Development and Allocations Plan

Compliance Statement: A guide to how the Plan has complied with legal, policy and technical requirements
# Contents

**Development and Allocations Plan**

Section 1 Introduction ................................................................. 3
Introduction ......................................................................................... 4
Development and Allocations Plan Preparation ........................................ 5
Compliance Statement Purpose .......................................................... 5
Compliance Statement Structure ......................................................... 7
Section 2 Legal Compliance ............................................................... 8
Chapter 2: Preparing the Plan, National and Local Guidance ................. 9
Local Plan Legal Compliance Checklist ............................................ 10
Stage two: Plan preparation ................................................................. 13
Stage three: Plan preparation - formulation phase ............................... 16
Stage four: Publication ........................................................................ 22
Stage five: Submission ......................................................................... 25
Section 3 Soundness ........................................................................... 33
Chapter 3 - Economic Prosperity .......................................................... 34
Chapter 4 Homes ............................................................................... 76
Chapter 5 – Transport and Accessibility ............................................... 162
Chapter 6 – People and Place ............................................................... 186
Chapter 7 – Minerals and Waste ......................................................... 292
Section 1
Introduction

This chapter introduces the Plan and sets out the purpose of this Statement.
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This chapter introduces the Plan and sets out the purpose of this Statement.
Development and Allocations Plan Preparation

1.1. Local authorities are required to have a Local Plan to set a local planning framework for their area. Newcastle upon Tyne’s Local Plan is being prepared in two parts. Part one, the Core Strategy and Urban Core Plan (CSUCP) was adopted in March 2015. The CSUCP is a planning framework that provides the overall strategic vision and growth strategy for the future of Newcastle and Gateshead to 2030. It forms the first part of both Newcastle and Gateshead’s Local Plan and includes policies on the overall requirements for housing, employment and retail.

1.2. The Development and Allocations Plan (DAP) is the second part of Newcastle upon Tyne’s Local Plan. The DAP sets out Newcastle City Council’s planning policies for managing development in Newcastle, together with site allocations and designations. It will support the strategic policies and growth strategy of the CSUCP.

1.3. The council has undertaken previous consultation on the plan. This included the Scoping Report which was consulted on from January to February 2014. The Scoping Report sets out the range of topics the council proposed to cover in the DAP. In 2016, the council undertook a six-week consultation to call out for sites, the purpose of this was to engage with developers, stakeholders and landowners to update the council on sites. A consultation on the draft DAP was held for 6 weeks from 9th October until the 20th November 2017. The Pre-Submission Consultation of the DAP was held from the 5th October until 16th November 2018.

Compliance Statement Purpose

1.4. The Plan will be examined by an independently appointed Inspector to assess whether it has been prepared in accordance with the Duty to Co-operate, legal, procedural requirements as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and whether it is sound namely that it is:

- Positively prepared – providing a strategy which, as a minimum, seeks to
meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- **Justified** – an appropriate strategy, considering the reasonable alternatives, and based on proportionate evidence;

- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

- **Consistent with National Policy** – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

1.5. The purpose of this Compliance Statement is to succinctly set out how the policies of the Plan are compliant with the requirements outlined above. This document recognises the volume of evidence that supports the Plan and so aims to signpost the reader to relevant sections of that evidence and to summarise the development and justification of the policies.

1.6. This Compliance Statement is not a policy document. It has been prepared without prejudice, solely to inform the Examination of the Plan and has no purposes beyond that. It will not be a material considering the application of the policies contained within the Plan either by Delegated Decisions, the Planning Committee or linked to appeals against planning decisions made.

1.7. The intention of this Compliance Statement is to be comprehensive, however additional material may be required. The council reserves the right to bring forward additional information through the examination process.
Compliance Statement Structure
The Compliance Statement has been prepared into three sections;

Section 1: Introduction
This section introduces the Plan and this Compliance Statement
  • Chapter 1 – Introduces the Plan and this Statement.

Section 2: Legal Compliance
This section sets out how the Plan is compliant with legal and national requirements; it sets out the work we have done in terms of Duty to Co-operate; summarises the stages of Consultation that have informed the Plan; and, sets out how we have used the Sustainability Appraisal to inform Plan making.
  • Chapter 2 – Demonstrations how the Plan is compliant with the legal and national requirements

Section 3: Soundness
This section demonstrates how each policy in the Plan is considered to be sound, in accordance with the National Planning Policy Framework (2018). There are seven chapters in this section. These are aligned to the chapters in the Plan itself and set out how each policy has been positively prepared, justified, effective and consistent with national policy. It also summarises what the Sustainability Appraisal says about each policy, alternatives that were considered, how the policy has evolved through the different stages of the plan making process.
  • Chapter 3 – Economic Prosperity
  • Chapter 4 – Homes
  • Chapter 5 – Transport and Accessibility
  • Chapter 6 – People and Place
  • Chapter 7 – Minerals and Waste
Section 2 Legal Compliance

This section sets out how the Plan is compliant with legal and national requirements; it sets out the work we have done in terms of Duty to Co-operate; summarises the stages of Consultation that have informed the Plan; and, sets out how we have used the Sustainability Appraisal to inform Plan making.
Chapter 2: Preparing the Plan, National and Local Guidance

This chapter explores how the Plan is compliant in terms of the legal and national requirements.
Local Plan Legal Compliance Checklist

The 2013 checklist provided by the Planning Advisory Service, which is based on the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012, has been used to support the Development and Allocations Plan.

Stage one: The early stages

Where the ‘possible evidence’ column refers to a document that will not be complete until a later stage (for example, the sustainability appraisal report), documents that will contribute to that report are relevant at the earlier stages. This way, the submitted report provides the evidence at submission, with an audit trail back to its source.

In terms of legal compliance, the main issues for the early stage are in relation to:

- planning for community engagement
- planning the sustainability appraisal (including consultation with the statutory environment consultation bodies)
- identifying significant cross boundary and inter-authority issues
- ensuring that the plan rests on a credible evidence base, including meeting the Act’s requirement for keeping matters affecting the development of the area under review.

Regulation 17 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 18 is one of the proposed submission documents. In this tool, the term ‘consultation statement’ is used to describe this statement.

Section 33A of the Act (introduced by the Localism Act 2011) introduces a duty to cooperate as a mechanism to ensure that local planning authorities and other bodies engage with each other on issues which are likely to have a significant effect on more than one planning area. This pervades every stage of the plan preparation. A plan may be found unsound if a council cannot show that it has taken reasonable steps to comply with the duty.
### Stage one: The beginning (2014)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Legal Requirement</th>
<th>Guidance Reference</th>
<th>Possible Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?</td>
<td>The Act section 15(2) and section 19(1)</td>
<td>NPPF para 153</td>
<td>The initial Local Development Scheme (LDS) 2013 – 2016 referred to the Development and Allocations Development Plan Document. The LDS was updated in 2015 and again in 2018 to reflect the correct timetable and progress of the Plan.</td>
</tr>
</tbody>
</table>
| 2. How will community engagement be programmed into the preparation of the DPD? | The Act section 19(3) Regulation 18 | NPPF paras 150, 155 and 157 | Details of the community engagement programme and the different consultation methods that can be used in the preparation of a DPD are included in the;  
  - Statement of Community Involvement (2013), which has subsequently been updated in 2018.  
  - Statement of Community Involvement (2018) |
| 3. Have you considered the appropriate bodies you should consult? | Regulation 18 | NPPF paras 4.25 -4.26 | An extensive local plan consultation database is held by the council, containing a list of statutory consultees and general consultation bodies which is regularly reviewed and updated.  
  The SCI sets out strategic bodies which the council will work together with during the plan preparation. The council keeps a record of the consultees which have been notified at each stage of the consultation. |
| 4. How you will co-operate with other local planning authorities, including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on | The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) & (4) The Act Section 20(5)(c) Regulation 4 | NPPF paras 178 to 181 (which comprise the guidance referred to in the Act section 33A(7)) Under NPPF Para 182, to be 'Effective' a plan should be based on effective joint working on | The council carried out an early (non-statutory) consultation on the scope and rationale for the Development and Allocations Plan.  
  - Development and Allocations Plan Scoping Report This provided an opportunity for early engagement with Duty to Co-operate bodies, with 19 representations received at this stage. |
<table>
<thead>
<tr>
<th>Question</th>
<th>Relevant Legal References</th>
<th>Section Numbers</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>at least two planning areas?</td>
<td></td>
<td></td>
<td>cross-boundary strategic priorities. Strategic priorities are listed at NPPF Para 156</td>
</tr>
</tbody>
</table>
| 5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas? | The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)  
The Act section 20(5)(c).  
Regulation 4 |
|                                                                        | NPPF paras 178 to 181     |                 | As a prescribed body, the council consulted the North East LEP and Northumberland Wildlife Trust at each stage of the plan preparation. No strategic issues were identified.  
The Duty to Co-operate Statement sets out the processes, actions and outcomes that have been identified with those bodies which we have a Duty to Cooperate. |
| 6. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review? | The Act section13         | NPPF paras 158 - 177 | Baseline information has been collected throughout the preparation of the DAP and has been updated where appropriate. Evidence base reports have been prepared by the council as well as reports which have been prepared by specialists or by external consultants. The relevant documents are included within the evidence base. |
| 7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal? | The Act section19(5)      | NPPF paras 165 and 167  
Strategic Environmental Assessment Guide, chapter 5 |
|                                                                        |                           |                 | A Sustainability Appraisal Scoping Report was produced as the first stage of the SA process, to highlight potential issues and provide the chance for consultation. |
| 8. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of | Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633. |
|                                                                        | NPPF paras 165 and 167  
SEA Guide chapter 3            |                 | Details of the bodies consulted are set out in the Sustainability Appraisal Scoping Report. Consultation with statutory consultees, namely Historic England, Natural England and the Environment Agency was undertaken. |
Stage two: Plan preparation

<table>
<thead>
<tr>
<th>Activity</th>
<th>Legal requirement</th>
<th>Guidance reference</th>
<th>Possible evidence</th>
</tr>
</thead>
</table>
| 1. Have you notified: • the specific consultation bodies? • the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents? | Regulation 18(1) and (2)(a) (b) | NPPF paras 159 – 173 | The Statement of Community Involvement (2013) and the updated version (2018) sets out the appropriate bodies to consult. Further information regarding the consultation of the Draft DAP is set out in the Statement of Representations (2017).
An example of the consultation letter is included in the Consultation Feedback Report (Appendices). The Local Plan consultation database includes people who have written to use about the local plan, specific and general consultees.
The Consultation Feedback Report and Appendices includes representations made at draft consultation stage. |
| 2. Are you inviting representations from people resident or carrying out business in your area about the | Regulation 18(1) and (2)(c) | NPPF paras 159 – 173 | An extensive local plan consultation database is held by the council, containing a list of statutory consultees, general consultation bodies and residents.
The SCI sets out strategic bodies which the council will work |
<table>
<thead>
<tr>
<th>Question</th>
<th>Reference</th>
<th>Answer</th>
</tr>
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<tbody>
<tr>
<td>content of the DPD?</td>
<td></td>
<td>together during the plan preparation. The council keeps a record of the consultees which have been notified at each stage of the consultation.</td>
</tr>
<tr>
<td>3. Are you engaging with stakeholders responsible for delivery of the strategy?</td>
<td>Regulation 18 NPPF para 155</td>
<td>Full details of engagement with relevant stakeholders is set out in the Consultation Feedback Report and Duty to Co-operate Statement</td>
</tr>
<tr>
<td>4. Are you taking into account representations made?</td>
<td>Regulation 18(3) NPPF para 155</td>
<td>The Consultation Feedback Report summarises the representations that were made at each stage of plan preparation and how these have been taken into consideration as the plan has developed. The individual policy compliance statements including the policy development tables sets out how representations have been taken into consideration during the policies development.</td>
</tr>
<tr>
<td>5. Does the consultation contribute to the development and sustainability appraisal of alternatives?</td>
<td>The Act section19(5) Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 NPPF paras 165 – 168 SEA Guide, chapter 3</td>
<td>The Consultation Feedback Report identifies the different stages in the plan’s preparation including scoping, draft plan and the pre-submission stage. A Sustainability Appraisal was published at each key stage for comments. The Sustainability Appraisal process assesses policy options and sites and makes recommendations which were assessed. The individual policy compliance statements detail the options and alternatives that have been considered and the justification for the approach taken in the DAP. The Approach to Housing, Employment and Mixed-use Allocations document explains the methodology used to assess the sites identified.</td>
</tr>
<tr>
<td>6. Is the participation: following the principles set out in your SCI? integrating involvement</td>
<td>The Act section19(3) NPPF para 155</td>
<td>Consultation has been carried out in accordance with the Statement of Community Involvement (2013) and subsequent revision in 2018.</td>
</tr>
<tr>
<td>Question</td>
<td>Section of the DAP</td>
<td>Additional Information</td>
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<tr>
<td>with the sustainable community strategy? proportionate to the scale of issues involved in the DPD?</td>
<td>Section 2 of the DAP sets out the strategic context of the Local Plan which is aligned to the Core Strategy and Urban Core Plan (CSUCP) part one of the Local Plan. This was prepared in accordance with Newcastle’s Council Plan and its priorities.</td>
<td></td>
</tr>
<tr>
<td>7. Are you keeping a record of: the individuals or bodies invited to make representations? how this was done? the main issues raised?</td>
<td>The Act section20(3) Regulation 17 NPPF paras 158 - 171</td>
<td>The Consultation Feedback Report sets out the key issues which were raised as part of Regulation 18, including officer responses. The compliance papers prepared as part of the soundness section within this report summarising the key issues raised for each policy during each stage of the plans preparation.</td>
</tr>
<tr>
<td>8. Are you inviting representations on issues that would have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?</td>
<td>The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) &amp; (e) section 33A(4) section 33A(9) The Act section 20 (5)(c)</td>
<td>The Duty to Cooperate Statement provides further evidence of how the council has engaged with neighboring planning authorities and relevant bodies on cross boundary issues. The DAP has not identified any strategic issues. Engagement has taken many forms such as emails and meetings with relevant groups. Further information concerning the draft consultation and consultation responses can be found in the Consultation Feedback Report.</td>
</tr>
<tr>
<td>9. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a</td>
<td>The Act section 33A(1)(c) and Section 33A(9). The Act section 20(5) (c).</td>
<td>NPPF paras 178 to 181 See answer to 8 above.</td>
</tr>
</tbody>
</table>
Stage three: Plan preparation - formulation phase

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the local plan or supplementary planning document with which the council chooses to address Regulation 18 requirements, using the information gathered and previous collaborative work with stakeholders.

Para 182 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.

You should evaluate the reasonable alternatives identified in ‘stage two: frontloading phase – plan preparation’ phase against the:

- completed body of information from evidence gathering
- results of sustainability appraisal
- findings from community participation
- findings from engagement with statutory cooperation bodies.

This may be written up as a preferred strategy report. The results of participation on the preferred strategy and an accompanying sustainability report will enable the council to gauge the community’s response and receive additional evidence about the options. The council can then decide whether, and how, the preferred strategy and policies should be changed for publishing the finished DPD.

Alternatives developed from the evidence and engagement during the frontloading stage need to be appraised to decide on the
preferred strategy. Participation will also need to be carried out on it.

These matters need to be considered, and dealt with, in good time, and not left until publication. Supporting documents will assist in providing evidence that decisions on alternatives and strategy are soundly based. These documents will, in due course, become part of the proposed submission documents in stage four.

**The council should tell all parties that this is the main participation opportunity on the emerging plan.** The publication stage is a formal opportunity for anyone to comment on an aspect of the DPD’s soundness, and to propose a change to the plan accordingly. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication.

**Stage three: Plan preparation – writing the plan**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Statutory requirement</th>
<th>Guidance reference</th>
<th>Possible evidence</th>
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</thead>
<tbody>
<tr>
<td>1. Are you preparing reasonable alternatives for evaluation during the</td>
<td>Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations</td>
<td>NPPF paras 152 - 182</td>
<td>The Sustainability Appraisal (incorporating the requirements of SEA), which was</td>
</tr>
<tr>
<td>preparation of the DPD?</td>
<td>2004 No. 1633</td>
<td>SEA Guide, Chapter 5</td>
<td>carried out to support Regulation 18 consultation and consider options and</td>
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<td></td>
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<td>reasonable alternatives.</td>
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<tr>
<td>Question</td>
<td>Section/Regulation</td>
<td>Reference</td>
<td>Response</td>
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<tr>
<td>Have you assessed alternatives against:</td>
<td>The Act section 19 (2), section 24</td>
<td>NPPF para 151</td>
<td>The council has been consistent with national policy, as indicated in the individual compliance papers set out in section 3 of this report, prepared for each policy in the DAP.</td>
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<tr>
<td>• consistency with national policy?</td>
<td></td>
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<tr>
<td>• general conformity with the regional spatial strategy where still in force?</td>
<td></td>
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<td></td>
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<tr>
<td>Are you having regard to (where relevant):</td>
<td>The Act sections 19 (2) and 24 (1) and (4)</td>
<td>Regulation 10 and 21</td>
<td>Not applicable</td>
</tr>
<tr>
<td>• adjoining regional spatial strategies?</td>
<td></td>
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<tr>
<td>• the spatial development strategy for London?</td>
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<td>• Planning Policy for Wales?</td>
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<td>• the National Planning Framework for Scotland?</td>
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<tr>
<td>Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues?</td>
<td>The Act section 33A(2)(a)</td>
<td>NPPF paras 181 and 185</td>
<td>The Duty to Cooperate Statement provides further evidence of how the council has engaged with neighbouring planning authorities and relevant bodies on cross boundary issues. The DAP has not identified any strategic issues. Engagement has taken many forms such as emails and meetings with relevant groups.</td>
</tr>
<tr>
<td>Have you discussed doing</td>
<td>Section 33A(6)(a)(b)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Reference</td>
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<tr>
<td>5. Are you cooperating with a person prescribed for the purposes of Regulation 33A(1)(c) to address significant cross boundary issues including preparing joint approaches?</td>
<td>The Act section 33A(2)(a), section 33A(6)(a) The Act section 20 (5) (c) Regulation 4 NPPF paras 181 and 182 See answer to 4 above</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Are you cooperating with having regard to the activities of the LEP and LNP?</td>
<td>The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2) NPPF para 181 and 182 See answer to 4 above</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 7. Are you having regard to:  
  - your sustainable community strategy or of other authorities whose area comprises part of the area of the council?  
  - any other local development documents adopted by the council? | The Act section19(2) Section 2 of the DAP sets out the strategic context of the Local Plan which is aligned to the Core Strategy and Urban Core Plan (CSUCP) part one of the Local Plan. This was prepared in accordance with Newcastle’s Council Plan and its priorities. |
| 8. Do you have regard to other matters and | The Act section19(2) The evidence bases prepared for the Core Strategy and Urban Core Plan and DAP include all other relevant |
relevant strategies relating to:

- resources
- the local/regional economy
- the local transport plan and transport facilities and services
- waste strategies
- hazardous substances

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<tbody>
<tr>
<td>9. Are you having regard to the need to include policies on mitigating and adapting to climate change?</td>
<td>The Act section19(1A)</td>
</tr>
<tr>
<td>10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?</td>
<td>The Act section19(5) Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</td>
</tr>
<tr>
<td>11. Are you setting out reasons for any preferences between</td>
<td>Regulation 8(2)</td>
</tr>
<tr>
<td>Question</td>
<td>Relevant Regulations/Paras</td>
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<tr>
<td>12. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?</td>
<td>Regulations 17, 18(3) and 22 (1) (c) (iv) Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</td>
</tr>
<tr>
<td>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</td>
<td>Regulations 5 (1)(b) and 9</td>
</tr>
<tr>
<td>• enable you to amend the currently adopted policies map?</td>
<td>NPPF para 157</td>
</tr>
<tr>
<td>• inform the community about the location of proposals?</td>
<td>NPPF paras 150 and 157</td>
</tr>
<tr>
<td>14. Are the participation arrangements compliant with the SCI?</td>
<td>The Act, section 19(3)</td>
</tr>
<tr>
<td></td>
<td>Regulation 18</td>
</tr>
</tbody>
</table>
Stage four: Publication

Under Regulation 20, the period for formal representations takes place before the DPD is submitted for examination in accordance with a timetable set out in the statement of the representations procedure which is made available at the council's office and published on its website.

