site under DM29 does not reflect the findings of the ecological appraisal which is submitted alongside this representation, nor the original version of the Development and Allocations Plan. Since the revised version of the Development and Allocations Plan has been published, no additional justification has been provided to rationalise the allocation of the entirety of the site under DM29.</p> | | | | |
| 29 | Crawford, L. (Newcastle Great Park Consortium) | DM30 | <p>Across Newcastle are some large multi-phased sites with approved masterplans. The open space standards for these developments have already been agreed and take into account site specific circumstances e.g. ecology. It would be inappropriate to apply this policy retrospectively. DM30 should be revised to enable a more flexible approach which allows for site specific circumstances.</p> <p>Newcastle Open Space Assessment (2018) has not been updated to include the current open space provision at NGP.</p> <p>Considers that para 6.16.9 be revised to make it clear that open space changes could be made to improve existing provision rather than just addressing open space deficiencies.</p> | Justified Consistent with national policy | <p>Paragraph 6.16.5: <i>"The following standards will normally be used when assessing existing provision of open space in terms of quantity and access. <u>These standards do not apply to sites with planning permission or approved masterplans.</u>"</i></p> <p>Paragraph 6.16.9: <i>"The reconfiguration of land identified as open space can be an effective approach to addressing identified deficiencies. The change of use of one typology into another can help secure its future as part of re-provision and may provide windfall opportunities. For this reason consideration will be given to proposals that provide demonstrable improvements in the functional value, accessibility to and public use of open space through its reconfiguration. <u>If there is a deficiency of more than one typology in an area, any change of use does not necessarily have to be to the typology for which there is the greatest deficiency, instead it could be to the typology which improves current provision.</u> Proposals will need to be shown to form part of a deliverable, comprehensive development scheme where open space requirements have</i></p> | <p>Policy DM30 is for protection of existing open space and not the provision of new open space. New provision is dealt with separately by Policy DM31.</p> <p>The application of the open space standards is made on a case by case basis through the planning application process and depends on the nature of the proposal. The additional wording is not considered necessary and would apply to several policies in the Development and Allocations Plan.</p> <p>The open space as designated on the policies map shows open space above 0.15ha which are publicly accessible and therefore have a recreational value. It does not show 'proposed' open space (yet to be provided) or amenity (roadside) as it is considered that these spaces have limited recreation function, albeit, they have a visual and / or ecological value.</p> <p>The council does not consider revisions to paragraph 6.16.9 are necessary. This paragraph is about compensating for loss of open space and would require quantum of new open space.</p> | None |

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| | | | | | <i>been positively considered. This includes where development of open space is proposed where the standards are not met or would be infringed, the loss must be offset by the creation of, or financial contributions towards, an alternative site of at least equal size, accessibility and quality located within the same residential neighbourhood as the development site where possible or where this is not possible, the same ward as the development site.”</i> | | |
| 51 | Rook, V. | DM30 | Protecting open spaces is needed to ensure their existence in the urban area. This is for the health of the area in regard to the use for sport and other leisure practices and also to provide areas for walking and cycling. | Support | N/A | Comments of support noted. | None |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM30 | DM30 (point 1) is a misinterpretation of NPPF para 97. The Courts have held that the indents of para 97 deal with publicly accessible open space separately to opportunities for sports and recreation. The wording of 1iii is unlawful as it wrongly states that the need for sports and recreation facilities can outweigh the loss of other typologies of open space. The relevant statement in the NPPF relates only to the provision of new sports and recreation provision in the place of an existing or former sports and recreational facility. This part of the policy must be amended to be consistent with NPPF para 97. UDP Policy OS1.4 provides an effective and workable framework for consideration of proposals where open space is threatened. DM30 fails to do so, as currently drafted. | Consistent with national policy Effective Compliant with law | DM30 point 1 must be amended accordingly in order to be consistent with para. 97 of the NPPF. Suggested that DM30 is amended to reflect a similar wording to its predecessor, OS1.4, as point 1 of the policy; existing (and amended) point 1 would then be point 2, existing point 2 should be deleted but included in a supporting paragraph. | Proposed modification to align with national planning policy. | Add mod |
| 44 | McGuire, D. (Sport England) | DM30 | Policy’s scope just covers open space, yet it is clear from the opening sentence that the policy’s scope also extends to sports, recreational buildings, and land, including playing fields. The reasoned justification should make it clear that judgements as to whether playing fields and sports buildings (and land) are surplus should be taken based on assessments of adequacy contained within the Plan for Playing Pitches, and Plan for Built Facilities. | Effective | No comments made | Proposed modification agreed with Sport England to revise the Policy title to include Sport and Recreational Buildings. The supporting text has also been revised to clarify that decisions as to whether playing field and sports buildings (and land) are surplus should be taken based on assessments of adequacy contained within the Plan for Playing Pitches, and Plan for Built Facilities. This approach has already been used for the supporting text for Policy DM31 for new provision. | Policy DM30 – Protecting Open Space, Sport and Recreational Buildings The Parks and Recreational ground standard should form the starting point for discussions regarding proposals which affect playing fields in addition to the information in t The council’s Plan for Playing Pitches 2015-30 includes an audit of the city’s |