When moving towards publication stage, the council should consider the results of participation on the preferred strategy and sustainability appraisal report and decide whether to make any change to the preferred strategy. In the event that changes are required, the council will need to choose either to:

- do so and progress directly to publication
- OR
- produce and consult on a revised preferred strategy.

The latter may be appropriate where the changes to the DPD bring in changed policy or proposals not previously covered in community participation and the sustainability appraisal. It avoids having to treat publication as if it were a consultation, which it is not. It also provides insurance in relation to compliance with the Strategic Environmental Assessment Regulations. Legally, during any participation on a revised preferred strategy, you should:

- comply with the requirements of the SCI
- update the sustainability appraisal report.

The council should then produce the DPD in the form in which it will be published. This includes removing material dealing with the evaluation of alternatives and the finalisation of the text. The council should be happy to adopt the DPD in this form, and satisfied that it is sound and fit for examination.

The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the DPD to make formal representations to the inspector about its soundness. Only people proposing a change to the plan can expect to be heard at examination.

The possibility of change under certain circumstances (which should be exceptional) is allowed for in the new procedures, and is described in ‘stage five: submission’.
## Stage four: Publication

<table>
<thead>
<tr>
<th>Activity</th>
<th>Statutory requirement</th>
<th>Guidance reference</th>
<th>Possible evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Have you prepared the sustainability appraisal report?</td>
<td>The Act section 19(5)&lt;br&gt;Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</td>
<td>NPPF paras 165 - 168&lt;br&gt;SEA Guide Chapter 5</td>
<td>A Sustainability Appraisal Scoping Report was produced as the first stage of the SA process. A draft Sustainability Appraisal was prepared in 2017, with an updated version prepared at pre-submission stage in 2018.</td>
</tr>
<tr>
<td>2. Have you made clear where and within what period representations must be made?</td>
<td>Regulation 17, 19, 20 and 35</td>
<td></td>
<td>The consultation period was indicated in the front section of the DAP, press notice, the council website, consultation materials at events and through notifications via emails and letters to consultees.</td>
</tr>
<tr>
<td>3. Have you made copies of the following available for inspection:&lt;br&gt;&lt;ul&gt;&lt;li&gt;the proposed submission documents?&lt;/li&gt;&lt;li&gt;the statement of the representations procedure?&lt;/li&gt;&lt;/ul&gt;</td>
<td>Regulation 19(a)</td>
<td></td>
<td>Copies of the DAP and all relevant supporting documents were available to view online and at the City Library during its opening hours and during the staff held consultation events. The Statement of Representations Procedure is included in the Consultation Feedback Report Appendices.</td>
</tr>
<tr>
<td>4. Have you published on your website:&lt;br&gt;&lt;ul&gt;&lt;li&gt;the proposed regulations 19 and 35&lt;/li&gt;&lt;/ul&gt;</td>
<td>Regulations 19 and 35</td>
<td></td>
<td>The Plan and supporting documents were made available on the website; <a href="http://www.newcastle.gov.uk/localplan2">www.newcastle.gov.uk/localplan2</a></td>
</tr>
<tr>
<td>Submission documents?</td>
<td>The Act section 24</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------</td>
<td>-----</td>
<td></td>
</tr>
<tr>
<td>the statement of the representations procedure?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>statement and details of where and when documents can be inspected?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1):

- A copy of each of the proposed submission documents
- The statement of the representations procedure?

**Regulation 19(b)**

The bodies were invited to make representations. The DAP and supporting documents were made available to view at drop in events held across the city during the consultation period, at the City Library, Gosforth Shopping Centre, the Outer West Customer Service Centre and the East End Customer Service Centre. The Evidence Base was available to view at the Civic Centre on request.

6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1):

- the statement of the representations procedure?
- where and when the documents can be inspected?

**Regulation 19(b)**

The bodies were invited to make representations. The DAP and supporting documents were made available to view at drop in events held across the city during the consultation period, at the City Library, Gosforth Shopping Centre, the Outer West Customer Service Centre and the East End Customer Service Centre. The Evidence Base was available to view at the Civic Centre on request.
the opinion of the Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the DPD spatial development strategy?

Stage five: Submission

At the submission stage, the council should receive and collate any representations made at publication stage. You don’t have to report these representations to councillors but there may be requirements deriving from other legislation, Standing Orders or council procedures that must be considered. Or you might just think it is a good idea to report on it anyway.

If they are reported it should be on the facts of the representations made, not the results of a consultation process by the council. They should not be treated as a consultation or an opportunity to make changes or answer representations. NB: under the 2012 Regulations there is no longer any requirement to give notice by local advertisement.

You should ensure you are in legal compliance with the SCI, the Habitats Directive and the Strategic Environmental Assessment Directive in any additional work. Any formal publication of additional or changed matters would need to allow at least a six-week period for representations to be made.

There are different approaches that could be taken to changes. You should be satisfied that you remain fully compliant with the legal requirements if any changes are made (and any consequential effects on the DPD as a whole).

Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission.
### Stage five: Submission

<table>
<thead>
<tr>
<th>Activity</th>
<th>Legal Requirement</th>
<th>Guidance Reference</th>
<th>Possible Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Has the DPD been prepared in accordance with the LDS? Does the DPD’s listing and description in the LDS match the document? Have the timescales set out in the LDS been met?</td>
<td>The Act section 19(1)</td>
<td></td>
<td>The DAP has been prepared in accordance with the approved timetable which is set out in the Local Development Scheme (2017-2020). The timescales set out in the LDS have been met.</td>
</tr>
<tr>
<td>2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?</td>
<td>The Act section 19(2)</td>
<td>NPPF para 182</td>
<td>Section 2 of the DAP sets out the strategic context of the Local Plan which is aligned to the Core Strategy and Urban Core Plan (CSUCP) part one of the Local Plan. This was prepared in accordance with Newcastle’s Council Plan and its priorities.</td>
</tr>
<tr>
<td>3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?</td>
<td>The Act section 19(3) Regulation 22(1)(c)</td>
<td></td>
<td>Publication consultation of the DAP has been carried out in accordance with the Statement of Community Involvement (2013) and 2018 revision.</td>
</tr>
<tr>
<td>4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils</td>
<td>The Act section 33A(1) and section 20(5)</td>
<td>NPPF paras 181 and 182</td>
<td>The Duty to Cooperate Statement provides further evidence of how the council has engaged with neighbouring planning authorities and relevant bodies on cross boundary issues. The DAP has not identified any strategic issues. Engagement has taken many forms such as emails and meetings with relevant groups.</td>
</tr>
</tbody>
</table>
where they are not a planning authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues

If you have not agreed on the approach is there a justification?

<table>
<thead>
<tr>
<th>5. Has the DPD been subject to sustainability appraisal? Has the council provided a final report of the findings of the appraisal?</th>
<th>The Act section 19(5) Regulation 22(1)(a)</th>
<th>NPPF para 165 SEA Practical Guide, chapter 5</th>
<th>The Sustainability Appraisal process has been carried out throughout the preparation of the DAP and its recommendations have informed the DAP and its policy’s development. A final SA Report was produced and consulted on alongside the Pre-Submission DAP at Regulation 19 stage.</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Is the DPD to be submitted consistent with national policy?</td>
<td>The Act section 19(2) and Schedule 8</td>
<td>NPPF para 151</td>
<td>A Soundness Self-Assessment checklist has been carried out. This demonstrates how the DAP is consistent with national policy.</td>
</tr>
<tr>
<td>7. Does the DPD contain any policies or proposals that are not in general conformity with the regional strategy where it still exists? If yes, is there local justification?</td>
<td>The Act section 24(1)(a) and 24(4) Regulation 21</td>
<td>NPPF para 218 footnote 41</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

If the LPA is a London borough or a mayoral...
<table>
<thead>
<tr>
<th>Question</th>
<th>Regulations</th>
<th>NPPF para</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Has the council published the prescribed documents, and made them available at their principal offices and their website?</td>
<td>The Act section 20(2), 20(3) and 20(5)(b)</td>
<td>NPPF para 182</td>
<td>Copies of all relevant submission documents will be made available on the council’s website as soon as reasonably practicable after submission. The council will send, as soon as reasonably practicable after submission, relevant consultation bodies, a letter or email notifying them of the above documents. Section 1 in the DAP indicates that once adopted, the DAP will supersede the existing saved policies in the Unitary Development Plan, Benwell Scotswood Area Action Plan and the Walker Riverside Area Action Plan.</td>
</tr>
<tr>
<td>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make representations on the plan?</td>
<td>Regulations 8 and 19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the DPD contain a list of superseded saved policies?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</td>
<td>Regulations 5(1) (b), 9 (1), 17 &amp; 22(1)</td>
<td></td>
<td>A Policies Map was produced and consulted on to accompany the Pre-Submission DAP at Regulation 19 stage.</td>
</tr>
</tbody>
</table>
10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?

<table>
<thead>
<tr>
<th>Regulation 8(3) and (4)</th>
<th>Part 1 of Newcastle’s Local Plan is the Core Strategy and Urban Core Plan, adopted in 2015 which sets out strategic policies and the growth agenda for Newcastle. Section 1 in the DAP indicates that once adopted, the DAP will supersede the existing saved policies in the Unitary Development Plan, Benwell Scotswood Area Action Plan and the Walker Riverside Area Action Plan. A Policy Review table which sets out development plan policies to be superseded by the DAP has been prepared.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation 8(5)</td>
<td></td>
</tr>
</tbody>
</table>

11. Have you prepared a statement setting out:

- Which bodies and persons were invited to make representations under Regulation 18?
- How they were invited?
- A summary of the main issues raised?
- How the representations have been taken into account?

<table>
<thead>
<tr>
<th>The Act section 20 (3)</th>
<th>Refer to the Consultation Feedback Report and Appendices</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation 22(1)(c)</td>
<td></td>
</tr>
</tbody>
</table>

12. Have you prepared a statement giving:

- the number of representations made under Regulation 22?
- a summary of the main issues raised?

<table>
<thead>
<tr>
<th>The Act section 20(3)</th>
<th>Refer to the Consultation Feedback Report and Appendices</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation 22(1)(c)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>
| 13. Have you collected together all the representations made under Regulation 22? | The Act section 20(3)  
Regulation 22(1)(e) | Copies of the representations will be made available on the council’s website and can be viewed in the Consultation Feedback Report and Appendices. |
| 14. Have you assembled the relevant supporting documents? | The Act section 20(3)  
Regulation 22(1)(g) | See list of submission documents. |
| 15. Has your council approved the DPD for submission? | | The 6 March 2019 Council meeting approved the publication DAP for submission for examination. |
| 16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following: | The Act section 20(1) and 20(3)  
Regulations 22(1) and 22(2) | To be submitted 13 March 2019 |
|   |   |   |
| 17. Have you made the following available at the same places where the proposed submission documents were to be seen: | | To be submitted 13 March 2019 |
|   | Regulation 22(3) |   |
|   | The DPD? |   |
- The documents prescribed in Regulation 22(1)?

18. On your website, have you published the:
- DPD?
- submission policies map?
- sustainability appraisal report?
- Regulation 22(1)(c) statement?
- supporting documents (where practicable) ?
- representations made under Regulation 20 (where practicable) ?
- statement as to where and when the DPD and the documents are available?

<table>
<thead>
<tr>
<th>18.</th>
<th>19. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• notification that the documents prescribed in</td>
</tr>
<tr>
<td></td>
<td>Regulation 22(3)(b)</td>
</tr>
<tr>
<td></td>
<td>To be made available as soon as reasonably practicable after submission of the DAP.</td>
</tr>
<tr>
<td></td>
<td>Regulation 22(3) and 35(1)(b)</td>
</tr>
</tbody>
</table>

To be made available as soon as reasonably practicable after submission of the DAP.
| Regulation 22(3)(a)(i)-(iii) are available for inspection  
• where and when they can be inspected? | 20. Have you given notice to persons who have requested to be notified that submission has taken place? | Regulation 22(3)(c)  
To be carried out as soon as reassembly practicable after submission of the DAP. |
|---|---|---|
| 21. If an examination is being held, at least six weeks before its opening has the Programme Officer:  
• published the time and place of the examination and the name of the person appointed to carry out the examination on your website?  
• notified those who have made representations on the published DPD which have not been withdrawn of these details? | The Act section 20  
Regulations 24 and 35 | The Programme Officer will publish details of the examination, the time, place and name of the Inspector appointed to carry out the examination on the Examination page on the council’s webpage.  
They will notify those who have made representations on the published DAP. |
Section 3
Soundness

This section demonstrates the development of policies contained within the DAP and how they meet the tests of soundness.
Chapter 3 - Economic Prosperity
**DM1 Employment Sites**

**Policy title and introduction to purpose: DM1 Employment Sites**

The purpose of this policy is to support and secure economic growth for the city, maintaining its role as a regional employment centre. To achieve this the policy allocates new and existing employment sites for appropriate employment uses (Class B1, B2, and B8) in Newcastle.

The sites allocated in the policy are in addition to the strategic employment site allocations set out in CSUCP policies CS1, CS2, CS3, CS4, UC1, NC2, C2, D2, D3, KEA1. They will help contribute to achieving the employment and economic growth priorities set out in policy CS5 and to meet the city’s share of the joint Newcastle and Gateshead employment land requirement of 512,000 square metres set out in Policy CS6.

**Policy (full policy): DM1 Employment Sites**

The employment sites listed in the table below and identified on the Policies Map are allocated for employment uses within Use Classes B1 (Business) B2 (General Industrial) and B8 (Storage or Distribution).

### New Employment Sites

<table>
<thead>
<tr>
<th>Site Number</th>
<th>Address</th>
<th>Site area in ha (Gross)</th>
<th>Site area in ha (Net)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Site to the South of Shields Road, Byker</td>
<td>6.41</td>
<td>6.41</td>
</tr>
<tr>
<td>2</td>
<td>Site to the North of Shields Road / Adjacent to Depot Road, Byker</td>
<td>1.18</td>
<td>1.18</td>
</tr>
<tr>
<td>3</td>
<td>Site to the North of Shields Road, Byker</td>
<td>2.05</td>
<td>1.05</td>
</tr>
<tr>
<td>4</td>
<td>Site South of Whitehouse Road, Scotswood</td>
<td>3.04</td>
<td>2.50</td>
</tr>
<tr>
<td>5</td>
<td>Site to the West of Shelley Road, Newburn</td>
<td>1.01</td>
<td>0.90</td>
</tr>
<tr>
<td>6</td>
<td>Site North of Westway Industrial Park, Ponteland Road, Throckley</td>
<td>1.12</td>
<td>0.40</td>
</tr>
<tr>
<td>7</td>
<td>Site West of Ruby Park, Brunswick Industrial Estate, Brunswick</td>
<td>1.12</td>
<td>1.00</td>
</tr>
<tr>
<td>8</td>
<td>Site to the East of Riversdale Way, Newburn</td>
<td>1.70</td>
<td>1.00</td>
</tr>
<tr>
<td>9</td>
<td>Site to the West of Goldcrest Way, Newburn Riverside Industry Park, Newburn</td>
<td>1.12</td>
<td>1.00</td>
</tr>
<tr>
<td>10</td>
<td>Woodside Avenue, Walker Riverside</td>
<td>0.96</td>
<td>0.96</td>
</tr>
<tr>
<td>11</td>
<td>Site to the North of Kingfisher Boulevard, Newburn Riverside Industry Park, Newburn</td>
<td>2.54</td>
<td>2.54</td>
</tr>
<tr>
<td>12</td>
<td>Site to the South of Shelley Road, Newburn Industrial Estate</td>
<td>2.97</td>
<td>2.97</td>
</tr>
</tbody>
</table>

### Existing Employment Sites

<table>
<thead>
<tr>
<th>Site Number</th>
<th>Address</th>
<th>Site area (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Albion Row Industrial Estate, Byker</td>
<td>1.00</td>
</tr>
<tr>
<td>14</td>
<td>Armstrong Industrial Estate, Elswick</td>
<td>3.42</td>
</tr>
<tr>
<td>15</td>
<td>Bells Close Industrial Estate, Newburn</td>
<td>4.05</td>
</tr>
<tr>
<td>16</td>
<td>Brough Parkway Industrial Estate, Byker</td>
<td>3.00</td>
</tr>
<tr>
<td>17</td>
<td>Brunswick Industrial Estate, Brunswick</td>
<td>19.59</td>
</tr>
<tr>
<td></td>
<td>Location</td>
<td>Count</td>
</tr>
<tr>
<td>---</td>
<td>-------------------------------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>18</td>
<td>Fawdon Industrial Area, Fawdon</td>
<td>17.85</td>
</tr>
<tr>
<td>19</td>
<td>Hoults Yard, Byker</td>
<td>6.69</td>
</tr>
<tr>
<td>20</td>
<td>Industry Road, Heaton</td>
<td>6.08</td>
</tr>
<tr>
<td>21</td>
<td>Mill Lane Industrial Estate / Lynwood Development Centre, Elswick</td>
<td>1.52</td>
</tr>
<tr>
<td>22</td>
<td>Newburn Haugh Industrial Estate, Newburn</td>
<td>7.49</td>
</tr>
<tr>
<td>23</td>
<td>Newburn Industrial Estate, Newburn</td>
<td>16.29</td>
</tr>
<tr>
<td>24</td>
<td>Newburn High Street / Walbottle Road, Newburn</td>
<td>3.0</td>
</tr>
<tr>
<td>25</td>
<td>Noble Street Industrial Estate, Elswick</td>
<td>3.3</td>
</tr>
<tr>
<td>26</td>
<td>Riverside East, Byker</td>
<td>11.87</td>
</tr>
<tr>
<td>27</td>
<td>Scotswood Road West, Scotswood</td>
<td>20.42</td>
</tr>
<tr>
<td>28</td>
<td>Shields Road / Fossway, Byker</td>
<td>33.10</td>
</tr>
<tr>
<td>29</td>
<td>Throckley Industrial Estate, Throckley</td>
<td>20.19</td>
</tr>
<tr>
<td>30</td>
<td>Westerhope Industrial Estate, Westerhope</td>
<td>8.35</td>
</tr>
<tr>
<td>31</td>
<td>Whitehouse Road, Scotswood</td>
<td>3.21</td>
</tr>
<tr>
<td>32</td>
<td>Newcastle Business Park, Elswick</td>
<td>22.65</td>
</tr>
<tr>
<td>33</td>
<td>Regent Centre, Gosforth</td>
<td>10.60</td>
</tr>
<tr>
<td>34</td>
<td>Benton Park View, Benton</td>
<td>20.51</td>
</tr>
<tr>
<td>35</td>
<td>Great Park (Sage site), Castle</td>
<td>11.08</td>
</tr>
<tr>
<td>36</td>
<td>Newburn Riverside, Newburn</td>
<td>25.66</td>
</tr>
<tr>
<td>37</td>
<td>Site North of Benton Park Road and East of Killingworth Road, South Gosforth</td>
<td>2.03</td>
</tr>
<tr>
<td>38</td>
<td>Airport Industrial Estate, Kingston Park</td>
<td>11.95</td>
</tr>
<tr>
<td>39</td>
<td>Former Colliery buildings, Havannah</td>
<td>2.57</td>
</tr>
</tbody>
</table>

**Positively Prepared:**

The policy provides a proactive approach to protecting and enhancing the city’s economy. It will ensure that the city continues to fulfil its potential as a Core City and key driver of growth for the city-region. The provision of attractive and sustainable locations for employment uses will ensure that employers will have a choice of locations to consider in the city.

The policy provides a positive approach to safeguarding and enhancing the supply of employment land to meet identified needs. It will ensure that the City can offer sustainable long-term employment for residents and in-commuters.

It will ensure that there are suitable locations available to support existing and growing sectors, particularly those in the SME, transport and logistics, digital and tech sector and advanced manufacturing.

The NPPF requires Local Planning Authorities to produce policies which will help to create conditions in which businesses can invest, expand and adapt. Significant weight is placed on the importance of supporting economic growth and productivity, taking into account the needs of local businesses and of the wider opportunities for development.

DM1 has been prepared in accordance with the Core Strategy and Urban Core Plan, including policies CS5 Employment and Economic Growth Priorities, and CS6 Employment Land. These policies set out the Council’s strategic priorities to develop a diverse economy with accessible employment and to deliver significant increases in the number of businesses and jobs. Policy CS6 sets out a specific quantum of employment land to be allocated for development over the plan period and identifies the Urban Core as a key location for office development (specifically pages 60 and 63).

Policy DM1 has been positively prepared based on a thorough review of potential and existing employment sites through the Employment Land Review. The sites reviewed as part of this process have been incorporated into the Council’s Housing and Economic Land
Availability Assessment (HELAA). Sites identified through this evidence gathering work have been identified for allocation within DM1.

Core Strategy Vision and Objectives compliance and delivery:
The policy will contribute to the achievement of the following strategic objectives:

- **SO2.** To increase our economic performance, resilience, levels of entrepreneurship, skills and business formation by promoting Gateshead and Newcastle as the strong regional economic focus and by ensuring the supply of suitable, flexible and diverse business accommodation.

- **SO3.** To increase our competitiveness by improving and expanding the role of the Urban Core as the regional destination for business, shopping, education, leisure, tourism and as a place to live.

- **SO10** Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

Statutory Consultation:
A summary of the main comments received during the stages of public consultation are set out below

Draft DAP – Regulation 18 consultation

- Support for inclusion of the General Hospital within the policy. Several general suggestions were made relating to how to redevelop the site
- General comment regarding the market and need for employment land allocations in Byker.
- General comments in support of de-allocation of a specific employment site
- Comment recommending a mixed se economy in the Ouseburn area be retained
- Comment that employment sites should be located in areas adjacent to residential developments, to increase accessibility and avoid unnecessary journeys, and advocating for greater provision of mixed-use development in general
- Comment that one existing employment site is situated beneath power lines and expressed a preference that development should not be located in that area
- Highways England requested that development proposals put forward for the sites be required to demonstrate that the development would not have an adverse impact on the road network. Others raised boundary issues or proposed additional sites for allocation.
- Historic England raised concerns about the potential impact of proposed allocations on heritage assets.

Pre-Submission DAP - regulation 19 consultation

Historic England made the following comments:

- With reference to sites 13/19/26 in DM1. There is no evidence to suggest that the HELAA or ELR 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.

- HE has 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.
- HE refers to NPPF paragraphs 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 local character and distinctiveness.
- Paragraph 190 requires local planning authorities to identify the significance of a heritage asset that may be affected by a proposal.
- 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’.

National Grid made the following comments:
- Referring specifically to Newburn Industrial Estate national Grid stated that several power lines run through or in proximity to the site.

One respondent commented that the HELAA site” Land South of Rotary Way” should be allocated in the DAP for “roadside Commercial/ Employment” uses

Policy Preparation:
Policy DM1 has evolved during the preparation of the Plan, based on consideration of evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation process.

DM1 supersedes several policies relating to employment land allocations which were ‘saved’ (in part) from the UDP. These include ‘Saved’ UDP policies ED1.1, ED2.2, ED3.1, ED3.2, and ED4.

Following the adoption of the CSUCP some of the policies in Benwell Scotswood Area Action Plan (BSAAP), and the Walker Riverside Area Action Plan (WRAAP) have been superseded and deleted following a review. The remainder are still in force. Once the DAP is adopted it will supersede the remaining policies saved from the BSAAP, and the (WRAAP). The following policies will be superseded or deleted;

BSAAP
- Policy EE2: Business and Employment Land
- Policy EE3: Securing Training & Employment Opportunities
- Policy EE4: The Innovation parkway (Scotswood road Corridor)

WRAAP
- Policy ED1 Land within the southern part of the Industrial Area
- Policy ED2 Land within the northern part of the Industrial Area

The most significant changes to the policy since the public consultation on the draft Plan are:
- Several Site areas set out in DM1 were revised to remove minor discrepancies.
- Site areas were amended to reflect rounding to two decimal places.
• The CAV site was given its own specific policy. The decision to do this was based on the unique site-specific nature of the site and its role as a distinct mixed-use development. The policy also provides further guidance and clarity on how the site should be master planned and how the unique features of the site such as heritage assets should be considered.
• Addition of a newly identified site ‘Site to the South of Shelly Road, Newburn Industrial Estate’.
• Inclusion of the former colliery site (Havannah) in the list of existing employment sites. This site had previously been referred to in policy DM31. The site is currently an occupied employment site.

The DM1 Policy Development table sets out how the comments raised at consultation have been considered and informed the policy.

**Sustainability Appraisal:**

**Draft DAP**

The policy has been identified as having an overall positive social, environmental and economic effect. It was noted that the policy would have a positive impact in terms of social factors including health and equality because several sites would provide potential employment opportunities within them or deprived areas of the city, and thus would ensure better access to employment opportunities.

A potential negative environmental impact was identified due to possible increases in transport activity and waste generation associated with industrial development. However, it was concluded that suitable mitigation would be provided through the application of CSUCP policies.

The policy was found to have a positive impact in terms of economic sustainability indicators. It was found that the policy would provide the vital range of employment sites needed in the city and would provide improved access to a stable and sustainable employment market.

**Pre-Submission DAP**

The findings of the SA on the Pre-Submission DAP did not change from those made at the draft stage.

**Joint working:**

The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been identified through the process in relation to the allocation and protection of employment land.

**Justified:**

**Evidence:**

The NPPF places great value and significance on the need to support economic growth and productivity. Planning policies are required to set out a clear economic vision.

DM1 aligns with the requirement in the NPPF, supporting the strategic goals and economic vision for the city, set out in the CSUCP. A sufficient quantum of employment sites are
allocated to meet Newcastle’s portion of the gross requirements set out in CSUCP Policy CS6 and to ensure that there is a suitable range and margin of choice of sites available for businesses across the City.

New employment land requirements are aligned with the requirements in the CSUCP, which sets out strategic policies for Newcastle and Gateshead. The CSUCP requirements are underpinned by econometric job forecasts produced by St Chad’s College, Durham that reflect the implications of the sustained economic downturn. They were reviewed as part of the Newcastle Gateshead Employment Land and Property Demand Assessment (ELPDA) 2016 and the Newcastle Employment Land Review 2018. This assessment of city-wide employment land and provision provides an updated assessment and analysis of employment land, both existing and new, and well as an overview of the strategic and local context of employment land in the city and region as well as an analysis of historic take up. It considers the findings and aims of the Strategic Economic Plan (SEP), produced by the North East Local Enterprise Partnership.

The ELR provides important contextual information regarding the overall health of the economy in the city and wider region. Potential employment sites were subject to site visits and were mapped. They were assessed in terms of a number of factors which were used to provide a scoring of each site to determine if a site should be included in the employment sites portfolio. The majority of the new employment sites identified were within or well related to existing employment locations across the city. Health checks of existing employment sites were carried out as part of the ELR. The boundary of each site has been reviewed and sites which were no longer functioning as viable employment locations were recommended for de-allocation where appropriate.

Work carried out as part of the ELR was fed into the Housing and Economic Land Availability Assessment (HELAA). The assessment of housing and employment land has been carried out in line with the NPPG. Housing and Employment Allocations are identified as deliverable and developable sites in compliance with NPPF/ NPPG and evidence within the Approach to Site Allocation Methodology Paper, the Housing and Economic Land and Availability Assessment (HELAA), and the Local Plan Viability and Deliverability Report (VDR).

Alternatives:

An alternative option would have been to allocate all employment sites identified through the HELAA call for sites, ELR, and Benwell Scotswood AAP and Walker AAPs. All existing employment sites could have been allocated regardless of how well they were functioning. This approach would undermine the justification for allocating existing sites, which is based on their suitability, availability, and achievability for development. It would not be consistent with NPPF paragraph 120 which states that Local Planning Authorities should not seek to allocate land where there is not reasonable prospect of an application coming forward for the use allocated in a plan.

The Council could have chosen not to allocate specific sites for employment land however this would have contradicted CSUCP Policy CS6 Employment Land, which states that the Council will allocate sufficient land to meet gross employment land requirements. This approach would also have been inconsistent with NPPF which requires Local planning Authorities to set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth.

Effective:
The policy will be largely delivered through the development management process, the delivery of the policy is dependent on several main factors:

- Development coming forward on sites allocated for employment uses. Most of these sites are located in existing areas of active employment uses and the main risk to the sites not coming forward will relate to the wider health of the economy.
- Effective implementation of detailed criteria set out in Policy DM2 will ensure that inappropriate development is not permitted on allocated employment sites. The criteria-based approach in policy DM2 will ensure that where a unit or site is no longer viable for employment uses or where a suitable use is proposed which nevertheless falls outside of the prescribed use class, it will be possible to permit the change of use where it can be demonstrated that the criteria have been met.
- Development Management refusing permission for non-compliant development on allocated existing employment sites (see Policy DM2).

**Monitoring:**
Policy DM1 will be monitored against the following DAP and CSUCP indicators:

**CSUCP indicators:**
- 8 – Employment Floorspace. This monitoring indicator records the amount of employment floorspace approved, completed and lost by size (m²), location (including allocated employment land / key employment area), type (use class) and greenfield / brownfield.
- 9 – Employment Land Supply monitors the amount of employment land (ha) available by type and location across the city.

**DAP**
- 1 - Employment Sites, monitors the take-up of land (ha) for employment uses, by location across the city.
- 2 – Employment Land Supply, monitors the supply of employment land that could be developed within the next five years, broken down by location.

**Consistent with National Policy:**
The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Local Planning Authorities are required to set out a clear economic vision which will positively and proactively encourage sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration. Importance is placed on authorities recognising specific locational requirements and the needs of specific sectors.

DM1 is consistent with national policy and ensures that sufficient land is allocated to meet the employment land requirements identified in CSUCP Policy CS6 Employment Land. The policy will ensure that existing employment sites which contribute to the city’s existing supply of employment land are protected from inappropriate development and changes of use.
<table>
<thead>
<tr>
<th>DAP Ref</th>
<th>HELAA Ref</th>
<th>Site Name</th>
<th>Gross Site Area (ha)</th>
<th>Net Site Area (ha)</th>
<th>Gross Site Area (ha)</th>
<th>Net Site Area (ha)</th>
<th>Gross Site Area (ha)</th>
<th>Net Site Area (ha)</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3052</td>
<td>Site to the South of Shields Road, Byker</td>
<td>6.41</td>
<td>6.41</td>
<td>6.41</td>
<td>6.41</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>3210</td>
<td>Site to the North of Shields Road/Adjacent to Depot Road, Byker</td>
<td>1.8</td>
<td>1.8</td>
<td>1.18</td>
<td>1.18</td>
<td>-0.62</td>
<td>-0.62</td>
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</tr>
<tr>
<td>3</td>
<td>4576</td>
<td>Site to the north of Shields Road, Byker</td>
<td>2.05</td>
<td>2.05</td>
<td>2.05</td>
<td>1.05</td>
<td>0</td>
<td>-1</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>4219</td>
<td>Site South of Whitehouse Road, Scotswood</td>
<td>3.04</td>
<td>2</td>
<td>3.04</td>
<td>2.5</td>
<td>0</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>2794</td>
<td>Site to the West of Shelley Road, Newburn</td>
<td>1.01</td>
<td>1.01</td>
<td>1.01</td>
<td>0.9</td>
<td>0</td>
<td>-0.11</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>2758</td>
<td>Site North of Westway Industrial Park, Ponteland Road, Throckley</td>
<td>1.12</td>
<td>1.12</td>
<td>1.12</td>
<td>0.4</td>
<td>0</td>
<td>-0.72</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>2703</td>
<td>Site West of Ruby Park, Brunswick Industrial Estate, Brunswick</td>
<td>1.12</td>
<td>1</td>
<td>1.12</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>3360</td>
<td>Site to the East of Riversdale Way, Newburn</td>
<td>1.7</td>
<td>1</td>
<td>1.7</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>5320</td>
<td>Site to the West of Goldcrest Way, Newburn Riverside Industry Park,</td>
<td>1.12</td>
<td>1.12</td>
<td>1.12</td>
<td>1</td>
<td>0</td>
<td>-0.12</td>
<td></td>
</tr>
</tbody>
</table>
Table DM1 (B) Policy Development Table

<table>
<thead>
<tr>
<th></th>
<th>Newburn</th>
<th>Woodside Avenue, Walker Riverside</th>
<th>Site to the North of Kingfisher Boulevard, Newburn Riverside Industry Park, Newburn</th>
<th>Site to the South of Shelley Road, Newburn Industrial Estate</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>5911</td>
<td>0.96 0.384 0.96 0.96 0 0.576</td>
<td>2.54 2.54 2.54 2.54 0 0</td>
<td>2.97 2.97</td>
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<tr>
<td>11</td>
<td>5321</td>
<td>2.54 2.54 2.54 2.54 0 0</td>
<td>7.58 2.2</td>
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</tr>
</tbody>
</table>

Table DM1 (B) Policy Development Table

<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy DM1</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Several comments were made on the Draft DAP at regulation 18 consultation stage.</td>
<td>A number of comments were made on the Pre-Submission DAP at regulation 19 consultation stage.</td>
<td>No change</td>
</tr>
<tr>
<td>A general comment was made in support for including the General Hospital within Policy DM1. Several general suggestions were made as to how the General Hospital (now the CAV) site should be redeveloped.</td>
<td>Historic England made the following comments:</td>
<td></td>
</tr>
<tr>
<td>General comments in support of deallocation of a specific employment site were made.</td>
<td>The evidence that the HELAA or ELR assessed the sites other than 13, 19, and 26 for their impact on heritage assets was not clearly provided. More clarity was needed on which heritage assets were being referred to or what level of investigation was expected.</td>
<td></td>
</tr>
<tr>
<td>The redevelopment of the</td>
<td>Historic England has been unable to find design guides or</td>
<td></td>
</tr>
</tbody>
</table>
CAV site will be guided by a masterplan as part of a comprehensive and coordinated approach.

A comment was made questioning the market and need for employment land allocations in Byker. It was suggested that these sites could be developed as housing.

Much of the employment land allocated in Byker is currently occupied and is not available or necessarily suitable for housing development. It was considered that not only was it important to ensure the protection of the city’s employment sites, but also that Policy DM2 would ensure that appropriate alternative uses would be considered when an existing employment site ceased to function for its allocated use.

A comment was made recommending that the mixed economy in the Ouseburn area be retained. This comment was noted but did not relate directly to any allocated employment sites in the DAP.