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| | | | | | | | <p>outdoor sports provision and identifies areas of the city where there is a shortfall of sports pitches. Investment in facilities in required in terms of quantity and quality to meet population need. The council's Plan for Playing Pitches and Plan for Built Facilities will be used to help the assessment of planning applications which affect playing fields and built facilities and inform applications of their requirements to provide or fund playing pitches or new facilities.</p> |
| 53 | Mo, L. (Environment Agency) | DM30 | Broadly supportive of this policy and encourage development where multi-use open space is considered. Many features incorporated for open spaces can provide space for SuDS, wellbeing, sports and play for children. | No comments made | N/A | Comments noted. | None |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM30 | <p>Requests the policy is reworded to enable a more flexible approach to open space standards. Considers it would be inappropriate to use policies, adopted after masterplans have been agreed, to retrofit open space standards to these sites.</p> <p>Considers para 6.16.9 be amended to clarify that a change of use of one typology to another does not necessarily be to the typology where is the greatest deficiency.</p> | Justified Consistent with national policy | <p>Paragraph 6.16.5 <i>"The following standards will normally be used when assessing existing provision of open space in terms of quantity and access. <u>These standards do not apply to sites with planning permission or approved masterplans.</u>"</i></p> <p>Paragraph 6.16.9 <i>"The reconfiguration of land identified as open space can be an effective approach to addressing identified deficiencies. The change of use of one typology into another can help secure its future as part of re-provision and may provide windfall opportunities. For this reason consideration will be given to proposals that provide demonstrable improvements in the functional value, accessibility to and public use of open space through its reconfiguration. <u>If there is a deficiency of more than one</u></i></p> | <p>Policy DM30 is for protection of existing open space and not the provision of new open space. New provision is dealt with separately by Policy DM31.</p> <p>The application of the open space standards is made on a case by case basis through the planning application process and depends on the nature of the proposal. The additional wording is not considered necessary and would apply to several policies in the Development and Allocations Plan.</p> <p>The council does not consider revisions to paragraph 6.16.9 are necessary. This paragraph is about compensating for loss of open space and would require quantum of new open space.</p> | None |

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| | | | | | <i>typology in an area, any change of use does not necessarily have to be to the typology for which there is the greatest deficiency, instead it could be to a typology which improves current provision. Proposals will need to be shown to form part of a deliverable, comprehensive development scheme where open space requirements have been positively considered. This includes where development of open space is proposed where the standards are not met or would be infringed, the loss must be offset by the creation of, or financial contributions towards, an alternative site of at least equal size, accessibility and quality located within the same residential neighbourhood as the development site where possible or where this is not possible, the same ward as the development site.</i> | | |
| 22 | Swan, R. (Barton Willmore (on behalf of Ashdale Land)) | DM30 | <p>Welcome and support that land south of Rotary Way, Gosforth is not covered by DM30.</p> <p>Highlights the inconsistency the Council are showing by washing over the site with a Wildlife Enhancement Corridor without consideration of the facts.</p> | Support | N/A | <p>This site has not been designated as open space as the site is a private, fenced off site and is not publicly available as open space. Open Space is defined in national planning guidance and the Development and Allocations Plan as 'all land used of public value, which offer important opportunities for sport and recreation and can act as a visual amenity'.</p> <p>Although this site is not considered to be open space, this does not preclude the site from being identified as a wildlife enhancement corridor.</p> | None |
| 32 | Taylor, R. (Newcastle University) | DM30 | <p>Following the proposed enhancements to Cochrane Park sports ground the site at Red Hall Drive may become surplus to operational requirements. The University would like this land to be considered by the Council for future sporting related uses and buildings associated with the operations of Newcastle University. A supporting document has been prepared to justify the deallocation of this site.</p> | Justified | <p>Recommended that the site at Red Hall Drive is deallocated as open space and shown as white land in the forthcoming Development and Allocations Plan.</p> | <p>The site has been mapped based on its current use, and although infrequently used by the University, there are still playing pitches on this site. The site has been identified as Outdoor Sport (Private) in the Open Space Assessment (2018). Both the Open Space Assessment and the Council's Plan for Playing Pitches identifies that this area of the city has a shortfall in Park and Recreation space and pitches. If this space was made available for public use, the site in theory, could contribute to remedying</p> | None |

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| | | | | | | <p>local deficiencies in park and recreation against the quantitative standards.</p> <p>In addition, Sport England have confirmed that the investment at Cochrane Park would not comply with their playing field policy and would not allow for the disposal of this site. In addition, the demolition of Henderson Hall to provide the opportunity for a new pitch would not fully compensate for the loss of pitches at Red Hall Drive.</p> <p>The Open Space Assessment prepared by Cundall does not fully consider the quantity and access standards for all the different typologies of open space for which the Manor Park ward has significant deficiencies against the proposed Development and Allocations Plan standards including allotments, amenity green space, park and recreation grounds and youth play space. In addition, the Plan for Playing Pitches referenced in Cundall's assessment is not the most up to date document.</p> | |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM30 Map | <p>Policies map must include Cell C3 of NGP as designated open space. This is a significant tract of land identified as enhancement to compensate for the NGP development, and allocated as such in the UDP. The developer is legally bound to implement landscaping works on this site in accordance with triggers in the s106 legal agreements. The relevant clauses of the s106 require public access to Cell C3 in perpetuity for the benefits of the community.</p> <p>There is no justification for the removal of the open space allocation for the site and it must be reinstated. the Council has failed to enforce the relevant trigger for the completion of the landscaping scheme for the site. Submitting a complaint to the Local Government Ombudsman in relation to the Council's failure to monitor and enforce the relevant s106 agreements not only in relation to Cell C3 but with regard to a number of other areas of proposed landscaping and open space.</p> | Consistent with national policy Effective Compliant with law | The policies map must include Cell C3 of the Newcastle Great Park (NGP) as designated open space. | <p>The open space as designated on the Policies Map shows open space above 0.15ha which are publicly accessible and therefore have a recreational value. It does not show 'proposed' open space yet to be implemented. Only the western half of NGP Cell C3 will have public access (yet to be complete). The eastern half of Cell C3 will be ecological only as part of the mitigation strategy for NGP.</p> <p>This area was not allocated as open space in the UDP. It was allocated as Community Woodland and Green Belt.</p> | None |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM30 Table | Consider the proposed standards for existing open space are far too low and that the requirements would be ineffective unless further guidance is given in the Development and Allocations Plan on the correct way to apply standards. Accompanying text must | Consistent with national policy Effective Compliant with law | | <p>The open space standards are considered to be sound.</p> <p>the Council agree that open space provision should not be 'double-counted' and the Open Space Assessment prepared to inform</p> | None |