A comment that employment sites be located in areas adjacent to residential developments, to increase accessibility and avoid unnecessary journeys, and advocating for greater provision of mixed-use development in general was made.

The Council considered that its approach to allocating employment land was sound, and that mixed-use 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. This is not considered consistent with NPPF paragraphs 184, 185. Further, paragraph 190 requires local planning authorities to identify the significance of a heritage asset that may be affected by a proposal.

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’.

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’.

National Grid made the following comments: Referring specifically to Newburn Industrial Estate National Grid stated that several power lines run through or in proximity to the site.

The power lines referred to in the representation are in proximity to existing employment units on Newburn Industrial Estate. This constraint would be considered and dealt with as part of the planning application process.
Development had been planned for where appropriate. For example, the CSUCP identifies the Urban Core as the primary location for office development in the city. Mixed use development would be appropriate in many of the potential developments within the Urban Core. DAP Policy DM1 allocates land for general industrial uses. This includes light industry and warehousing (B2, and B8). Neither of these uses or the allocations identified were considered to be suitable for mixed use development. The only exception was the CAV site. The accessibility of sites was also assessed as part of the plan preparation process and the findings were included within the ELR and HELAA.

A comment was made indicating that one existing employment site is situated beneath power lines and expressed a preference that development not be located in that area.

It was noted that there are power lines in proximity to occupied parts of Newburn Industrial Estate. It was considered that this issue does not justify the deallocation of the existing occupied industrial estate, however it was noted that the powerlines would be taken into account in the event of any planning application.

Highways England requested that development proposals put forward for the sites be required to demonstrate that the

One respondent commented that the HELAA site “Land South of Rotary Way” should be allocated in the DAP for “roadside Commercial/Employment” uses.

At Regulation 18 stage Ashdale Land proposed that the site was suitable for development under several uses, including:
- commercial and/or residential,
- Stand-alone residential
- Commercial/employment roadside uses

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.

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 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.

Clarification was sought as to what the respondent considered would be an appropriate use for the site. The respondent refers to roadside/commercial employment uses as their preferred use. It is possible the respondent is suggesting similar uses to those found on the
development would not have an adverse impact on the road network.

An additional site at Rotary Way was proposed for allocation.

It was considered that the site was put forward at too late a date and with insufficient evidence to justify its allocation within the plan. The Council sought further information from the respondent and agreed to assess the site in the HELAA.

Historic England raised concerns about the potential impact of proposed allocations on heritage assets.

The Council considered that its assessment of the impact of allocating employment sites was robust.

The Planning Policy team made several additional modifications to the policy after regulation 18 consultation. These were primarily to correct minor errors or and to standardise formatting. Minor changes were made to several site areas to take account of boundary changes and further assessment of developable site area.

Reference to the General Hospital (now the CAV) site was removed from Policy DM1.

A new employment site within the existing employment area of Newburn industrial Estate was identified as a result of a site clearance. This new nearby site at North Brunton.

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.

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.

Highways England Commented that the 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.

This comment was noted.

The Environment Agency made the following comments.

Site allocations should seek to ensure that there is sufficient sewerage capacity to accommodate the additional housing and employment allocations. Consideration should be given to Howdon Sewage Treatment Works and its capacity to support the proposed level of growth.

Consideration should be given to the North East mine water constraints maps, which identifies areas at risk of rising mine water.

Consideration should be given
| A vacant site was assessed and added to the list of new employment sites. The former Havannah Colliery buildings were also added to the existing employment sites list. | to Northumbria Integrated Drainage Programme and Northumbria Water’s Drainage and Waste Water Management Plans. 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 this area includes a provision of connection to the foul sewer system. 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. Any new development would need to be considered under CS17, discharge hierarchy and DM26 will address issues of water pollution. Water quality is referred to in Policy DM26. There are employment sites in Newburn adjacent to the river where new development would be controlled. |
Table DM1 (C) Site Allocation Changes (between the Draft Plan and Pre-Submission DAP)

<table>
<thead>
<tr>
<th>DAP Ref</th>
<th>HELAA Ref</th>
<th>Site Name</th>
<th>Draft DAP SA</th>
<th>NCC Comments</th>
<th>Pre-Submission DAP SA</th>
<th>NCC Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3052</td>
<td>Site to the South of Shields Road, Byker</td>
<td>The neutral scores (7a &amp; 7b) are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>The neutral scores (7a &amp; 7b) are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. The negative score (5.) is due to the Frontiers of the Roman Empire (Hadrian's Wall) WHS being located along the southern boundary of the site.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage. It is considered that the archaeological constraints can be mitigated.</td>
</tr>
<tr>
<td>2</td>
<td>3210</td>
<td>Site to the North of Shields Road/Adjacent to Depot Road, Byker</td>
<td>The size of the site will likely restrict renewable energy options. The neutral scores (7a &amp; 7b) are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>The size of the site will likely restrict renewable energy options. The neutral scores (7a &amp; 7b) are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. The site is located approximately 250 from the Frontiers of the Roman Empire (Hadrian's Wall) WHS, as such it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage. It is considered that the archaeological constraints can be mitigated.</td>
</tr>
<tr>
<td>3</td>
<td>4576</td>
<td>Site to the north of Shields Road,</td>
<td>The size of the site will likely restrict</td>
<td>Site Specific Flood Risk</td>
<td>The size of the site will likely restrict renewable energy options. The neutral scores (7a &amp; 7b) are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage. It is considered that the archaeological constraints can be mitigated.</td>
</tr>
<tr>
<td></td>
<td>Site Description</td>
<td>Assessment Details</td>
<td>Considerations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Byker</td>
<td>renewable energy options. The neutral scores (7a &amp; 7b) are because the site is in a ‘1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>is in a ‘1 in 1000’ SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. The site is located approximately 250 from the Frontiers of the Roman Empire (Hadrian's Wall) WHS, as such it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Site South of Whitehouse Road, Scotswood</td>
<td>The negative scores (7a &amp; 7b) are because the site is in a ‘1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>The negative scores (7a &amp; 7b) are because the site is in a ‘1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Site to the West of Shelley Road, Newburn</td>
<td>The size of the site will likely restrict renewable energy options. The negative scores (7a &amp; 7b) are because the site is in a ‘1 in 100’ SW flood risk area and is in a FZ2 area. The site is near a grade II listed building and in the same location as a registered battlefield. Any developments on site may negatively impact on the Battle</td>
<td>The site layout and design need to be considered with regards to flooding. It is considered that the archaeological constraints can be mitigated.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

49
<table>
<thead>
<tr>
<th></th>
<th></th>
<th>100' SW flood risk area and is in a FZ2 area. The site is near a grade II listed building and in the same location as a registered battlefield. The SFRA suggests recommendation C which suggests considering site layout and design around the identified flood risk if site passes Sequential Test. There is a listed building located approximately 100m from the site; however, it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Site North of Westway Industrial Park, Ponteland Road, Throckley</td>
<td>The site is well located to a bus route, however travel from the centre to the site is greater than 30min via public transport, which may discourage use. The size of the site will likely restrict renewable energy option. The negative scores (7a &amp; 7b) are because the site is in a '1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. The negative score (5.) is due to the Frontiers of the Roman Empire (Hadrian's Wall) WHS being located approximately 50m from the site.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>6</td>
<td>2758</td>
<td>The site is well located to a bus route, however travel from the centre to the site is greater than 30min via public transport, which may discourage use. The size of the site will likely restrict renewable energy option. The negative scores (7a &amp; 7b) are because the site is in a '1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. The negative score (5.) is due to the Frontiers of the Roman Empire (Hadrian's Wall) WHS being located approximately 50m from the site. Site Specific Flood Risk Assessment will be required at planning application stage. It is considered that the archaeological constraints can be mitigated.</td>
</tr>
<tr>
<td>Site Description</td>
<td>Site Specific Flood Risk Assessment</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>-------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Site West of Ruby Park, Brunswick Industrial Estate, Brunswick</td>
<td>Site will be required at planning application stage.</td>
<td></td>
</tr>
<tr>
<td>The negative scores (7a &amp; 7b) are because the site is in a '1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>The size of the site will likely restrict renewable energy options. The negative scores (7a &amp; 7b) are because the site is in a '1 in 30' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>Site to the East of Riversdale Way, Newburn</td>
<td>The size of the site will likely restrict renewable energy options. The negative scores (7a &amp; 7b) are because the site is in a '1 in 30' SW flood risk area. The negative score (5.) is because the site is within 100m of x2 Listed Building and be required to</td>
<td></td>
</tr>
<tr>
<td>The size of the site will likely restrict renewable energy options. The negative scores (7a &amp; 7b) are because the site is in a '1 in 30' SW flood risk area. The negative score (5.) is because the site is within 100m of x2 Listed Building and be required to</td>
<td></td>
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<tr>
<td>Site Location</td>
<td>Scores (7a &amp; 7b)</td>
<td>Planning Application Stage</td>
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<tr>
<td>---------------</td>
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</tr>
<tr>
<td>Site to the West of Goldcrest Way, Newburn Riverside Industry Park, Newburn</td>
<td>The size of the site will likely restrict renewable energy options. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
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</tr>
<tr>
<td><strong>Site to the North of Kingfisher Boulevard, Newburn Riverside Industry Park, Newburn</strong></td>
<td>The size of the site will likely restrict renewable energy options. The negative scores (7a &amp; 7b) are because the site is in a '1 in 30' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>11</td>
<td>5321</td>
<td></td>
</tr>
<tr>
<td><strong>General Hospital (Site to the West of Gainsborough Grove)</strong></td>
<td>The size of the site will likely limit renewable energy options. The negative scores (7a &amp; 7b) are because the site is within 100m of x5 grade II listed buildings. Additionally,</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>12</td>
<td>3025</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Code</td>
<td>Address</td>
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</tr>
<tr>
<td>12</td>
<td>6012</td>
<td>Site to the South of Shelley Road, Newburn Industrial Estate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
</tbody>
</table>

Site Specific Flood Risk Assessment will be required at planning application stage.
**DM2 Protection of Employment Sites**

**Policy title and introduction to purpose:** DM2 Protection of Employment Sites

The purpose of this policy is to protect allocated employment sites from loss to inappropriate development, and to ensure that a sufficient supply, range and choice of employment land is maintained.

**Policy (full policy):**

Sites allocated for employment uses in Policy DM1 and the Core Strategy and Urban Core Plan will be restricted to employment uses within Classes B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution). Uses outside of Use Classes B1, B2 and B8 on allocated employment sites will not be permitted unless all the following criteria are met:

1. It can be demonstrated that there is no current or likely future demand for employment uses on the site within Use Classes B1, B2 or B8. To demonstrate this, it must be shown that:
   i. the site has not been occupied for a period of at least 2 years prior to the submission of a planning application;
   ii. any non-employment use proposed cannot be accommodated on alternative sites within the economic market area; and
   iii. there is documented evidence of sustained and active marketing for employment use, at local market rental levels, over a continuous period for a minimum of 2 years, and there was no interest expressed for employment uses. Evidence should be provided by marketing and an independent assessment.

2. The proposed use would not prejudice current or future development of the surrounding employment area or detract from the role of the wider employment area.

3. The development would not undermine the future supply of employment sites across the city.

**Positively Prepared:**

Newcastle Upon Tyne is a key economic location within the North East and functions as the regional capital. It is the primary office location for the region as well as the site of several key sectors including marine and offshore at Walker Riverside as well as Newcastle International Airport, which offers opportunities to accommodate large floorplate office development. These strategic locations are allocated in the CSUCP. DM2 has been positively prepared and will allocate and protect employment land in accordance with the requirements set out in CSUCP Policy CS6 Employment Land.

DM2 has been positively prepared based on a review of the employment sites across the city. An analysis of current market and employment in the city and the North East Region has also been carried out through the Employment Land review (ELR) 2018, and the Newcastle Gateshead Employment Land and property Demand Assessment (ELPDA).

Newcastle is notable for its dynamic digital and tech sector and attractiveness to SME businesses and start-ups. The North East local enterprise partnership (NELEP) have produced a Strategic Economic Plan (SEP) setting out ambitious aims to enhance the economy of the North East. The SEP notes three discreet challenges facing the employment sites and business premises in the North East:

- Limited supply of quality industrial accommodation, especially for units over 10,000 sq. ft.
- Disparity between end values and costs, leading to limited speculative development despite identified need.

There is a shortage of Grad A office floorspace, but despite this high demand, there are constraints on the ability to bring forward speculative office development with banks.
unwilling to lend without pre-lets.

Policy DM2 seeks to ensure that employment land and premises is not lost to alternative uses where there is a reasonable prospect that a site can be occupied for employment (B1, B2, and B8) uses. It provides the criteria against which a change of use to an alternative use would be assessed. The criteria-based approach ensures that applications will be considered in a consistent way, providing clarity to developers.

The CSUCP identifies key strategic sectors and allocates sites to meet these specific sectoral requirements. These include the Key Employment Areas of Walker Riverside, Newcastle International Airport and the Urban Core as the primary location for office development. Policy DM1 allocates new employment sites in sustainable locations to encourage and accommodate new employment development in line with the quantum of development specified in CSUCP Policy 6. DM2 Protection of Employment Sites will ensure that new and existing employment sites allocated in both the CSUCP and DAP are not eroded or undermined through inappropriate change of use. This is a proactive approach which will ensure that economic growth in Newcastle is not constrained by a shortage of suitable economic development locations.

Core Strategy Vision and Objectives compliance and delivery:

SO2. To increase our economic performance, resilience, levels of entrepreneurship, skills and business formation by promoting Gateshead and Newcastle as the strong regional economic focus and by ensuring the supply of suitable, flexible and diverse business accommodation.

Statutory Consultation:

A summary of the main comments received during the stages of public consultation are set out below.

Draft DAP – Regulation 18 Consultation

General Comments about whether there was a market for employment sites in Byker
Objections to the policy and request a change to the wording to clarify that parking related to employment sites would be permitted within the sites to prevent parking being displaced onto surrounding residential streets.
Objection to the policy from Highways England asking for proposals on identified employment sites be required to demonstrate that there would be no adverse impact on the Strategic Road Network.
Requests that potential additional road infrastructure to support economic development be acknowledged within the policy.
Requests for sui generis and non-B use employment sites to be included within the policy in addition to B1, B2, & B8 class uses.

Pre-Submission DAP – Regulation 19 Consultation

One respondent commented that:

Paragraph 3.1.7 does not comply with the NPPF, which requires planning policies minimise trip generation and journey length, and is inconsistent with section 5 of the DAP, which deals with Transport and Accessibility
The allocation of discrete employment sites does not meet sustainability criteria. It has led to the development of large business parks such as Quorum and Cobalt which has led to
increased traffic generation
All office development should be mixed use in the same way as the Urban Core. Use classes A1-A5, B1, C1-C4, D1 and D2 can be integrated into mixed use urban centres, to which everyone can cycle. B2 and B8 uses are a separate issue

Policy Preparation:

Following the adoption of the DAP the ‘saved’ policies from the UDP, and adopted policies contained within the Walker Riverside Area Action Plan (WRAAP), and Benwell Scotswood Area Action Plan (BSAAP) will be superseded by relevant policies in the DAP. The following policies will be superseded by DAP policies DM1 & DM2: UDP policies (ED1.1; ED3; ED3.1; ED3.2; ED4; ED4; ED5), WRAAP policies (ED1; and ED2), and BSAAP policies (EE2; EE3).

Changes since the consultation on the draft DAP:
Minor changes to wording in supporting text
Removal of reference to development pressure on some employment sites in paragraph 3.2.2
Change to paragraph 3.2.3 to say that the policy seeks to prevent the loss of allocated employment sites rather than to assess any proposed loss. The modification also makes it clear that the policy provides criteria against which a change of use would be assessed. Removal of text in part 1 of the policy referring to the need to demonstrate that the current or last use of the site is no longer viable to meet current or likely future employment demand.
Minor changes to the policy, including changing “CSUCP” to “Core Strategy and Urban Core Plan” and Changing “Development” to “Uses”.
Removal of wording in part 1, which reads “and the current or last use of the site is no longer viable to meet current or likely future employment demand”.
Removal of the word “proposed” form part 1. criterion ii.
Rewording of paragraph 3.2.4 to provide more detail as to why it is necessary to protect the employment, and how the portfolio of sites will be reviewed.

The DM2 Policy Development table sets out how the comments raised at consultation have been considered and informed the policy.

Sustainability Appraisal:

Draft DAP

Policy DM2 was judged as having a positive overall impact with the potential for a minor negative impact in terms of environmental sustainability. It was found that the protection of existing uses in employment areas would ensure employment land is retained.
Employment is provided in many of the more deprived areas of Newcastle and this was found to have a beneficial impact in terms of economic and social sustainability. It was identified that the protection of certain uses on employment land could help to maintain the range and diversity of employment land provision. It was also found that the continued and increasing presence of employment uses could have small negative impacts in terms of environmental sustainability due to the impact of employment related activities, however it was considered that the application of CSUCP policies CS15, CS16, CS17 and CS18 could mitigate against the negative factors.

Pre-Submission DAP

The Sustainability Appraisal findings did not change between the draft and pre-submission stage. The policy was still found to have positive impacts in terms of social, economic, and
environmental sustainability, with the possibility that the protection and enhancement of employment related uses would have some negative but mitigatable effects.

Joint working:

The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been identified through the process in relation to the allocation and protection of employment land.

Justified:

Evidence:

National policy places great significance on supporting economic growth. An economic objective is one of the three overarching objectives of the planning system which will help to achieve sustainable development. It is important for the Council to protect existing employment sites and to retain the most suitable and sustainable locations that will contribute economic growth.

The NPPF states that in order to build a strong, competitive economy, planning policies should help create the conditions in which businesses can invest, expand and adapt. NPPF (paragraph 120) states that where local planning authorities consider there is no reasonable prospect of an application coming forward for a use allocated in a plan, they should reallocate the land for a more deliverable use as part of future updates and in the interim, consider alternative uses where the proposed use would contribute to meeting an unmet need for development in the area.

DAP Policy DM2 will prevent the loss of allocated employment sites to unsuitable uses which would undermine the future development of the surrounding employment area or detract from the role of the wider employment area. It will ensure that where sites or parts of sites no longer attract the prescribed uses or where an appropriate use not included within the B1, B2, and B8 use classes is proposed, the proposal will be considered with an appropriate degree of flexibility.

The DAP employment policies are aligned with the quantum of development identified in the CSUCP, and in preparing the DAP, employment requirements in the city were considered and evidence was reviewed as part of the Newcastle Gateshead Employment Land and Property Demand Assessment (ELPDA) 2016 and the Newcastle Employment Land Review (ELR) 2018. The ELR also provides important contextual information regarding the overall health of the economy in the city and wider region. This assessment of city-wide employment land and provision provides an updated analysis of employment land, both existing and new, as well as an overview of the strategic and local context of employment land in the city and region and an analysis of historic take up. It considers the findings of documents produced by the North East Local Enterprise Partnership (NELEP) including, the aims of the Strategic Economic Plan (SEP), and the NELEP Annual Review 2017-2018. The policy has been developed, taking into account the evidence set out in these documents, particularly the need to support economic growth, provide a suitable choice of sites in sustainable locations, to meet identified growth needs and to support existing and new businesses.

Alternatives:

The approach towards protecting employment sites through a criteria-based approach is consistent with national planning policy. It builds on the existing CSUCP Policy CS5 and
One alternative would have been not to include a policy setting out the criteria by which alternative uses on allocated employment sites would be considered. However, this would have created uncertainty as to how planning applications for alternative uses on allocated employment sites would be dealt with. It would not have been positive or compliant with the NPPF.

Effective:

The effectiveness of the policy will be achieved largely through the development management process. For example, refusing applications for changes of use where the relevant criteria are not met and where it has not been demonstrated that appropriate efforts have been made to market a site for its allocated use, or where the proposed use would undermine the wider function of the employment site.

Monitoring:

The policy will be monitored by the following Monitoring Framework indicators:

CSUCP
8 the amount of employment floorspace approved, completed and lost by size (m2), location (including allocated employment land / key employment area), type (use class) and greenfield / brownfield
9 The amount of employment land (ha) available by type and location

DAP
1 Take-up of land (ha) for employment uses, by location
2 Supply of employment land that could be developed within the next five years, by location

Consistent with National Policy:

The NPPF sets out an economic objective “to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;”. This objective runs through the NPPF as a golden thread and is intended to ensure that sustainable development is achieved.

Having had regard to the strategic priorities set out in the CSUCP, the objectives established within the SEP and the findings of the ELR and other evidence base documents there is a clear need to establish a defensible portfolio of employment land in the city. Policy DM2 is key to meeting this objective. The policy will provide clarity as to how the Council will consider applications for changes of use on its allocated employment sites.

NPPF paragraph 120 requires planning policies and decisions to reflect changes in demand for land. Regular monitoring of employment sites will ensure that where sites are not likely to come forward for their allocated use an appropriate alternative use can be
permitted. Policy DM2 ensures that a balanced approach is taken to the protection of employment land in the city. It ensures that a suitable range and choice of sites are available for development while also preventing units or sites which have no reasonable prospect of coming forward for their allocated use being retained. The policy will also provide certainty and clarity to developers, as it sets out specific criteria which must be met in order for changes of use to be permitted.
<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
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</thead>
<tbody>
<tr>
<td><strong>Policy DM2</strong></td>
<td><strong>A respondent stated that DAP paragraph 3.1.7 does not comply with the NPPF, which requires planning policies minimise trip generation and journey length, and is inconsistent with section 5 of the DAP, which deals with Transport and Accessibility.</strong></td>
<td><strong>No change</strong></td>
</tr>
<tr>
<td>General Comments were made about whether there was a market for employment sites in Byker.</td>
<td>The allocation of discrete employment sites does not meet sustainability criteria. It has led to the development of large business parks such as Quorum and Cobalt which has led to increased traffic generation.</td>
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<tr>
<td>This comment was noted. Much of the employment land allocated in Byker is currently occupied and is not available or necessarily suitable for housing development. It was considered that not only was it important to ensure the protection of the city’s employment sites, but also that Policy DM2 would ensure that appropriate alternative uses would be considered when an existing employment site ceased to function for its allocated use. Objections to the policy and request a change to the wording to clarify that parking related to employment sites would be permitted within the sites to prevent parking being displaced onto surrounding residential streets.</td>
<td>The allocation of discrete employment sites does not meet sustainability criteria. It has led to the development of large business parks such as Quorum and Cobalt which has led to increased traffic generation. All office development should be mixed use in the same way as the Urban Core. Use classes A1-A5, B1, C1-C4, D1 and D2 can be integrated into mixed use urban centres, to which everyone can cycle. B2 and B8 uses are a separate issue. <strong>The Council responded that it is</strong></td>
<td></td>
</tr>
<tr>
<td>There was an objection to the policy from Highways England asking for proposals on identified employment sites be required to demonstrate that there would be no</td>
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</tbody>
</table>
adverse impact on the Strategic Road Network.

The Council responded stating that it will continue to request transport assessments based on the current guidance and matters such as site access, congestion, current parking pressures, proposed parking, sustainability of location and other material considerations.

It was agreed that further discussions would be held with Highways England to address these concerns.

There was a request that potential additional road infrastructure to support economic development be acknowledged within the policy.

The Council responded that DAP allocates employment sites to meet the objectives set out in the CSUCP in delivering and maintaining a range of economic development sites, both new and existing. New sites have been assessed in terms of their accessibility by walking, and public transport, as well as their proximity to the strategic highways network. Potential constraints relating to access of specific sites have been identified. The layout and access arrangements of individual sites will

considered that key employment areas are within sustainable locations, close to transport routes and services.

The NPPF states that planning policies should define a network and hierarchy of town centres and promote their long-term vitality and viability. CSUCP Policy CS7 and the Development and Allocations Plan Policy DM3 recognise that these centres will form 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.
be determined at the planning application stage. Development will be assessed against the relevant policies in the CSUCP and SAP in relation to transport and accessibility.

Requests for sui generis and non-B use employment sites to be included within the policy in addition to B1, B2, & B8 class uses.

The comment was noted. It was reiterated that the approach taken in the DAP, and in Policy DM1 is to allocate land for B1, B2 & B8 uses in order to meet the quantum of development required in the CSUCP. The Council stated that the policies in DM2 seek to protect the city’s supply of employment land defined above and that the criteria-based approach set out in Policy DM2 ensures that, where the appropriate criteria are met, suitable alternative uses could be permitted.

It was further stated that the DAP did not seek to provide an exhaustive list of all potential operations which may provide any degree of employment, particularly with regards to Sui Generis uses. Appropriate uses would be determined through the application of relevant policies.
In addition to responding to comments from the public at Regulation 18 consultation stage there were a number of internal discussions with colleagues. As a result of ongoing work on the DAP several changes were made.

These changes included rewording the supporting text and removing repetition of national planning policy. The requirement that the applicants demonstrate that ‘the current or last use of the site is no longer viable to meet current or likely future employment demand’ was removed from the policy.
DM3 District and Local Centres

Policy title and introduction to purpose:

**Policy DM3 – District and Local Centres**

The purpose of this policy is to designate District and Local Centres within Newcastle. Each centre performs a role and function which reflects the particular needs and character of their local community. This policy seeks to protect the role of centres within the retail hierarchy, while providing flexibility for other uses where they would support the centres vitality and viability.

Policy (full policy):

**Policy DM3 – District and Local Centres**

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:

1. Maintain and enhance the vitality and viability of the centre.
2. Not dominate or fragment the centre either individually or cumulatively.
3. Maintain an active ground floor frontage

Positively Prepared

Newcastle City Council performs the role of the region’s principal shopping destination. Convenience and comparison retail and local services are important for Gateshead and Newcastle and our future, because they create jobs, attracts many visitors to the area, provides services to local residents and ensures that everyone has access to good quality food shopping. This policy is fundamental in achieving the vision and creating sustainable communities.

DM3 has been prepared in accordance with the Core Strategy and Urban Core Plan, Policy CS7 Retail and Centres which supports a network of accessible centres, to act as the key focus for retail and leisure investment and seeks to promote their vitality and viability. It defines the retail hierarchy for Newcastle and Gateshead, recognising the role that different centres play (specifically pages 64 and 68)

DM3 has been positively prepared based on a thorough review of all District and Local Centres in the retail hierarchy. As part of the retail health checks update, the boundary of each centre has been reviewed based on occupiers, local plan evidence on retail needs and development opportunities and an analysis of the vitality and viability indicators as indicated in the planning practice guidance.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objectives:

- **SO3** – To increase our competitiveness by improving and expanding the role of the Urban Core as the regional destination for business, shopping, education, leisure, tourism and as a place to live.
- **SO4** - To strengthen Newcastle’s position as the regional retail centre. To ensure the provision of quality District and Local centres with a diverse range of shops and services that are accessible to meet the needs of all local communities.
- **SO5** – Expand leisure, culture and tourism providing for all age groups and diversifying the evening economy
- **SO7** – Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops
- **SO8** - Improve sustainable access to, within and around the Urban Core by promoting fast and direct public transport links to the heart of the Urban Core, increasing walking and cycling and minimising through traffic.
- **SO10** – Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities

### Statutory Consultation:

A summary of the main comments received during the stages of public consultation are set out below.

**Draft DAP - Regulation 18 Consultation**

- Comments in support of the Plan’s recognition of retail centres
- Objections raised relating to the extent of Shields Road District Centre and the floorspace threshold for assessing retail impact
- Comments raised general comments about this policy area, requesting that the criteria for retail centres be expanded to include sui generis or other uses
- Request that the requirements for including non-retail development in a retail centre be clarified
- Support of the policy, requesting that more variety of development is allowed within retail centres to create more sustainable centres
- Comments raised on the designation of Kingston Park District Centre and the potential to extend the designation to include adjacent retail parks

**Pre-Submission DAP**

- Support noted regarding the inclusion of Belvedere Retail Park within the Kingston Park District Centre boundary
- Objection raised regarding the exclusion of Kingston Retail Park from the boundary of Kingston Park District Centre.

### Policy Preparation:

Policy DM3 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent public consultation are:

- Removal of the word retail from the policy title, this was to reflect that other uses outside Use Classes A1 can support the role of District and Local Centres if they contribute to the vitality and viability of the centre.
- Referencing that this policy does not preclude changes of use which fall within the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The boundary of Kingston Park District Centre has been revised to include Belvedere Retail Park.
- Dinnington Local Centre boundary has been revised to exclude the area of amenity green space.

The DM3 and DM4 Policy Development table sets out how the comments raised consultation have been considered and informed the policy.

### Sustainability Appraisal:

Draft DAP
The policy was judged as having an overall neutral to very positive impact as it optimises accessibility to amenities and jobs and focuses on maintaining the long-term vitality and viability of the District and Local Retail Centres. The policy should have a positive impact on health and has no obvious negative impacts for equality groups.

Pre-Submission DAP

The Sustainability Appraisal prepared for the Plan considers that Policy DM3 overall has a positive social, economic and environmental effect.

In terms of a social impact, Policy DM3 is judged as having an overall neutral to very positive impact as it optimises accessibility to amenities and jobs and focuses on maintaining the long-term vitality and viability of the District and Local Centres. The policy should have a positive impact on health and has no obvious negative impacts for equality groups.

In terms of the policy’s environmental impact it is judged as supporting a decrease in the production of greenhouse gases. However, some District and Local Centres are located within Wildlife Enhancement Corridors and Green Space which contradicts the objective to protect and enhance Newcastle’s biodiversity and to maintain and enhance ecological connectivity. However, any adverse effects will be mitigated by Policy DM30 (Protecting and Enhancing Biodiversity Habitats). After mitigation, this policy is likely to have a neutral effect on biodiversity and connectivity.

In terms of an economic impact, DM3 has strongly positive implications for District and Local Centres, supporting the vitality and viability. It may also lead to an increase in employment and easily accessible jobs.

Joint working:
The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the District and Local Centres during this process.

Justified
Evidence:

A health check has been prepared for each centre in the retail hierarchy (defined in Policy CS7 of the CSUCP) to assess how vital and viable they are.

As part of the retail health checks update, the boundary of each centre has been reviewed based on occupiers, local plan evidence on retail needs and development opportunities and discussions with relevant officers. Where evidence is readily available, the retail health checks include analysis on the vitality and viability indicators as indicated in the planning practice guidance. The retail health checks have informed the designations of the District and Local Centre boundaries as designated on the Policies Map.

A report on Convenience Retailing: commentary on market position has been prepared this provides a market commentary update on convenience retailing provision in Newcastle and Gateshead. This report has been prepared to inform the preparation of the DAP and the current retail policy position.

Alternatives:
The approach taken towards designating boundaries of centres in the Newcastle retail hierarchy is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS7 and the boundaries of each centre in the retail hierarchy has been reviewed as part of the retail health checks and have informed the designations on the Policies Map.

An alternative approach would have been to define primary frontages within District Centres and specify which uses would be supported within these, including a percentage for non-A1 uses. The Use Class Order has been amended to allow greater flexibility in the re-occupation of units which may be no longer suitable for operator requirements. This policy approach does also not take into consideration the performance of each centre and their overall ‘health’.

**Effective**
The policy will be largely delivered through the development management process, for instance refusing development in and outside of designated centres where it does not accord with the policy.

**Monitoring:**
Policy DM3 will be monitored against the following Core Strategy and Urban Core Plan monitoring indicators (page 329):
- 10 Retail Developments – Approvals, completions and losses of retail development
- 11 Performance of retail – Vitality and viability health checks of centres

**Consistent with National Policy**
Paragraph 85 of the NPPF (page 25) states that local planning authorities should define a network and hierarchy of town centres and promote their own long-term vitality and viability and should define the extent of town centres and primary shopping areas and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre.

Planning Practice Guidance (PPG)
Local planning authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.
### Retail and Leisure Impact Assessment

**Policy title and introduction to purpose:**

**Policy DM4 – Retail and Leisure Impact Assessment**

The purpose of this policy is to require retail and leisure proposals outside of designated centres to consider the proposals impact on the vitality and viability of existing centres. The policy aims to deliver further clarity on CS7 in the CSUCP by establishing a locally set threshold for impact assessments.

The policy takes into consideration that Newcastle has a significant proportion of out of centre retail floorspace, and a number of designated centres which are ‘at risk’ and therefore considers it appropriate to set a lower impact assessment threshold than the national planning threshold of 2,500 square metres to protect the vitality and viability of existing centres.

**Policy (full policy):**

**Policy DM4 – Retail and Leisure Impact Assessment**

An Impact Assessment proportionate to the scale and nature of a proposal will be required for:

1. Retail proposals (Class A1, A2, A3, A4, A5) of 500 square metres (net) floorspace or more outside designated centres in the retail hierarchy.
2. Leisure proposals (Class D2) of 500 square metres (net) floorspace or more outside of the Urban Core, District and Local Centres.

Retail and leisure development must not have an unacceptable adverse impact on the vitality and viability of designated centres.

**Positively Prepared**

Newcastle City Council performs the role of the region’s principal shopping destination. Convenience and comparison retail and local services are important for Gateshead and Newcastle and our future, because they create jobs, attracts many visitors to the area, provides services to local residents and ensures that everyone has access to good quality food shopping. This policy is fundamental in achieving the vision and creating sustainable communities.

DM4 has been prepared in accordance with the Core Strategy and Urban Core Plan, Policy CS7 Retail and Centres which supports a network of accessible centres, to act as the key focus for retail and leisure investment and seeks to promote their vitality and viability. It defines the retail hierarchy for Newcastle and Gateshead, recognising the role that different centres play.

DM4 has been positively prepared based on a review of the vitality and viability of existing centres in the retail health check updates, a review of approaches taken by other local planning authorities and a review of the typical unit sizes of centres and extant permissions.

**Core Strategy Vision and Objectives compliance and delivery:**

This policy will contribute to the achievement of the following strategic objectives:

- **SO3** – To increase our competitiveness by improving and expanding the role of the Urban Core as the regional destination for business, shopping, education, leisure, tourism and as a place to live.
- **SO4** - To strengthen Newcastle’s position as the regional retail centre. To ensure
the provision of quality District and Local centres with a diverse range of shops and services that are accessible to meet the needs of all local communities.

- SO5 – Expand leisure, culture and tourism providing for all age groups and diversifying the evening economy
- SO7 – Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops
- SO8 - Improve sustainable access to, within and around the Urban Core by promoting fast and direct public transport links to the heart of the Urban Core, increasing walking and cycling and minimising through traffic.
- SO10 – Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities

Statutory Consultation:

A summary of the main comments received during the stages of public consultation are set out below.

Draft DAP - Regulation 18 Consultation
- Objections raised relating to the floorspace threshold for assessing retail impact
- Comments in support of the protection of the city’s retail centres but requested that the definition of retail centres be broader, so as to create a fuller range of public and commercial services in one location
- Objections raised to this policy, as the threshold area of development which would require an impact assessment is smaller than what is recommended in the NPPF, which is seen as an unnecessary constraint on development. Also, it was felt that mixed use development is preferable in general so a policy which could limit the potential of this type of development should not be included in the DAP
- Highways England recommended that a transport assessment should be included as part of the impact assessment required by this policy, so as to understand the potential impacts on the local and strategic road networks.

Pre-Submission DAP
- No comments received

Policy Preparation:
Policy DM4 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent consultation are:
- Clarification of which of the use classes that would require an impact assessment outside of designated centres
- Clarification that the threshold would be 500 (net) square metres
- Inclusion that an impact assessment for leisure uses would be required for development outside of the Urban Core
- Alteration of policy wording from ‘must not have a significant adverse impact’, to ‘must not have an unacceptable adverse impact’

The DM3 and DM4 Policy Development table sets out how the comments raised consultation have been considered and informed the policy.

Sustainability Appraisal:
The Sustainability Appraisal prepared for the Plan considers that Policy DM4 overall has a positive social, economic and environmental effect.
In terms of a social impact, Policy DM4 is considered to have an overall positive impact as it supports and protects the vitality and viability of centres across the city which may result in increase/retained employment, retention of existing leisure and community facilities and it supports the provision of small new leisure facilities in Newcastle. Additionally, the increased provision of leisure facilities may lead to an improved health amongst the local population.