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| | | | <p>make it clear that the standards must not be 'double-counted'. For eg, in calculating any existing local community's Amenity Green Space provision, any play equipment within this space must be excluded from that calculation and counted separately in relation to the play space standards.</p> <p>Plan should include additional text to explain that the local provision must be assessed by reference to the relevant walking distance as set out at Table 1. Recent contentious planning applications to build on existing open space have included an assessment based on provision in the Ward as a whole, which is misrepresentative of provision in a local area due to walking distances well in excess of Development and Allocations Plan standards.</p> | | | <p>the Development and Allocations Plan sets this out in para. 2.3.2 of the Open Space Assessment, open spaces have been mapped into their different typologies using a multi-functional approach to mapping. The advantage of the multi-functional approach is that it gives a much more accurate picture of the provision of open space. The supporting text is considered to be appropriately worded.</p> <p>The Accessibility standards are part of the open space standards as set out in Table 1 and referenced in the Policy, no additional text is considered necessary.</p> | |
| 29 | Crawford, L. (Newcastle Great Park Consortium) | DM31 | <p>Considers that the open space standards in Table 3 are overly restrictive. Do not consider that it would be appropriate for the Development and Allocations Plan to retrospectively impose standards on strategic sites that already have outline permissions with approved masterplans. Not considered that the policy should be applied as a rigid formula, as there are always exceptions which could relate to site specific circumstances such as for ecological reasons. Request that the policy is revised to allow a more flexible approach.</p> | <p>Justified Consistent with national policy</p> | <p>Policy DM31: <i>"New Residential development will be required to contribute to the provision of new open space, enhancements to existing open space and maintenance to meet the Council's open space standards as set out in Table 3, <u>unless an alternative approach is justified and agreed with the Council as a result of site specific circumstances.</u>"</i></p> <p>Paragraph 6.17.3: <i>"New development will be required to provide open space either on-site or make a contribution to improve existing facilities off-site. The requirements for open space will be assessed on the type and size of development and on the existing quantity and access to open space within the local area. Where on-site provision is required, this will be <u>normally be provided in line with the quantity standards for new provision as set out in Table 3. However, there could be exceptions where a variation from these standards is agreed with the Council due to site specific circumstances.</u> Any alternative approach will</i></p> | <p>The open space standards and approach are considered to be sound.</p> <p>Paragraph 6.17.3 requires new development to provide open space either on-site or make a contribution to improve existing facilities off-site. The supporting text for Policy DM31 makes it clear at paragraph 6.17.5 and 6.17.6 the factors to be considered when deciding whether to provide open space on-site or off-site. Therefore, the proposed modifications for Policy DM31 and the supporting text are not considered necessary.</p> <p>the Council agree that open space policies cannot be applied retrospectively to development which already has planning permission where open space provision has been approved. However, this could apply to several policies in the Development and Allocations Plan and it is not considered necessary to add this wording.</p> | None |

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| | | | | <p><i>need to be justified. Where off-site provision is required, a financial contribution will be sought to improve existing local facilities in line with the Council's priorities set out within the Open Space Assessment, Plan for Playing Pitches13, Planning Obligations SPD14 and in a Green Infrastructure Delivery Framework. The majority of types of housing will be considered eligible for making contributions towards open space to meet the needs of future occupants. Exceptions to this include housing for older persons and student accommodation which will not be required to provide play space."</i></p> <p>Paragraph 6.17.6: <i>"For new development the standards will indicate overall requirements; the precise type, form and location being determined by local circumstances and evidence and guided where appropriate by a masterplan or brief. Table 3 sets out the quantity and accessibility standards. <u>These standards do not apply to sites with planning permission or approved masterplans.</u>"</i></p> <p>Paragraph 6.17.7: <i>"The Open Space Assessment sets out quality standards for the different typologies of open space. Developers providing open space on-site will be required to consult these standards and ensure that any on-site facilities are provided in line with this guidance, <u>unless an alternative approach is justified due to site specific reasons, such as ecology.</u> Developers will be required to submit design proposals for on-site open space as part of the</i></p> | |
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| | | | | | <i>planning application. A management plan for the open space will also need to be submitted and approved as part of a planning obligation.”</i> | | |
| 44 | McGuire, D. (Sport England) | DM31 | Note the policy title but can find no reference to the provision of recreational buildings within the policy or its explanatory text. Sport England’s work with the Council around built sports facilities suggested the need for qualitative improvements to be carried out to facilities that would serve the major growth planned for the outer west and north of the city, and this has been reflected in the adopted CIL mechanism. | No comments made | Perhaps the title of the policy should simply read Provision of Open Space, Sports and Recreational Facilities. | Proposed modifications have been agreed with Sport England. The supporting text has been revised to include reference to the provision of sports and recreational buildings and to clarify the relationship between the policy and supporting documents. | The Parks and Recreational ground standard should form the starting point for discussions regarding proposals which affect playing fields in addition to the information in t The council’s Plan for Playing Pitches 2015-30 includes an audit of the city’s outdoor sports provision and identifies areas of the city where there is a shortfall of sports pitches. Investment in facilities is required in terms of quantity and quality to meet population need. The council’s Plan for Playing Pitches and Plan for Built Facilities will be used to help the assessment of planning applications which affect playing fields and built facilities and inform applicants of their requirements to provide or fund playing pitches or new facilities. |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM31 | Consider open standards in Table 3 overly restrictive. Policy should not be applied as a rigid formula. Requested the policy is reworded to enable a more flexible approach. Strongly recommends the Council considers viability before applying this policy. Viability is a key concern, it is not clear whether this policy has been viability tested and we strongly recommend that the Council considers viability before applying this policy | Justified Consistent with national policy | Policy DM31 <i>“New residential development will be required to contribute to the provision of new open space, enhancements to existing open space and maintenance to meet the Council’s open space standards as set out in Table 3, <u>unless an alternative approach is justified and agreed with the Council as</u></i> | The open space standards and approach are considered to be sound. Policy DM31 has been viability tested and consider current wording is justified and consistent with national policy. Open space standards are discussed in section 7.2 of the Viability and Deliverability Report (2018). The Development and Allocations Plan (para. 4.1.9) and supporting Viability and Deliverability Report (2018) evidence | |