The policy is likely to result in negative environmental impacts. By allowing for increased developments outside of retail centres, there is likely to be increased travel that will result in a cumulative decrease in air quality. The impacts may be mitigated by the simultaneous implementation of Policies DM10 (Pedestrian and Cycle Movement) and DM11 (Public Transport) to demonstrate the location is supported by sustainable transport. There is also an increased risk of surface water flooding with large developments. However, provided Policy DM26 (Flood Risk and Water Management) is implemented simultaneously, the impacts should be neutral.

In terms of an economic impact, DM4 is judged to have an overall positive impact as it supports an increased vitality and viability across the city which may result in increased jobs and retain current employment and it supports the provision of small new leisure facilities in Newcastle.

Joint working:
The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the Retail and Leisure Impact Assessment during this process.

Justified
Evidence:
The Local Floorspace Threshold for the Assessment of Impact (2018) considers the requirement of a locally set impact assessment, based on a review of the vitality and viability of existing centres in the retail health check updates, a review of approaches taken by other local planning authorities and a review of the typical unit sizes of centres and extant permissions.

The evidence indicates that a number of other local authorities have adopted their own local thresholds below the default 2,500 square metres outlined by the NPPF, (page 26) having been considered sound by a planning inspector.

As there is already a large proportion of out of centre retail and leisure floorspace and given the evidence of centres in Newcastle which are at risk, it is deemed necessary to set a lower impact assessment to protect against the effect of cumulative applications. The evidence therefore recommends that the council adopts a local floorspace threshold policy of 500 (net) square metres for retail and leisure floorspace.

Alternatives:
The approach taken towards impact assessments in the Newcastle is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS7 and sets a local floorspace threshold for retail and leisure proposals outside of designated centres.

An alternative approach would have been to not set a local floorspace threshold and rely on the national default threshold of 2,500 square metres. This approach may undermine the vitality of existing centres, or existing, committed and planned public and
private investment in a centre.

**Effective**
The policy will be largely delivered through the development management process, for instance refusing development of this scale where it does not accord with the policy and has an unacceptable adverse impact on the vitality and viability of existing centres.

**Monitoring:**
Policy DM4 will be monitored against the following Core Strategy and Urban Core Plan monitoring indicators:
- 10 Retail Developments – Approvals, completions and losses of retail development
- 11 Performance of retail – Vitality and viability health checks of centres

**Consistent with National Policy**

Paragraph 89 of the NPPF states that when assessing applications for retail and leisure development outside of town centres, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold.

The Planning Practice Guidance states that the impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted. It considers that impact test may be useful in determining whether proposals in certain locations would impact on existing, committed and planned public and private investment, or on the role of centres.
<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy DM3</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy as drafted does not provide sufficient flexibility to allow a full range of town centre uses to be accommodated.</td>
<td>Comments were raised in support of the inclusion of Belvedere Retail Park within the Kingston Park District Centre boundary.</td>
<td>No change</td>
</tr>
<tr>
<td>Following responses received on the draft DAP minor changes to DM3 were made which included removing the world retail from the policy title, to reflect that other uses outside Use Classes A1 can support the role of District and Local Centres if they contribute to the vitality and viability of the centre.</td>
<td>Concerns were raised regarding the exclusion of Kingston Retail Park from the Kingston Park District Centre boundary. It is considered Newcastle Shopping Park functions separately to Shields Road District Centre. The Park includes large retail units, with a large service car park and does not include the offer you would expect in a District Centre, i.e. no service uses.</td>
<td></td>
</tr>
<tr>
<td>Added wording in the supporting text to emphasise the wider role of centres and that they offer a range of services. This is in accordance with paragraph 85 of the NPPF (2018) which identifies supporting uses which promotes the vitality and viability of centres.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments were raised regarding the boundary designations for Kingston Park District Centre and Shields Road District Centre that the boundaries of these centres should be extended to incorporate retail parks. For Dinnington Local Centre, it was requested that an area of amenity green space is excluded.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The boundary of Kingston Park District Centre has been revised to include Belvedere Retail</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Park. This Retail Park is well connected to the existing Centre, and includes smaller Retail units currently occupied by EE, Dominos and Costa. However, Kingston Retail Park has a separate access off Brunton Lane and comprises 4 large retailing units. It is considered to function separately from the District Centre.

It is considered Newcastle Shopping Park functions separately to Shields Road District Centre. The Park includes large retail units, with a large service car park and does not include the offer you would expect in a District Centre, i.e. no service uses.

Dinnington Local Centre boundary has been revised to exclude the area of amenity green space.

**Policy DM4**

Concerns were raised regarding the proposed threshold required for a retail and leisure impact assessment of 500 (net) square metres being significantly below the NPPF default threshold of 2,500sqm.

Newcastle has a significant amount of out of centre retail and leisure floorspace and given the evidence of centres in Newcastle which are vulnerable, it is deemed necessary to set a lower impact assessment to protect against the effect of cumulative applications. This position was also set out in the CSUCP (paragraph 9.32) which highlights the Council’s

| No comments received |  |  |  |  |
| commitment to establishing a local threshold in a future local development document. |  |  |
Chapter 4 Homes
Policy DM 5- Housing Sites

The purpose of Policy DM5 is to make provision for new residential development to help meet local housing need. The allocations contribute to the housing requirement for 19,000 new homes (gross) over the plan period 2010-30 (Policy CS10) and the strategy to create and sustain thriving communities underpinning sustainable economic growth.

The sites allocated in the policy are additional to the residential allocations in the CSUCP (Policies NN1-NN4, NV 1-NV3, AOC1), to the mixed-use designations in the urban core (Policies NC2, C2, D2 and D3) and will contribute to promoting lifetime neighbourhoods. A number of the additional sites replace current allocations in the Walker Riverside Area Action Plan and Benwell and Scotswood Area Action Plan.

DM5 additional allocations seek to provide a mix and choice of homes across geographic areas within the neighbourhood and villages areas of the City ranging in size (from 0.17 to 33.35 ha.) and location.

Two further sites (DM5.40-41) are allocated with opportunities to contribute to the city’s needs for different groups in Newcastle subject to an increased proportion of specialist and/or affordable housing and appropriate re-provision of open space in accordance with an open space assessment for each of the sites.

Policy DM 5

The housing sites listed in the table below and identified on the Policies map are allocated for residential development to provide a range and choice of homes in Use Classes C3 (Dwellinghouses) and C2 (Residential Institutions):

<table>
<thead>
<tr>
<th>Site Number</th>
<th>Site Address</th>
<th>Gross Site Area (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Former Stack Public House and land to the west, Walker</td>
<td>0.91</td>
</tr>
<tr>
<td>2</td>
<td>Lamb Street, Walker</td>
<td>1.06</td>
</tr>
<tr>
<td>3</td>
<td>Site of 1243-1293 Walker Road, Walker</td>
<td>0.49</td>
</tr>
<tr>
<td>4</td>
<td>Land at 1450-1560 Walker Road, Walker</td>
<td>0.26</td>
</tr>
<tr>
<td>5</td>
<td>Land at Caldbeck Avenue, Walker</td>
<td>4.13</td>
</tr>
<tr>
<td>6</td>
<td>Land at 262-314 Church Street, Walker</td>
<td>0.36</td>
</tr>
<tr>
<td>7</td>
<td>Site if former Wharrier Street Primary School, Walker</td>
<td>1.17</td>
</tr>
<tr>
<td>8</td>
<td>Land at Sandwich Street/Walker Road, Walker</td>
<td>0.42</td>
</tr>
<tr>
<td>9</td>
<td>Land at Pottery Bank, Walker</td>
<td>2.45</td>
</tr>
<tr>
<td>10</td>
<td>Land east of Pottery Bank, Walker</td>
<td>1.12</td>
</tr>
<tr>
<td>11</td>
<td>Former Belmont Street Church, Walker</td>
<td>0.27</td>
</tr>
<tr>
<td>12</td>
<td>Land to the east of Matthew Bank, South Gosforth</td>
<td>2.27</td>
</tr>
<tr>
<td>13</td>
<td>Land to the south of Ayton Street, Byker</td>
<td>0.24</td>
</tr>
<tr>
<td>14</td>
<td>Site of former Gas Holder to East of Pottery Bank, Walker</td>
<td>1.55</td>
</tr>
<tr>
<td>15</td>
<td>Land to the south of Brunton Lane (Cell D), Newcastle Great Park, Castle</td>
<td>28.00</td>
</tr>
<tr>
<td>16</td>
<td>Land to the west of Coach Lane, Manor Park</td>
<td>4.89</td>
</tr>
<tr>
<td>17</td>
<td>Land to the north of Beaumont Street, Elswick</td>
<td>5.97</td>
</tr>
<tr>
<td>18</td>
<td>Land to the west of Somerset Place, Elswick</td>
<td>0.84</td>
</tr>
<tr>
<td>19</td>
<td>Land to the south of 22-140 Roundhill Avenue, Blakelaw</td>
<td>1.11</td>
</tr>
<tr>
<td>20</td>
<td>Land to the south of Brockwell House, Blakelaw</td>
<td>0.62</td>
</tr>
<tr>
<td>21</td>
<td>Scotswood Development Area, Scotswood</td>
<td>33.35</td>
</tr>
<tr>
<td>22</td>
<td>Land at West Benwell Terraces, Benwell</td>
<td>2.95</td>
</tr>
<tr>
<td>23</td>
<td>Land at Westfield Road, Benwell</td>
<td>2.02</td>
</tr>
</tbody>
</table>
Land to the south west of Throckley Primary School, Hexham Road, Throckley 1.56
Land to the south of Hallow Drive, Throckley 0.32
Land to the east of Newburn Road, Newburn 0.56
Land to the west of Broughton Close, Newbiggin Hall 1.22
Land at Wansfell Avenue, Blakelaw 0.47
Site of former Westgate Community College (North), Grange Road, Fenham 2.09
Land to the south west corner of (Cell C), Newcastle Great Park, Castle 4.29
Land at Losh Terrace, Walker 1.81
Land on Benfield Road, Walkergate 3.19
Land on Salters Road, Gosforth 1.33
Land on Marleen Avenue, Heaton 4.2
Land on West Jesmond Avenue, Jesmond 0.17
Land on Whickham View, Benwell 0.66
Land at Sceptre Street, Elswick 0.27
Land at Maria Street/Caroline Street, Elswick 1.25
Land to the west of Roman Avenue, Byker 0.43

The housing sites listed below (sites 40 and 41) are allocated for residential development subject to appropriate re-provision of open space in accordance with an open space assessment for each of the sites and at least 30% of the dwellings being for specialist and/or affordable housing on each of the sites:

40 Land to the north of Thornley Road, West Denton 3.4
41 Land to the south of Hartburn Walk, Kenton 2.12

Positively Prepared:

This policy will contribute to the achievement and delivery of the CSUCP Vision, specifically:

‘Our Neighbourhood Area will comprise of places of choice with attractive communities and centres providing good access to jobs, shopping, health, recreation, open space and other facilities to meet day-to-day community needs. Areas including Benwell-Scotswood, Bensham, Birtley and Walker will have been transformed into distinctive areas where people aspire to live, offering a diverse range of high-quality housing in an attractive and safe environment. Complemented by the establishment of new sustainable housing areas and communities, these areas will have helped to attract population back into the area, supported by local services and centres, and with access to local employment opportunities at Team Valley and Walker Riverside. The area also benefits from excellent access to opportunities in the Urban Core, Follingsby and Newcastle Airport.’

Policy DM5 will also help deliver the CSUCP strategic objectives, including:

S 1 Encourage population growth in order to underpin sustainable economic growth
S 3 To increase our competitiveness by improving and expanding the role of the Urban Core as the regional destination for business, shopping, education, leisure and as a place to live.
S 6 Ensure that our residential offer provides a choice of quality accommodation in sustainable locations to meet people’s current and future needs and aspirations; improving opportunities to live in the Urban Core; and providing a broader range of accommodation including in new neighbourhoods, and
S10 Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

DM5 is considered positively prepared as it makes provision for new residential
development which when combined with the recently adopted CSUCP meets objectively assessed evidence on population growth, housing need and trajectory contained in the SHMA (2017) and HELAA (2018) which is summarised in the topic paper Approach to Housing, Employment and Mixed-Use Allocations. In addition, the Duty to Cooperate Statement of Common Ground articulates the co-operation with Gateshead Council and neighbouring authorities on housing need.

In accordance with Revised NPPF (para. 68), Policy DM5 seeks to promote effective use of land, by allocating previously cleared housing sites with development potential, and allocate small and medium sites.

The sites within the Pre-submission DAP allocations are considered inherently sustainable, located within the existing neighbourhood and village settlement areas. The review of sites for allocation also included an assessment of access to local facilities, the City Centre and employment locations; and weighted to support poor performing/ local and district centres at risk. (Approach to Housing, Employment and Mixed-Use Allocations) (section 4).

**Policy Preparation:**

Policy DM5 has evolved during the plan making stages, reviewing all the sites in the HELAA (2016) (considered suitable, available and achievable) against the principles of site selection (Approach to Housing, Employment and Mixed Use Allocations) (section 4), identifying reasons why some supply sites would not be appropriate for allocation (Appendix 2) updating the relevant site and needs based evidence (See Appendix YY) as necessary, reviewing the Sustainability Appraisal comments and responses/ representations to consultation. The most significant changes to the policy since the consultation on the Draft Plan are:

- Addition of 9 new allocation sites at Pre-submission DAP stage following submission by the owner/ site promoter at Draft Plan stage. The sites added were assessed to the same methodology proposed at Draft Plan, considered to meet the key principles of site selection and were therefore included in the Pre-submission and Submission stages of the Plan (See Appendix 2).
- Deletion of one site to the south of Broughton Close (as it is now complete). (See attached Compliance Table DM5 (A) for site changes)

No further review of additional sites was undertaken prior to Pre-Submission plan, given that the capacity of the sites in the Pre-Submission DAP provided for in excess of 100% of the residual plan requirement and there was no further scope for additional regulation 18 consultation.

**Statutory Consultation:**

The following is a summary of the comments that have been received on policy DM5 Draft DAP (Regulation 18)

- One resident supported the policy, stating that the allocation of disused sites, and recognition of self-build plots, is appreciated

- Five residents objected to the policy. One did so on the basis that development in Newcastle Great Park will negative affect Havannah Nature Reserve, whilst another felt that the masterplans for Newcastle Great Park and Scotswood Development Area were now out of date. Others expressed concern about the impact of new developments on traffic, and the ability of proposed allocations to support well-connected sustainable transport. Some also objected to the location of a number of sites on greenfield and former Green Belt land and the allocation of Hallow Drive for development.

- Eight residents made general comments on this policy, asking for clarification regarding use of specific sites within the city and affordable housing requirements.
Also, concerns were raised about the allocation of open space for residential development, and the potential for new leasehold developments to be built.

- Two organisations were in support, with the Elders Council requesting that new housing developments be suitable for older people.
- Ten organisations overall objected to this policy. Tyne and Wear Public Transport Users Group suggested that the impact of proposed residential sites on air pollution should be a consideration in allocating sites, and that public transport access to proposed sites should be realistic and viable.
- Other commenters expressed that the policy should identify what type of housing should be provided on each site, that and that the sustainability of proposed sites should be given greater consideration.
- Specific sites were also put forward for allocation.
- Twenty organisations made general comments on this policy, requesting clarification about what affordable housing and additional infrastructure would need to be provided as part of delivering these housing sites, and opposing new leasehold development.
- Two of these organisations recommended that the Council provide a buffer above and beyond the housing requirement of sites which are deliverable within the plan period, and others queried whether all proposed sites would be deliverable over the plan period. Save Newcastle Wildlife requested that the two proposed housing sites which are situated on open space should be removed from the plan, and the Environment Agency pointed out that some sites would require risk assessment.
- Various sites were put forward for consideration including the British Legion site at West Jesmond Avenue, Walkergate and Sanderson Hospital sites, former railway depot at Marleen Avenue and land within the Green Belt at Newcastle Racecourse.

**Pre-Submission DAP (Regulation 19)**

- CPRE consider that the housing allocations at Hartburn Walk and Thornley Road are not adequately justified, open space assessments should be prepared to support the allocation of sites 40 and 41.
- Several respondents object to the allocation of site 25 (Land to the south of Hallow Drive, Throckley), and that brownfield land should instead be allocated for housing.
- Northumbrian Water request that reference is made to the need to plan drainage strategies early in designs to inform masterplanning.
- Historic England consider that the supporting Development Principles document should include more detailed information regarding historic environment and conservation issues.
- Rapleys support the allocation of site 36 (Land at Whickham View) and confirm ongoing commitment to the site.
- Northumbrian Water support the allocation of site 24 (Throckley Water Treatment Works).
• Newcastle University object to the inclusion of the Henderson Hall site in the HELAA as the site is not available.

• One respondent stated that housing shouldn’t be allocated as large blocks of land and should include employment opportunities.

• Gentoo Homes and Ashdale Land request the allocation of their sites, as they are deliverable in accordance with the NPPF.

• Gladman and HBF argue that the DAP should include an additional buffer of sites to ensure a necessary level of contingency.

• HBF stipulate that assumptions on sites in relation to delivery and capacity should be realistic and based on reliable evidence. It is important that all allocated sites are considered to be deliverable.

(see attached Compliance Table DM5 (B) which summarises the comments that have been received and the Council’s responses (in Italics))

Sustainability Appraisal:
The policy has been judged overall as having a positive social, environmental and economic effect, with independent site appraisals for each allocation site. The sustainability assessment was run at Draft Plan and then again at Pre-Submission stage, including sites that have been added at Pre-Submission stage.

A number of site-specific matters are included in the SA. The Housing Allocation Sites Development Principles considers many of the points identified in the SA. In relation to flood risk, the Level 1 SFRA made recommendations for each site allocated within DM5 as to the level of further investigation that is required. The majority of sites were given either a D or E allocation. Those sites that were given a D allocation will require a Site-Specific Flood Risk Assessment at the planning application stage. Those that were given an E allocation have little perceived risk and consultation with the LPA/LLFA is required.

See attached table of site outcomes and responses (see attached Compliance Table DM5 (C))

Joint working:
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process. No cross-boundary or strategic issues have been raised in relation to the allocation of the sites.

Infrastructure providers and statutory consultees have been engaged as part of the plan making process with no significant ‘show stopper’ representations and only minor comments received which have helped to improve the level of available site assessment information, (See Duty to Cooperate Statement of Common Ground).