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| | | | <p>or includes text advising that the application of the standards is subject to viability.</p> | <p><u>a result of site specific circumstances.</u></p> <p>Paragraph 6.17.3 <i>“New development will be required to provide open space either on-site or make a contribution to improve existing facilities off-site, <u>subject to viability</u>. The requirements for open space will be assessed on the type and size of development and on the existing quantity and access to open space within the local area. Where on-site provision is required, this will be <u>normally be provided in line with the quantity standards for new provision as set out in Table 3. However, there could be exceptions where a variation from these standards is agreed with the Council due to site specific circumstances. Any alternative approach will need to be justified</u>. Where off-site provision is required, a financial contribution will be sought to improve existing local facilities in line with the Council’s priorities set out within the Open Space Assessment, Plan for Playing Pitches13, Planning Obligations SPD14 and in a Green Infrastructure Delivery Framework. The majority of types of housing will be considered eligible for making contributions towards open space to meet the needs of future occupants. Exceptions to this include housing for older persons and student accommodation which will not be required to provide play space.”</i></p> <p>Paragraph 6.17.6 <i>“For new development the standards will indicate overall requirements; the precise type, form and location being determined by local</i></p> | <p>recognises the delivery of homes in parts of the city remains challenging, however, the revised NPPF and PPG states the role for viability assessment is primarily at the plan making stage. It is for the applicant to demonstrate whether circumstances justify the need for a viability assessment at the application stage (PPG 10-007-20180724).</p> <p>Paragraph 6.17.3 requires new development to provide open space either on-site or make a contribution to improve existing facilities off-site. The supporting text for Policy DM31 makes it clear at paragraph 6.17.5 and 6.17.6 the factors to be considered when deciding whether to provide open space on-site or off-site. Therefore, the proposed modifications for Policy DM31 and the supporting text are not considered necessary.</p> <p>the Council agree that open space policies cannot be applied retrospectively to development which already has planning permission where open space provision has been approved. However, this could apply to several policies in the Development and Allocations Plan and it is not considered necessary to add this wording.</p> | |
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| | | | | | <p><i>circumstances and evidence and guided where appropriate by a masterplan or brief. Table 3 sets out the quantity and accessibility standards. <u>These standards do not apply to sites with planning permission or approved masterplans.</u></i></p> <p>Paragraph 6.17.7 <i>“The Open Space Assessment sets out quality standards for the different typologies of open space. Developers providing open space on-site will be required to consult these standards and ensure that any on-site facilities are provided in line with this guidance, <u>unless an alternative approach is justified due to site specific reasons, such as ecology.</u> Developers will be required to submit design proposals for on-site open space as part of the planning application. A management plan for the open space will also need to be submitted and approved as part of a planning obligation.”</i></p> | |
| 45 | Newsome, R. (Story Homes) | DM31 | <p>Para 6.17.7 states that developers will be required to submit proposals for on-site open space. Considers that this does not specify what level of detail is required pursuant to what type of planning application. It would not be reasonable to request detailed information as part of an outline application. The paragraph is not considered effective or justified.</p> <p>Not clear whether a management plan would be required as part of the planning application or S106 agreement.</p> <p>Flexibility is needed to allow for landscape details and management to be allowed through planning conditions rather than legal agreements.</p> | Justified Effective | No comments made | <p>The provision of on-site open space will need to be identified and quantified as part of both an outline and detailed planning application, for the various open space typologies. National Planning Practice Guidance sets out in paragraph 34 that “information about the proposed use or uses, and the amount of development proposed for each use, is necessary to allow consideration of an outline application”. It is therefore reasonable to require information about open space provision as part of an outline application.</p> <p>The long-term management of identified areas of open space will be secured through a planning obligation, as the requirement will need to be secured for successors in title and over the life time of the development. This requirement could not be secured by means of a planning condition. It therefore meets the tests set out in paragraph 56 of the NPPF being necessary to make the</p> |

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| | | | | | | development acceptable, directly related to the development and fair and reasonable related in scale and kind to the development. | |
| 42 | Locke, R. (Save Newcastle Wildlife) | DM31 Table | Standards for the provision of new open space are far too low. Concerned that the requirements would be ineffective unless further guidance is given in the Development and Allocations Plan on the correct way to apply the standards. In assessing overall requirements on the basis of 'good access' to any existing provision in the local area, this must be based on the correct walking distances to other facilities rather than wider provision in the relevant ward as a whole. Accompanying text must make it clear that the standards must not be 'double-counted'. Development and Allocations Plan must make it clear all open space typologies should be planned as an integral part of the development at the outline stage of major schemes, so that housing capacity can be properly assessed without impinging on overall open space and ecological requirements. | Consistent with national policy Effective Compliant with law | The Development and Allocations Plan should include additional text in the accompanying para. to table 3 make it clear all open space typologies should be planned as an integral part of the development at the outline stage of major schemes, in order to provide an effective policy framework. | The open space standards and approach are considered to be sound. The Accessibility standards are part of the open space standards as set out in Table 3 and referenced in the Policy, no additional text is considered necessary. The Supporting text for Policy DM31 makes it clear that for new development the standards will indicate overall requirements; the precise type, form and location being determined by local circumstances. It is considered that this is sufficient wording. | None |
| 50 | Whittle, C. (Tyne & Wear Passenger Transport Executive (Nexus)) | DM32 | Submitted in relation to land adjoining Premier Inn / Prestwick Terrace. As part of the current Plan preparation process, the site should be removed from the Green Belt. Whilst FAQ question 5 records that it is not proposed to alter the Green Belt through the Development and Allocations Plan, para. 200 of The Inspector's report following the Examination of the Core Strategy and Urban Core Plan states; "Because the Council is preparing its Local Plan in two stages, it should consider whether very minor Green Belt adjustments to sites such as this are warranted at the next stage of plan preparation". Minor amendments to Green Belt boundaries can be made as part of the Development and Allocations Plan, it being the second stage in the preparation of the Plan. In support of this it is material that Gateshead Council in their Making Spaces and Growing Places Draft Plan (October 2018) are proposing minor changes to Green Belt boundaries. NPPF para 136 states that once established, Green Belt boundaries should only be altered in exceptional circumstances, through the | Support with minor changes | To be sound a change should be made to the Proposals Map to remove the land adjoining the Premier Inn/Prestwick Terrace subject of these representations from the Green Belt. | The Core Strategy and Urban Core Plan outlined the strategic policies for Newcastle to 2030. Policy CS19 of the Core Strategy revises the boundary of the Tyne and Wear Green Belt around Newcastle. The land included within the revised Green Belt boundary continues to be protected in accordance with Policy CS19 and national planning policy on Green Belt land. The land south of Prestwick Terrace is an open, predominantly grassed area with regenerating scrub landscaping, west of the B6918 (Ponteland Road). It is open in character. It includes along its western edge the former track-bed of the rail line to Ponteland. This landscaped space fulfils the role of Green Belt land, as set out paragraph 139 of the NPPF and Policy CS19 of the CS. It is necessary to keep this area permanently open from development and the Green belt boundary should not need to be altered at the end of the plan period. The boundary is clearly defined by the B6918 to the east and Prestwick Terrace to the north. The NPPF sets out in paragraph 136 that "once established, Green Belt boundaries | None |

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| | | | <p>preparation and review of the Local Plan. Significant changes were made to the extent of the Green Belt as part of Core Strategy and Urban Core Plan. Minor changes, such as the removal of the site subject of these representations from the Green Belt, are to be made in this Plan.</p> <p>NPPF para 138 states that when reviewing Green Belt boundaries, a process which is happening as part of the comprehensive replacement of the UDP, local planning authorities should take account of the need to promote sustainable patterns of development. In this respect this site is closely related to the Newcastle International Airport and the Newcastle International Airport Key Employment Area. The adjoining Premier Inn and its car park have clearly been subject of development in recent years.</p> <p>NPPF para 139 states that when defining boundaries, they should be defined clearly using physical features that are readily recognisable and likely to be permanent. These include for example Ponteland Road/B6918, the A696, the Metro line and the tree belt to the south of the Premier Inn car park.</p> | | | <p>should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Strategic polices 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”.</p> <p>No exceptional circumstances have been identified to justify changes to the Green Belt boundary, as required by paragraph 137 of the NPPF.</p> | |
| 11 | Adsley, C. (CPRE Northumberland) | DM33 | Reference in DM33 Clause 1(v) to avoiding unacceptable impact on "best and most versatile agricultural land" reflects a national standard not appropriate for the NE where there is little agricultural land of this class. | Justified | DM33 Clause 1(v) should be re-scaled to reflect the need to protect the best qualities of agricultural land that the North East actually has. | Best and most versatile agricultural land is defined in the NPPF as land in grades 1, 2 and 3a of the Agricultural Land Classification. The NPPF only states that “planning policies and decisions should contribute to and enhance the natural and local environment by... recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land” (para 170), and any approach that goes above and beyond the NPPF would need to be justified. | None |
| 30 | Ford, A. (Newcastle Green Party) | DM33 | DM33, as written, is not consistent with Core Strategy and Urban Core Plan objective SO11, or in line with UK Climate Change Act (2008). Given the legal requirement of the UK to reduce its greenhouse gas emissions by 80% by 2050, any extraction of fossil fuels in Newcastle that intend to be burnt without carbon capture and storage will be | Consistent with national policy Effective | If national policy constraints mean that fossil fuel extraction must be allowed, we propose to add an additional clause to DM33 to state that: <ul style="list-style-type: none"> All proposals would be required to carry out an EIA as part of the application | In line with national planning practice guidance, proposals for minerals extraction will be required to carry out an EIA as part of the planning process at application stage if it is likely to have a significant effect on the environment. <p>Requiring applicants to demonstrate that hydrocarbon exploration and extraction will</p> | None |

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| | | | endangering achievement of that binding target. | | <ul style="list-style-type: none"> All planning applications for hydrocarbon exploration and extraction will be required to demonstrate that their activities and operations will have no net detrimental effect on climate change. | have no net detrimental effect on climate change is outside the scope of planning policy, and national guidance states that secondary impacts of minerals extraction cannot be accounted for or assessed as part of a potential application. | |
| 47 | Provan, S. (Banks Group) | DM33 | <p>DM33 is not positively worded or prepared. There is no scope within the policy as worded to acknowledge the great weight which NPPF para. 205 expects should be given to the benefits of mineral extraction. In relation to surface mining of coal, there is no means to acknowledge and place in the balance, the national, local or community benefits to which NPPF para. 211 expects planning determinations to have particular regard to.</p> <p>The policy test for all mineral development focusses entirely on requiring developments to avoid having unacceptable effects across a range of subject headings. The nature of quarrying and mining minerals is that it will generally involve significant engineering operations. Expectation in the policy that such effects can be eliminated is fanciful. Reference in the policy to effects being mitigated such that there are no "unacceptable adverse effects", while welcome, introduces uncertainty as what is meant by an unacceptable level of effect. Would benefit from a reference to PPG.</p> <p>DM33 remains negatively worded as drafted and should include provision for considering and balancing the benefits, social, economic and environmental, from the winning and working of essential minerals.</p> | Positively prepared | <p>Suggest the following additional wording:</p> <p>When determining proposals for minerals extraction, great weight will be given to the benefits of minerals extraction.</p> <p>In assessing the benefits of individual proposals for minerals extraction, the following matters will also be considered</p> <ol style="list-style-type: none"> The economic benefits of the proposal both nationally and locally, including contribution to the wider economy and the maintenance of employment and the creation of new employment opportunities; The contribution the extraction of the mineral will make to a steady and adequate supply of that material both locally and nationally; Environmental enhancements, including those delivered through the restoration of the site following extraction and the after-use of the site and outside of the operational area; The avoidance of a mineral resource being sterilised by non-mineral development; | <p>Core Strategy and Urban Core Plan policy CS20 states that proposals for non-energy mineral development will be "assessed individually and cumulatively, in terms of their contribution to national and regional guidelines, and the social, environmental and economic impacts arising". As such, it is considered that this is addressed in the Local Plan Part 1, with no need to repeat here. In addition, policy CS20 states that energy mineral development proposals will be "determined in accordance with national policy", and it is inappropriate to repeat this policy within the Part 2 Local Plan. This ensures that the NPPF will be taken into account when considering minerals applications, including that "great weight should be given to the benefits of mineral extraction, including to the economy" (para 205). The extraction of coal does not apply here and will be assessed in accordance with paragraph 211 of the NPPF.</p> <p>Policy DM33 does not expect the negative effects of quarrying and mining operations to be eliminated in all circumstances, and is worded such that "impacts that would cause demonstrable harm to the natural and historic environment or human health" should "be eliminated or acceptably mitigated [emphasis added]".</p> <p>The policy is considered to be positively worded as it is considered to be in line with the stance taken towards minerals extraction in the NPPF, and the policy states that applications will be supported once demonstrable harm to the natural and historic environment or human health is either eliminated or mitigated acceptably.</p> <p>Reference to an "unacceptable adverse impact" is considered valid terminology as this is in accordance with the NPPF and it is for applicants to demonstrate what these impacts may be. Regarding a request for a</p> | None |