The statutory bodies below made the following comments:

• Highways England – During the Draft Plan consultation the Agency stated that the sites had already been assessed in terms of implications upon the SRN as part of the wider selection of sites. At Pre-submission stage however, the Agency did comment that the scale of impact identified in the Highways Modelling Report is insufficient to warrant specific further assessment of the SRN

• Historic England – Raised a number of concerns about the protection of heritage assets through the proposed policies in the Draft plan but supported the policy at Pre-submission consultation and made some suggested changes to the supporting evidence documentation (Housing Site Allocation Development Principles) most of which have been taken on board following officer discussions.

• Environment Agency – During the Draft Plan consultation the Agency identified three sites being located on historic landfill sites and that developers may be required to carry out a comprehensive risk assessment and the Council should
seek to ensure that any threats from landfill gas have been adequately addressed. These matters were subsequently considered by the Council, with no identified significant impact on site delivery. At Pre-Submission stage the agency stated that site allocations should seek to ensure that there is sufficient sewerage capacity to accommodate additional housing. Consideration needs to be given to Howdon Sewerage Treatment Works and its capacity to support the proposed level of growth. The council has engaged with Northumbrian Water on the site allocations and is advised that 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.

Justified:

Evidence:
The Core Strategy and Urban Core Plan target for Newcastle (2010-30) (CS10) is 19,000 gross (17,000 net) new homes (alongside 2,000 additional dwellings providing for student accommodation) and provides for 9,380 homes on allocated sites and in the urban core. Policy DM5 of the DAP allocates 41 further sites with potential for delivering an additional 4,000 homes to 2030. When combined with delivery of net new homes since the start of the plan period, existing commitments and small windfall sites, there is a residual requirement of 2,104. (See Approach to Housing, Employment and Mixed-Use Allocations) (Section 2, Fig.s1 & 2).

Housing Allocations are identified as deliverable and developable sites in compliance with NPPF/PPG and the evidence base is incorporated within the following documents:

- Local Plan Viability and Deliverability Report (VDR) (Chapter 8), assesses strategic plan viability of notional schemes and a sample of the allocation sites with cumulative plan and CIL/S106 costs.
- Housing Allocation Sites Development Principles- outlines a series of development principles for delivery of allocation sites- including advice on access, landscape treatment, potential flood risk and building design and scale.
- Housing impact on Infrastructure are required to support development in the City and are considered in the Infrastructure Delivery Plan (IDP) Schedule, IDP update (2018); Development Allocations Plan Highways Modelling Report; and the Newcastle Local Plan Education Plan report (2018). Open spaces assessments also support the allocations as necessary.
- Approach to Housing, Employment and Mixed-Use Allocations, Appendix 5 contains Housing Allocation Assessment evidence summarises.

The impacts of the proposed allocated sites on the Local Road Network has been considered by the Development Allocations Plan Highways Modelling Report which was prepared in July 2018. The modelling has shown that there is no impact on the wider LRN from the DAP allocated sites. However, localised highway works and junction improvements may be required as and when individual sites are brought forward for planning. In terms of school capacity, the Newcastle Local Plan Education Plan document (2018) assesses the impact of growth on schools and concludes, while some of the HELAA / DAP sites will impact on demand for school places, the primary focus in terms of strategic school place planning has been on ensuring that demand generated by the CSUCP sites is addressed. The DAP and HELAA sites are located within urban areas and the planned expansion and improvements to existing schools is expected to accommodate this growth.
Policy DM5 also identifies sites 40 and 41 (Thornley Road and Hartburn Walk) as having the potential to be developed for specialist and/or affordable housing which will help to meet the city's needs. These sites are Council owned with Council delivery mechanisms in place and with it a commitment to contribute towards meeting the overall affordable housing need of 6,014 dwellings 2015-30 (paras 12-17) (SHMA) (2017) in Newcastle. The site can also provide opportunities for specialist accommodation serving the ageing population/ households with disabilities. The SHMA forecasts the need for 14,200 dwellings suitable for persons over 65 by 2030 (Para. 18) (SHMA) (2017).

Impact and mitigations to the loss of open space are assessed in separate open space assessments and housing needs assessments for each of these sites consider the need for these allocations in some detail. An increased requirement of 30% affordable/specialist accommodation is required to justify the loss of open space.

Alternatives:

In preparing Policy DM5 the Council considered alternative approaches to overall quantum of sites and site capacity and to site selection for allocation.

- Additional allocations sites- one option would to allocate all the supply sites with the HELAA (2018)

This would increase the provision for housing development, however, Newcastle upon Tyne is a dynamic urban area with a varied mix of uses reflective of a regional city. The local plan needs to be able to respond to rapid changing needs and emerging forms of development in order to facilitate economic growth and prosperity (Approach to Housing, Employment and Mixed-Use Allocations) (para. 4.2). On this basis and given the proposed 100% buffer (or in excess) of allocation assumed capacity compared to residual plan requirement (Approach to Housing, Employment and Mixed-Use Allocations) (section 2), a site selection approach for housing allocation in the DAP would have the benefit of a remaining range of flexible supply sites identified for potential residential or mixed-use development within the HELAA.

- Reduced allocation sites- a further option would be to reduce the scale of site allocations in the DAP to no more than necessary to meet the residual plan requirement to 2030

This approach would be to reduce the scope of allocations with a larger remaining supply of sites identified in the HELAA to respond to the need for flexible or mixed-use sites. Newcastle is characterised by varying residential demand, from higher value areas to lower demand in Neighbourhood Opportunity (regeneration) Areas (CSUCP Policy CS3& figure 7.1). Newcastle City Council is committed to facilitating delivery of opportunity sites within the lower demand areas as well as to help meet the affordable and specialist needs of the city (See Housing Needs and Standards) (See para. 6.05) and (Viability and Deliverability report) (Section 10.3) and has put in place delivery mechanism interventions. Allocating sites in the Low and Low Mid viability areas supported by deliverability evidence helps provide certainty and a plan led approach to regeneration. The Council’s improved overall delivery in recent years demonstrates the importance of a strategy that encourages development in differing locations across the city both private and public sector led.

Allocating sites with capacity in excess of residual plan period requirement helps provide a range and choice of sites whilst building in resilience planning for slower delivery beyond 2030 or for non-implementation with the plan period. Thus, a buffer of allocation sites
could plan for unforeseen circumstances where delivery is constrained in the lower viability areas or delays to phasing of strategic sites.

**Effective:**

Deliverable:
The range of allocation sites varying in size, location (geographic and viability areas) and across public and private ownership will require a range of delivery mechanisms. In the private sector there are a number of well-established active housebuilders and the allocation of small and medium sized sites is expected to encourage the development of small and medium sized developers.

Newcastle City Council has a programme of facilitating private delivery, partnership working with registered providers, and direct delivery of new homes in the City for example by annuity leaseback. In addition, other public sector land owners and infrastructure providers seek to release assets for residential development, (Viability and Deliverability report) (Section 10.3). Thus, it is concluded that the breadth of variation will help to build in resilience to facilitate delivery across the plan period.

**Monitoring:**
The existing monitoring indicators 18 and 19 in the CSUCP framework will also be the indicators for monitoring the implementation of the DAP Policy DM5 and is considered effective for this purpose.

**Consistent with National Policy:**

NPPF (February 2019) (para. 23) requires strategic policies to provide a clear strategy for bringing sufficient land forward, and at a sufficient rate to address objectively assessed needs over the plan period. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as... non-strategic policies). Paragraph 28. then states non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas this can include allocating sites.

As such in compliance with NPPF, DAP Policy DM5 seeks to make provision via the additional allocations in order to ‘allocate sufficient sites’ (when combined with the CSUCP allocations, past delivery, commitments and assumed small site windfalls).

The Revised NPPF (July 2018) confirmed the requirement to assess local housing need in setting strategic policies and in September updated household projections (2016 based) were published.

Subsequent proposed changes to the new methodology and the projections were proposed in HCLG’s consultation ‘Changes to planning policy and guidance including the standard method for assessing local housing need’ (October 2018). The Duty to Co-operate Statement of Common Ground (population and housing) (paras 6.5 and 6.6) reflects the Revised NPPF (February 2019) and the PPG updates (February 2019) which confirms the continued reliance in the short term on the 2014 based household projections in application of the local housing need methodology.

The local housing need data for Newcastle re-based from 2019 (derived from the 2014 sub national household projections) indicates an annual need (1,019 p.a.) (2019-29) which is very close to the CSUCP target requirement (1,040 p.a.) (2015-30) and thus it is concluded that the DAP DM5 additional allocations remain justified to deliver the 19,000 gross homes (CSUCP Policy CS10), see (SHMA Addendum) (2017).
NPPF (February 2019) sets out the requirement to maintain supply and delivery of housing sites (para. 73). Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing against their housing requirement set out in adopted strategic policies. Strategic policy making authorities should have a clear understanding of the land available in their areas through the preparation of a strategic housing land availability assessment. From this planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of deliverable (1-5 years) and developable sites (6-10 years) and where possible 11-15 years (para. 67).

The DAP allocates sites with capacity in excess of the residual plan requirement for the remaining plan period (2018/19-2030/31) (some 12 years). The HELAA (2018) and local plan allocations provides for a 6.5 years equivalent of 5-year land supply. See HELAA (2018) Appendix 3 Schedule of Student Accommodation (February 2019) which updates the housing supply methodology to align with recent PPG advice on the counting of student accommodation and the assumed release of dwellings.

Paragraph 117 emphasises the importance of re-using previously developed land. Local authorities should identify small and medium sites (those up to one hectare in size) to accommodate at least 10% of their housing requirement (para. 68). Both these factors are considered in the Approach to Housing, Employment and Mixed-Use Allocations (sections 2) in the key principles of allocation. Paragraph 34 states that expected development contributions should be outlined in plans, including the ‘levels and types of affordable housing required’. The CSUCP and DAP policies and infrastructure requirements are tested in the Viability and Deliverability Report (2018) and incorporated into the relevant development plan documents (see specifically CSUCP Policy DEL1) (site specific CSUCP plan policies: NN1-NN4, NV 1-NV3, AOC1, NC2, C2, D2 and D3) (emerging Revised SPD Planning Obligations) and the Infrastructure Delivery Plan.
<table>
<thead>
<tr>
<th>DAP Ref</th>
<th>HELAA Ref</th>
<th>Site Name</th>
<th>Draft Plan Gross Area (ha)</th>
<th>Submission Plan Gross Area (ha)</th>
<th>Draft/Sub Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1102</td>
<td>Site of former Stack PH and land to the west, Walker Road, Walker</td>
<td>0.91</td>
<td>0.91</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>1129</td>
<td>Lamb Street, Walker</td>
<td>1.06</td>
<td>1.06</td>
<td>0</td>
</tr>
<tr>
<td>3</td>
<td>1103</td>
<td>Site of 1243-1293 Walker Road, Walker</td>
<td>0.53</td>
<td>0.49</td>
<td>-0.04</td>
</tr>
<tr>
<td>4</td>
<td>1121</td>
<td>Land at 1450-1560 Walker Road, Walker</td>
<td>0.27</td>
<td>0.26</td>
<td>-0.01</td>
</tr>
<tr>
<td>5</td>
<td>1124</td>
<td>Land at Caldbeck Avenue, Walker</td>
<td>4.8</td>
<td>4.13</td>
<td>-0.67</td>
</tr>
<tr>
<td>6</td>
<td>3399</td>
<td>Land at 262-314 Church Street, Walker</td>
<td>0.36</td>
<td>0.36</td>
<td>0</td>
</tr>
<tr>
<td>7</td>
<td>4282</td>
<td>Site of former Wharrier Street Primary School, Walker</td>
<td>1.5</td>
<td>1.17</td>
<td>-0.33</td>
</tr>
<tr>
<td>8</td>
<td>5996</td>
<td>Land at Sandwich Street/Walker Road, Walker</td>
<td>0.42</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>4430</td>
<td>Land at Pottery Bank, Walker</td>
<td>2.36</td>
<td>2.45</td>
<td>0.09</td>
</tr>
<tr>
<td>10</td>
<td>1148</td>
<td>Land east of Pottery Bank, Walker</td>
<td>1.11</td>
<td>1.12</td>
<td>0.01</td>
</tr>
<tr>
<td>11</td>
<td>4263</td>
<td>Former Belmont Street Church, Walker</td>
<td>0.27</td>
<td>0.27</td>
<td>0</td>
</tr>
<tr>
<td>12</td>
<td>5305</td>
<td>Land to the East of Matthew Bank, South Gosforth</td>
<td>2.27</td>
<td>2.27</td>
<td>0</td>
</tr>
<tr>
<td>13</td>
<td>5004</td>
<td>Land to the South of Ayton Street, Byker</td>
<td>0.24</td>
<td>0.24</td>
<td>0</td>
</tr>
<tr>
<td>14</td>
<td>5858</td>
<td>Site of the former Gas Holder site to East of Pottery Bank, Walker</td>
<td>1.55</td>
<td>1.55</td>
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</tr>
<tr>
<td>15</td>
<td>2643</td>
<td>Land to the South of Brunton Lane (Cell D), Newcastle Great Park, Castle</td>
<td>28</td>
<td>28</td>
<td>0</td>
</tr>
<tr>
<td>16</td>
<td>3397</td>
<td>Land to the West of Coach Lane, Manor Park</td>
<td>4.89</td>
<td>4.89</td>
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<tr>
<td>17</td>
<td>1515</td>
<td>Land to the North of Beaumont Street, Elswick</td>
<td>5.96</td>
<td>5.97</td>
<td>0.01</td>
</tr>
<tr>
<td>18</td>
<td>3058</td>
<td>Land to the West of Somerset Place, Elswick</td>
<td>1.08</td>
<td>0.84</td>
<td>-0.24</td>
</tr>
<tr>
<td>19</td>
<td>2572</td>
<td>Land to the South of 22-140 Roundhill Avenue, Blakelaw</td>
<td>1.11</td>
<td>1.11</td>
<td>0</td>
</tr>
<tr>
<td>20</td>
<td>4286</td>
<td>Land to the South of Brockwell House, Blakelaw</td>
<td>0.52</td>
<td>0.62</td>
<td>0.1</td>
</tr>
<tr>
<td>21</td>
<td>3106</td>
<td>Scotswood Development Area, Scotswood</td>
<td>33.93</td>
<td>33.35</td>
<td>-0.58</td>
</tr>
<tr>
<td>22</td>
<td>4213</td>
<td>Land at West Benwell Terraces, Benwell</td>
<td>2.95</td>
<td>2.95</td>
<td>0</td>
</tr>
<tr>
<td>23</td>
<td>4214</td>
<td>Land at Westfield Road, Benwell</td>
<td>2.02</td>
<td>2.02</td>
<td>0</td>
</tr>
<tr>
<td>24</td>
<td>3027</td>
<td>Land to the South West of</td>
<td>1.56</td>
<td>1.56</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Throckley Primary School, Hexham Road, Throckley</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>5832</td>
<td>Land to the South of Hallow Drive, Newburn 0.32 0.32 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>3090</td>
<td>Land to the East of Newburn Road, Newburn 0.56 0.56 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>3051</td>
<td>Land to the West of Broughton Close, Newbiggin Hall 1.21 1.22 0.01</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>5245</td>
<td>Land at Wansfell Avenue 0.47</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>4484</td>
<td>Site of former Westgate Community College (North), Grange Road, Fenham 2.09 2.09 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>5955</td>
<td>Land to south west corner of NGP Cell C 4.29 4.29 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>4427</td>
<td>Land at Losh Terrace, Walker 1.75 1.81 0.06</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>1009</td>
<td>Land on Benfield Road, Walkergate 2.99</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>3032</td>
<td>Land on Salter's Road, Gosforth 1.33</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>4654</td>
<td>Land on Marleen Avenue, Heaton 4.2</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>35</td>
<td>5983</td>
<td>Land on West Jesmond Avenue, Jesmond 0.17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>5990</td>
<td>Land on Whickham View, Scotswood 0.66</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>3059</td>
<td>Land at Sceptre Street, Elswick 0.27</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>1616</td>
<td>Land at Maria Street/ Caroline Street 1.25</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>39</td>
<td>1294</td>
<td>Land to the West of Roman Avenue, Byker 0.49 0.43 -0.06</td>
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<td></td>
</tr>
<tr>
<td>40</td>
<td>5228</td>
<td>Land to the North of Thornley Road, West Denton 3.21 3.4 0.19</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>5392</td>
<td>Land South of Hartburn Walk, Kenton Bar Estate 2.12 2.12 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>3050</td>
<td>Land south of Broughton Close, Newbiggin Hall 0.59</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### DM5 (B) Policy Preparation and Consultation

<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>DM5</td>
<td></td>
<td>Proposed modification to Submission Draft DAP at para 4.1.5 to clarify use class C2 (residential institutions) are acceptable within housing sites and allow for different housing products to meet the need of the growth in ageing households.</td>
</tr>
</tbody>
</table>

**DM5**

**Disappointment in the lack of positive and pro-active approach to subjects covered.** As an example, the Core Strategy talked of Lifetime Neighbourhoods, but this gets the most fleeting of mentions in the DAP. *The Lifetime neighbourhoods referred to in the Core Strategy Policy CS11 is part of the adopted local plan and should be read alongside the DAP, albeit that Lifetime Homes have been replaced by Government ‘Accessible and Adaptable’ standards. References to the Core Strategy text can be re-considered as part of the review of the supporting text for policies DM5-8.*

**Don’t offer any more new homes as leasehold**

*The Council are aware of the issue with leaseholds and are working with developers to try to address this where they can.*

**Concerns raised over the need for more council involvement regarding opportunity for young people to find adequate accommodation**

*The DAP seeks to plan for the housing need for the City, both in terms of overall numbers and for specific age groups.*

**Questioned whether the strategy would stand through unforeseen challenges or periods of economic uncertainty given that delivery did not meet targets previously and there is a 20% buffer to the 5-year housing land supply.** It is felt important that the DAP provides a 20% buffer of sites over and above the plan

**Site allocations should seek to ensure that there is sufficient sewerage capacity to accommodate the additional housing and employment allocations.** Consideration should be given to capacity at Howdon Sewerage Treatment Works and its capacity to support growth. Consideration should also be given to the mine water constraints maps and Northumbria Integrated Drainage Programme and Northumbria Water Drainage and Waste Water Management Plans. Vital that any new development in and around this area includes a provision of connection to the foul sewer system.