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| | | | | | | reference within the policy to the online NPPG, any potential applications will be assessed against all national policy documents and practice guidance, and it is inappropriate to repeat these within the supporting text. Part 7.1.2 states that “any proposals for minerals extraction would need to comply with Policy DM33, Core Strategy and Urban Core Plan Policy CS20 together with relevant policies in the Core Strategy and Urban Core Plan, the Development and Allocations Plan and national planning guidance”. | |
| 34 | Johnston, P. (ynety Council) | DM34 | Support the coal area of search which borders Northumberland. | No comments made | N/A | Comments and support noted. | None |
| 3 | Oldroyd, O. (Banks Mining) | DM34 | Support and welcome the inclusion of Land at Dewley Hill as an area of search for mineral extraction. Correct to state that the site covers an area of approximately 110 hectares (although it is in fact 112 hectares). The evidence base identifies the site as 50 hectares. | Support | Amend DM34 evidence base figure for Dewley Hill site area from 50 hectares to 110 hectares to be consistent with the 2015-2030 Pre-Submission Plan document. | Evidence document 'Policy DM34- Minerals Area of Search' updated to reflect the correct figure | None |
| 3 | Oldroyd, O. (Banks Mining) | DM34 | Allocation of Dewley Hill as an area of search for mineral extraction will be hugely beneficial to the brick making industry and subsequently, the housebuilding industry. There is an extensive resource of fireclay on the site, estimate to be around 400,000 tonnes which can be supplied to a local brickworks. Allocation should be welcomed in ensuring housing need is met in an attempt to fix the UK housing market. | Support | No comments made | Comments and support noted. | None |
| 3 | Oldroyd, O. (Banks Mining) | DM34 | Area of Search contains approximately 800,000 tonnes of coal, a mineral resource of national and local importance in the NPPF. Mineral developments are restricted to the location of the resource. In a city with limited reserves it is an obvious allocation for extraction. Anticipated that the chemical make-up of the coal is of such a high quality that it will be used for non-electricity generating purposes and be supplied to the steel industry and cement works; two industries that are critical to development and innovation. The mean average of coal used in the UK for industrial purposes is around 9 million tonnes per annum. The finite nature of coal means that the extraction will be of vital importance in supporting these industries, both on a national | Support | No comments made | Comments and support noted. | None |

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| | | | and a local scale, providing the economic sustainability that is advocated in the NPPF. There is a demonstrably strong market for coal. If the mineral cannot be sourced from the UK, then it will be imported; and this is neither economically nor environmentally sustainable. | | | | |
| 11 | Adsley, C. (CPRE Northumberland) | DM36 | DM36 Clause 2 is ineffective. Demonstrating how something happens does not guarantee that it actually does happen. | Effective | Clause 2 should be re-written as: 2. Major development will be required to demonstrate that it supplies digital infrastructure to access electronic communications networks. | Consider wording is justified. | None |
| 21 | Harding, J. (Home Builders Federation) | DM36 | Inclusion of digital infrastructure such as high-speed broadband and fibre is not within the direct control of the development industry, and this policy could create deliverability issues for development and developers. Service providers are the only ones who can confirm access to infrastructure. NPPF para 112 establishes that local planning authorities should seek support the expansion of electronic communications networks but does not seek to prevent development that does not have access to such networks. In seeking to provide broadband the Council should work proactively with digital infrastructure providers to extend provision and not rely on the development industry to provide for such infrastructure. | Justified Consistent with national policy | No comments made | the Council acknowledges that connection to electronic communications networks is not within the direct control of the development industry, and the policy does not seek to prevent development that does not have access to such networks. It is the responsibility of developers to provide infrastructure within the development's site boundary. Minor amendment to supporting text to explain that developers should provide digital infrastructure within their site. Amend Glossary definitions (keep current as 'Telecommunications Infrastructure' and include new 'Digital Infrastructure' definition). | The council will expect development to be supported by the latest digital infrastructure and encourages early discussions with operators. Major developments will be expected to demonstrate how it supplies digital infrastructure to access electronic communications networks within the site boundary. <u>Glossary</u> Telecommunications and Digital Infrastructure Digital Infrastructure – Physical infrastructure intended to host elements of, or enable delivery of, electronic communications networks. |
| 46 | Newsome, L. (Lichfields (on behalf of Taylor Wimpey North East)) | DM36 | Consider that subpoint 2, in particular, could be obstructive to housing delivery. Committed to providing new residents with digital infrastructure such as high-speed broadband and fibre however this is not within their direct control. Where service providers are unable to deliver this infrastructure, development should not be restricted for this reason. | Justified Consistent with national policy | 2. <u>Where feasible, Major</u> development will be required to demonstrate how it supplies digital infrastructure to access electronic communications networks. | the Council acknowledges that connection to electronic communications networks is not within the direct control of the development industry, and the policy does not seek to prevent development that does not have access to such networks. It is the responsibility of developers to provide infrastructure within the development's site boundary. Minor amendment to supporting text to explain that developers should provide digital infrastructure within their site. | The council will expect development to be supported by the latest digital infrastructure and encourages early discussions with operators. Major developments will be expected to demonstrate how it supplies digital infrastructure to access electronic communications networks within the site boundary. |

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| | | | | | | Amend Glossary definitions (keep current as 'Telecommunications Infrastructure' and include new 'Digital Infrastructure' definition). | <u>Glossary</u> Telecommunications and Digital Infrastructure Digital Infrastructure – Physical infrastructure intended to host elements of, or enable delivery of, electronic communications networks. |
| 45 | Newsome, R. (Story Homes) | DM36 | <p>Requirement at part 2 of DM36 is not effective or justified.</p> <p>The ability to provide such infrastructure, including high speed broadband and fibre, does not lie within our control as a developer only with the service providers.</p> <p>The Policy will result in deliverability issues if access is not possible due to issues outside the developers control.</p> <p>Part 2 of DM36 should be amended to reflect the provisions of NPPF para 112 which establishes that local planning authorities should seek to support the expansion of electronic communications networks. This will encourage developers to work with digital infrastructure providers to extend provision and networks to ensure that the Policy is sound.</p> | Justified Effective | <p>The amended wording would be as follows: 2. Major development will be required to demonstrate how it supplies encouraged to work with infrastructure providers to promote the expansion of digital infrastructure to access electronic communications networks.</p> <p>For continuity, we would also recommend that the wording of para. 8.1.5 is amended: 8.1.5 Digital technology will help deliver social and economic growth and plays a vital role in the provision of local community facilities and services. the Council will expect encourage development to be supported by the latest digital infrastructure wherever possible and encourages early discussions with operators.</p> | <p>the Council acknowledges that connection to electronic communications networks is not within the direct control of the development industry, and the policy does not seek to prevent development that does not have access to such networks. It is the responsibility of developers to provide infrastructure within the development's site boundary.</p> <p>Minor amendment to supporting text to explain that developers should provide digital infrastructure within their site.</p> <p>Amend Glossary definitions (keep current as 'Telecommunications Infrastructure' and include new 'Digital Infrastructure' definition).</p> | <p>The council will expect development to be supported by the latest digital infrastructure and encourages early discussions with operators. Major developments will be expected to demonstrate how it supplies digital infrastructure to access electronic communications networks within the site boundary.</p> <p><u>Glossary</u> Telecommunications and Digital Infrastructure Digital Infrastructure – Physical infrastructure intended to host elements of, or enable delivery of, electronic communications networks.</p> |
| 51 | Rook, V. | DM36 | The need to ensure this policy is promote is growing. Vital to ensure sure infrastructure will be done with little inconvenience to the general public and their knowledge and agreement. And to ensure sectors of the population are given information. | Support | N/A | Comments noted. The general public are kept informed about potential development as part of the planning process. | None |
| 5 | Ward, A. (Barratt David Wilson Homes North East) | DM36 | <p>The Written Ministerial Statement 2015 is clear that local planning authorities should not set in their emerging Local Plan any additional local technical standards or requirements relating to the construction, internal layout or performance of any new dwellings, as these issues will be dealt with more appropriately by Building Regulations.</p> <p>Not considered appropriate to seek additional local technical standards over and above Part R of the Building Regulations.</p> | Justified Consistent with law Consistent with national policy Positively prepared Effective | No comments made | <p>the Council acknowledges that connection to electronic communications networks is not within the direct control of the development industry, and the policy does not seek to prevent development that does not have access to such networks. It is the responsibility of developers to provide infrastructure within the development's site boundary.</p> <p>Policy DM36 does not seek any local technical standards for electronic</p> | <p>The council will expect development to be supported by the latest digital infrastructure and encourages early discussions with operators. Major developments will be expected to demonstrate how it supplies digital infrastructure to access electronic communications</p> |

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| | | | <p>Inclusion of digital infrastructure is not within the direct control of BDW, as such this policy could create deliverability issues and impact upon Durham achieving its housing requirement. NPPF para 43-46 establishes that councils should seek to support the expansion of electronic communication networks, however does not seek to prevent development that does not have access to such networks.</p> <p>the Council should work proactively with telecommunications providers to extend provisions and ensure sites identified and allocated are adequately linked to the networks.</p> | | | <p>communication networks over and above those referenced in Part R of Building Regulations 2010.</p> <p>Minor amendment to supporting text to explain that developers should provide digital infrastructure within their site.</p> <p>Amend Glossary definitions (keep current as 'Telecommunications Infrastructure' and include new 'Digital Infrastructure' definition).</p> | <p>networks within the site boundary.</p> <p><u>Glossary</u> Telecommunications and Digital Infrastructure</p> <p>Digital Infrastructure – Physical infrastructure intended to host elements of, or enable delivery of, electronic communications networks.</p> |
| 6 | Westwick, N. (Bellway) | DM36 | <p>Subpoint 2, in particular, could be obstructive to housing delivery. Committed to providing new residents with digital infrastructure such as high-speed broadband and fibre however this is not within their direct control. Where service providers are unable to deliver this infrastructure, development should not be restricted for this reason.</p> | Justified Consistent with national policy | <p>We request the following revision to Policy DM36 (sub point 2) to ensure the policy is effective: 2. <u>Where feasible, Major</u> development will be required to demonstrate how it supplies digital infrastructure to access electronic communications networks.</p> | <p>the Council acknowledges that connection to electronic communications networks is not within the direct control of the development industry, and the policy does not seek to prevent development that does not have access to such networks. It is the responsibility of developers to provide infrastructure within the development's site boundary.</p> <p>Minor amendment to supporting text to explain that developers should provide digital infrastructure within their site.</p> <p>Amend Glossary definitions (keep current as 'Telecommunications Infrastructure' and include new 'Digital Infrastructure' definition).</p> | <p>The council will expect development to be supported by the latest digital infrastructure and encourages early discussions with operators. Major developments will be expected to demonstrate how it supplies digital infrastructure to access electronic communications networks within the site boundary.</p> <p><u>Glossary</u> Telecommunications and Digital Infrastructure</p> <p>Digital Infrastructure – Physical infrastructure intended to host elements of, or enable delivery of, electronic communications networks.</p> |

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| 12 | Pilgrim, J. (Department for Education) | Evidence base | Welcomes the publication of the education evidence and the guidance for the delivery of new schools, which will help to encourage the development of new schools within the most appropriate locations. Supports approach to ensuring developer contributions are required to address the impacts arising from growth aligned to the funding mechanism for secondary provision via the Community Infrastructure Levy (Regulation 123 infrastructure list). Refer to draft consultation produced by DfE and the recognition of the impact of growth on special needs provision, and supports the collaborative working between planners and housing developers to ensure contributions are maximised and provision well integrated with new housing developments. | No comments made | | The council welcomes the support to the approach taken to planning for education provision and the impact of growth. | None |
| 18 | Dixon, P. (Highways England) | Highways Modelling Report | Having considered the Council's Development and Allocations Plan Highways Modelling Report, the scale of the impact identified is considered to be insufficient to warrant specific further assessment of the SRN. | No comments made | N/A | | None |
| 41 | Mee, R. | Para 6.5.1 | The paragraph refers to the Tudor monarchy. It is historically inaccurate. | No comments made | No comments made | Comment noted. Proposed modification to the supporting text. | The defeat of the English resulted in the surrender of Newcastle to the Scots and subsequent fall of the Tudor monarchy. |
| 16 | Fleming, J. (Gladman Development Ltd) | Section 2; para 2.3.6 | Duty to Co-operate is a legal requirement for LA's to engage constructively, actively and in an ongoing basis with neighbours on cross boundary strategic issues. the Council must be able to demonstrate that it has engaged and worked with neighbouring authorities, alongside existing joint working arrangements, to satisfactorily address cross boundary strategic issues and to positively plan to meet full housing needs across a HMA. | Justified Consistent with national policy Positively prepared Effective | No comments made | Duty to Co-operate will be published with submission documents. | None |
| 16 | Fleming, J. (Gladman Development Ltd) | Section 2; para 2.3.7 | Sustainability Appraisal process should clearly justify the policies choices, including site allocations and approach taken to new growth when judged against 'all reasonable alternatives'. It should be clear why some policy options have been rejected and the Council's decision making should be robust, justified and transparent. | Justified Consistent with national policy Positively prepared Effective | No comments made | Compliance Statement will address SA responses to policy development including site allocations. | None |
| 4 | Lomax, J. (Banks Property Ltd) | Section 5 | Development and Allocations Plan does not identify or protect future highway schemes and does not retain detail of UDP Policies T7.1 – T7.5. To ensure Development and Allocations Plan is effective DM13 should be clearer to maximise ability of schemes to be brought forward. Where an improvement line | No comments made | DM13 should identify and/or protect future highway schemes | Transport schemes needed to support the Local Plan are identified in the IDP (update August 2018). Where transport schemes are required are part of development they are identified within the relevant policy in the Core Strategy (Skinnerburn Rd – UC1, DQ1, DQ2, UC9; Airport Access Rd – KEA1; | None |

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| | | | cannot be defined a criteria-based policy could be developed to allow developers to demonstrate they are not compromising future schemes. | | | Pottery Lane – DQ2; Access Road and connections to the A696 and, if appropriate, A69 – NN1; Road connections to the highways network, between and through new housing areas and to existing communities and services including a suitable and direct road link from site NN4b to NN4d via site NN4a (Brunton Rd)– NN4. Where transport schemes are required to mitigate development associated with sites allocated in the Development and Allocations Plan, these will be assessed against proposed Development and Allocations Plan policies and will be considered on a site by site basis. | |
| 13 | Percy, C. (Elders Council of Newcastle upon Tyne) | Section 5 | Does not adequately satisfy NPPF para 102 in relation to its treatment of poor quality and its causes at a policy level. | Support with minor changes | A free-standing policy on treating the causes of poor air quality pro-actively through transport measures should be included in this section. Should also be reference to existing and possible future AQMA. | It is not within the remit of the Development and Allocations Plan to set out the council's air quality strategy. The purpose of the Development and Allocations Plan is to set out policies that will be used to assess planning applications. It is considered that DM24 adequately addresses the need for developments to address air quality issues. This is supported by policies DM10 and DM11 which promote sustainable forms of travel. Newcastle, North Tyneside and Gateshead were subject to a Ministerial Direction to bring certain roads within compliance with the EU Limit Values for Nitrogen Dioxide designated in August 2017. The three Authorities are pursuing a joint Feasibility Study to arrive at a preferred option that will ensure compliance "in the shortest possible time" and by 2021 at the latest. | None |
| 13 | Percy, C. (Elders Council of Newcastle upon Tyne) | Section 6 | Welcomed the inclusion of 'lifetime neighbourhoods' in CSCUP, disappointed does not seem to figure largely at all in the Development and Allocations Plan. A policy on its implementation would have been welcome. | Support with minor changes | Expanding on the idea [of lifetime homes] and including a policy on its implementation would have been welcome in making the Development and Allocations Plan more effective. | Consider implementation of this concept can be delivered by policies DM6, DM8. | None |
| 53 | Mo, L. (Environment Agency) | Sustainability Appraisal evidence | SA does not make reference to the objectives of the Government's 25 year Environment Plan. This should be reflected in the SA. Welcome and support the inclusion of objectives 4, 7a and 7b. However, indicator 41 makes reference to completed new development which discharge surface water to sewers and combined sewers. To minimise | No comments made | | The SA will be amended accordingly when the update is undertaken following inspector comments. | None |

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| | | | the risk of pollution to the water environment, reduce the pressure on the mains network, and to minimise the risk of sewer flooding, surface water from new development should be directed to surface water sewers, not combined sewers. Would welcome reference to this within SA. | | | | |
| 34 | Johnston, P. (Northumberland County Council) | Transport & Accessibility | Supports the proposals in the Transport and Accessibility section and welcomes the opportunity to work with the Council on cross boundary transport issues. | Support | N/A | Comments and support noted. | None |