*Northumbrian Water have been consulted on site allocations through the HELAA and advised that all foul flows are taken to Howdon which is identified for upgrade in the next AMP7 period in order that it can continue to serve the population of Tyneside and accommodate future growth. New development would need to be considered under CS17, discharge hierarchy and DM26.

**Concern about the DAP’s support for mixed tenure; objects to new leasehold development**

*The DAP is a planning policy document and does not address matters such as leasehold of properties.*

Supporting text stating that the policy does not preclude other sites from coming forward for housing provided it complies with all relevant Local Plan policies should be included within the policy itself given how critical it is to the delivery of additional housing within the city on sites that

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88
requirement in order to meet the housing targets and ensure the plan is positively prepared. The DAP site allocations are supported by a HELAA supply of both deliverable and developable sites in compliance with NPPF. The Council’s 5-year housing land supply incorporates a 20% buffer due to persistent under delivery, however this does not apply to allocation of sites. Further consideration will be given to the housing trajectory before the next stage of the Plan is published.

Concerned about the loss of Green Belt. The DAP does not propose to allocate any changes to the Green Belt.

No leasehold developments should be permitted. Creation of bike lanes should be part of every new estate green space should be a requirement and more parking

The Council is working with developers to address the issues of leasehold properties. The Council is committed to promoting sustainable travel choices through existing and proposed policies.

Sites should be accessible and provide affordable housing

Transport and traffic impacts were tested as part of the forecast development growth to 2030 to support the Core Strategy and affordable housing is required by policy CS11

Concerns raised over the number of developments that are leasehold with onerous ground rents and escalating management fees on many sites

The Council are aware of these issues and are working have not been expressly allocated under policy DM5

Reference to consideration of windfall sites in the supporting text is considered sufficient

NWL welcome the opportunity to agree an integrated sustainable drainage design approach which can be consolidated into the early principles of the scheme and happy to collaborate with developers and local planning authorities as soon as needed. Recommend early consultation is undertaken with NWL and offer of pre-application service for developments of three or more.

Additional point has been added to the Development Principles for each site that states that developers should carry out early consultation with NWL to plan an integrated sustainable drainage approach to inform master plan principles

The council should demonstrate a flexible supply of housing land and maintain a flexible and responsive supply of housing for delivery. Additional buffer of sites may be required to offset delivery of more difficult to deliver sites. An appropriate strategy for accommodating growth must be selected and greater flexibility in the DAP would allow sustainable locations for growth to be brought forward if there is a lack of a 5-year housing land supply.

The DAP already allocates land with greater capacity than is required to meet the QAN to 2030 and includes sites in different parts of the city. Different site sizes and a number of private led sites for development

Sites within the DAP should be deliverable over the plan period. Assumptions made should be realistic and based on evidence.
The location and nature of housing development in relation to services and facilities has a large impact on the demand to travel. Integrated modelling should be carried out to assess the accessibility of proposed residential sites in relation to other trip generators to ensure that public transport accessibility is realistic and viable.

<table>
<thead>
<tr>
<th>The identification of housing sites in the DAP included an assessment of accessibility to a number of facilities, the city centre and public transport</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Council’s methodology for site assessment has been clearly set out in the HELAA and supporting evidence. Development principles have also been published for sites that do not benefit from planning permission</td>
</tr>
<tr>
<td>Support for 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.</td>
</tr>
<tr>
<td>Amendments have been made to the Development Principles supporting DM5.</td>
</tr>
<tr>
<td>Support for policy but feels that it should specify which sites are suitable for specialist housing.</td>
</tr>
<tr>
<td>Planning for the needs of elderly population and those with special needs is addressed in Core Strategy policy CS11, See minor modification to the supporting text.</td>
</tr>
<tr>
<td>Claimed that the policy is inconsistent with national policy, section 5 of the DAP and sustainability assessment. Allocation large blocks of land to housing in one area and large blocks to employment in another mandates care use which is evidenced as housing developments are currently blocked pending upgrades to roads in the area. Strategic housing allocations were made as part of the Core Strategy. Transport assessment work was carried out to support these allocations and the plan was adopted in 2015. Transport Policies in both the Core Strategy and the DAP promote sustainable travel modes and major schemes are underway to deliver sustainable travel.</td>
</tr>
<tr>
<td>Support for the allocation of open space for housing as long as the open space issues are fully addressed and The allocation of sites 40 and 41 which are currently open space for the provision of specialist or affordable housing</td>
</tr>
</tbody>
</table>
the requirement for specialist housing is made.

Opposed to the further development in the Great North Park. It makes a travesty of the biodiversity strategy and will have a very negative effect on Havannah Nature Reserve. More generally the encroachment on Green Belt land is not thinking about the future quality of life in Newcastle with all the implications for worsening air quality, traffic problems, destruction of the natural environment and overall contributing to the impact of global warming.

**Cell D** was previously allocated for housing in the Unitary Development Plan in 1998 as part of the Northern Development Area (now known as Newcastle Great Park) and is therefore not part of the Green Belt. **The DAP allocates the site as a large housing site but is expected to be developed during the plan period. However, Cell D does benefit from planning permission for an approved housing scheme.**

Objects to DM1 and DM5 as they do not include South of Rotary Way, North Brunton, as an allocation for employment or housing, though the site has been assessed as suitable available and achievable for housing.

**Comments raised will require further consideration and will inform the Submission Draft Plan. They may result in a change to the relevant policy and/or supporting text.**

Noted that the “additional allocations” include Cell D of Newcastle Great Park which is considered to yield 600 dwellings. The reserved matters permission has been granted for Cell D with a capacity of 492 units. This is now a “known commitment” and the total number of need is not justified. No evidence has been prepared to justify the loss of protected open space and the formal allocation of them pre-empts the open space assessments referred to in the supporting text.

**Housing Needs Assessments have been prepared for both sites justifying the 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 the evidence library.**

Objections (seven) to Hallow Drive as it is regularly used for children’s play, with no alternative readily available, it is liable to flooding, other brownfield sites should be used to deliver housing, little improvement has been made to infrastructure following other development in Throckley and two water mains cross the site which effect the capacity and viability.

**The site is considered appropriate for housing. An open space assessment was prepared and has informed the consideration of the allocation.**

Considers Chapel Park Former Middle School that the site is deliverable in accordance with the definition contained in the NPPF, in that it is available for development, it offers a suitable location for development now and is achievable.

**The site is the subject of an objection from Sport England and cannot be allocated while these objections are still in place.**

Support for the allocation of land at Whickham View and confirm ongoing commitment to the site

| 91 |
Dwellings should be amended accordingly. We believe that the plan should acknowledge that not all sites are likely to come forward in the plan period. The trajectory is over optimistic in this regard.

*The capacity evidence for the recent planning permission at Cell D at Newcastle Great Park indicated 600 dwellings is considered achievable. The housing trajectory for the City contained in the HELAA is considered to be realistic and will be revisited and tested on an annual basis.*

Support for the introduction of new sites which do not preclude or delay the delivery of those already planned. Self-build sites, good. Site 32 and 33, no objections here.

Bizspace is seeking to ensure that the emerging DAP includes a scope to deliver housing on urban brownfield sites, such as my client’s and it is right that NCC should focus on redevelopment of previously developed sites before considering Green Belt and greenfield locations. West 15 Business Centre represents a clear opportunity and a highly sustainable location to meet some of the housing requirements for Newcastle. It is capable of accommodating approximately up to 20 dwellings and/or has potential for a residential conversion potential. It should therefore be included as a specific housing allocation.

**Support the allocation of Throckley Water Treatment Works Land to the south of Rotary Way is put forward for development. Several examples of other sites which have similar constraints that have been allocated. The policy is not justified, effective or positively prepared.**

*The stated preference at both stages of the Plan preparation has been for roadside commercial/employment uses, however, the site has been assessed as suitable for residential use in the HELAA. The Council has set out its approach to the allocation of sites and the objector has been asked to submit preapplication options for the site so as to clarify the preferred uses and the establish the supporting evidence.*

Objection to the site of the former Henderson Hall of residence being included in the HELAA on the basis that the University do not intend to develop the site for housing.

*The site will be reviewed when the HELAA is next published. There would be no significant changes to the housing trajectory if this site were to be removed from the HELAA.*
<p>| BCT object to the reclassification of St Lawrence Sq. and Byker South site being designated as open space. Both have previously been identified for social housing. St Lawrence Square had social housing built on it, with plans for new housing considered as part of the Byker Design Competition. Development began on Byker South and foundations were put in place, however the developer went into receivership. Information was prepared by FHU that looked at opportunities for new build. Reclassification of the sites would renege on a stock transfer promise made by NCC. The sites will be re-assessed as potential housing sites with updated evidence. |
| Has any proposal been forwarded as to what will happen to the General Hospital site. Policy DM9 allocates the General Hospital Site Important to retain potential demonstrator facilities on Newcastle General Hospital site. DM9 allows for demonstrator homes and facilities in compliance with the identified mixed uses. |
| Three of the DAP sites are located on historic landfill sites and site 10 is in a flood zone. Comments are noted |
| The General Hospital site should be used for housing and possibly a medical facility The Council considers that the site is suitable for mixed use |
| Objection to the Hallow Drive housing site and concerns that Throckley North did not include homes for the elderly and affordable The allocation of Hallow Drive follows a detailed open |</p>
<table>
<thead>
<tr>
<th>space assessment and housing evidence.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact on the Strategic Road Network must be considered.</td>
</tr>
<tr>
<td>Transport Assessments and Statements will be required at the planning application stage.</td>
</tr>
<tr>
<td>Historic England raised a number of concerns about protection of heritage assets through proposed DAP policies.</td>
</tr>
<tr>
<td>Comments were given further consideration.</td>
</tr>
<tr>
<td>Sites need to be deliverable within the plan period and request for a 20% buffer of housing sites over and above the housing requirement.</td>
</tr>
<tr>
<td>Site allocations are supported by the HELAA and the Council’s 5-year housing land supply incorporates a 20% buffer due to persistent under delivery.</td>
</tr>
<tr>
<td>Support for Roundhill Avenue and if supply is falling short of the requirement it is essential to identify additional new sites. Additional sites should be allocated to ensure that the Plan can address any shortcomings.</td>
</tr>
<tr>
<td>Support noted.</td>
</tr>
<tr>
<td>Comments on the precedent of allocating open space for housing, how this is assessed and the balance between market and affordable housing.</td>
</tr>
<tr>
<td>The allocation of DM5 Sites 32 and 33 are 2 sites (140 indicative open market dwellings) will provide for local and the city’s needs for community cluster bungalows, supported living bungalows, level access shared ownership and affordable rent and rent to buy homes.</td>
</tr>
<tr>
<td>The additional provision of private homes will help to</td>
</tr>
</tbody>
</table>
ensure the funding of affordable homes and improvements to the open space set out in the open space assessments.

Allocations are welcomed but policy should go further and stipulate house type, tenure and size. NGP and Scotswood should be supported by up to date masterplans
*Sites are accessible. Masterplans are required through Core Strategy policy CS3 and NN4 and type and tenure through policy CS11 and DM6*

Heaton Goods Yard is put forward for consideration
*Site is under consideration*

Concern over development on greenfield sites, traffic and public transport
*The DAP proposes allocation of smaller sites, predominantly brownfield*

All new housing schemes should not include estate management charges
*The council is working with developers to try to address these where they can*

Objection on the grounds that sites available and deliverable on NGP have not been appropriately considered or allocated and the evidence base is not considered to be robust.
*Evidence will be reviewed in the next publication of the HELAA*

Policy does not do enough to encourage sustainable transport and minimise urban sprawl.
These matters are dealt with in other policies

Walkergate Hospital and Sanderson Hospital sites put forward for consideration
Sites will be assessed and considered

Support for the policy provided it does not have an adverse impact on the Airport and the supporting road network
The level of development identified is sufficient to meet the identified housing need and all proposals must have regard to transport and road infrastructure

Promotion of Red Hall Drive as a housing site
Further consideration will be given to the site

Objection to the scale of housing development, the development of Newburn Riverside as it is unsustainable. Support for cycle paths and parking provision and suggest policy requiring provision of trees

Housing targets are set by the SHMA. Other points are dealt with by other policies in the Plan

DAP should facilitate the development of new homes in existing gardens and in the Green Belt to help meet the Government’s drive to build more homes
The NPPF sets out where development may be considered appropriate in the Green Belt and DAP policy DM31 sets out locally where development may be appropriate
Support for Throckley Water Treatment Works
Support noted

Support for a mixed-use economy in the Ouseburn
The Core Strategy identifies the Ouseburn as a suitable
location for mixed use development

Byker needs more new homes provision for all types of occupants to help address community, social, neighbourhood, economic and sustainability matters. Byker is an ideal location where people want to live. There are pockets of land suitable for residential development that are not listed within the draft plan and requests that allocated employment land be re-developed for employment use.

The allocation of sites in the DAP alongside the Core Strategy will meet those needs, with consideration given to the Council’s evidence base and the geographic spread of allocated housing sites in the DAP. Another requirement for the Council is to balance the need for additional employment sites to meet the City’s needs with residential development.

Objection to the allocation of Hartburn Walk and Thornley Road

The allocations have come forward following detailed open space assessments which conclude that these sites can only come forward for residential development subject to the appropriate re-provision of open space. The amount and type will be determined through the planning application process.

Confirmation is sought that the policy will provide affordable housing and that the DAP will prevent developers from avoiding affordable. Concerned about potential future use of open space for housing development. Considers that this plan should do more to encourage mixed use development and alternative modes of transport. Request a policy to guide density of development based on proximity to local retail,
Affordable housing is required through policy CS11 of the Core Strategy. The DAP proposed residential development sites were assessed on accessibility to local facilities and employment areas. Density of development is considered as part of the planning application process.

Confirmation required that Callerton Park will have a significant proportion of affordable homes and that the developer consortium will act in a joined-up way.

The Core Strategy sets the requirement for affordable housing. The site has been masterplanned which will be a material consideration when assessing the planning application.

West Jesmond Avenue put forward for consideration. The site will be considered for potential as a future housing supply site and residential allocation.

Concern regarding the potential allocation of the former Chapel Park Middle School and access via Grosvenor Way.

The site is not a proposed allocation in the DAP but is in the HELAA as potential for housing development by 2030. If an application was submitted a Transport and Access Statement/Transport Assessment would be required.

Concern over the deliverability of Newbiggin Hall and consider that this should be taken into account in the DAP allocations. Request that the policies map include ‘greyed out’ core strategy allocations for clarity. Newbiggin Hall was allocated in the Core Strategy by 3 sites and when applications are submitted they will...
need to comply with CS3 of the Core Strategy

Land within the racecourse put forward for consideration. The land does form part of the greenbelt but is not considered it serves little or no greenbelt function.

Greenbelt boundaries should only be altered in exceptional circumstances. The boundaries were reviewed in the Core Strategy and no further changes are under consideration until 2030, unless exceptional circumstances justify a review.

DM5 (C) Sustainable Appraisal Changes (between the Draft Plan and Pre-submission DAP) and Council Comments

<table>
<thead>
<tr>
<th>DAP Ref</th>
<th>HELAA Ref</th>
<th>Site Name</th>
<th>Draft DAP SA</th>
<th>NCC Comments</th>
<th>Pre-Submission DAP SA</th>
<th>NCC Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1102</td>
<td>Site of former Stack PH and land to the west, Walker Road, Walker</td>
<td>The size of the site may limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>The size of the site may limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. There is one listed building greater than 300m from the site and it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage. The site is cleared but with remaining road infrastructure. There are semi mature trees that should be preserved where possible. The Listed Building is far enough away for the development of the site not to have an impact</td>
</tr>
<tr>
<td>Row</td>
<td>Site Details</td>
<td>Size of Site Impact</td>
<td>Flood Risk Area</td>
<td>SFRA Recommendation</td>
<td>Site Specific Flood Risk Assessment Required</td>
<td>Additional Details</td>
</tr>
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</tr>
<tr>
<td>2</td>
<td>Lamb Street, Walker</td>
<td>The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 30' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 30' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>The site slopes and has semi mature trees on the site that need to be retained where possible. Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Site of 1243-1293 Walker Road, Walker</td>
<td>The size of the site may limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>The size of the site may limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Land at 1450-1560 Walker Road, Walker</td>
<td>The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Land at Calbeck Avenue, Walker</td>
<td>The location of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 30' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>The location of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 30' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage. The site slopes steeply to the south west of the site and the layout will need to take this into account.</td>
<td></td>
</tr>
</tbody>
</table>
| ID | Location                              | Size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. | Site Specific Flood Risk Assessment required at planning application stage. | The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. The site is derelict/previously developed. | Site Specific Flood Risk Assessment will be required at planning application stage. |}

| 6  | Land at 262-314 Church Street, Walker | The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. | Mature trees to eastern boundary. Site Specific Flood Risk Assessment required at planning application stage. | The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. | Site Specific Flood Risk Assessment will be required at planning application stage. |}

| 7  | Site of former Wharrier Street Primary School, Walker | The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. | Flood Risk Assessment required at planning application stage. | The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. | Site Specific Flood Risk Assessment will be required at planning application stage. |}

| 8  | Land at Sandwich Street/Walker Road, Walker | The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in Site Specific Flood Risk Assessment | The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. The site is derelict/previously developed. | Site Specific Flood Risk Assessment will be required at planning application stage. | Site Specific Flood Risk Assessment will be required at planning application stage. |}

<p>| 9  | Land at Pottery Bank, Walker | The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in Site Specific Flood Risk Assessment | The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. | Site Specific Flood Risk Assessment will be required at planning application stage. | Site Specific Flood Risk Assessment will be required at planning application stage. |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th>100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</th>
<th>will be required at planning application stage.</th>
<th>Draft (May 2017) SFRA recommendation D-allocated subject to site FRA</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>1148</td>
<td>Land east of Pottery Bank, Walker</td>
<td>The size of the site will likely limit renewable energy options. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>11</td>
<td>4263</td>
<td>Former Belmont Street Church, Walker</td>
<td>The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>12</td>
<td>5305</td>
<td>Land to the East of Matthew Bank, South Gosforth</td>
<td>The negative scores are because the site is in a '1 in 100' SW flood risk area. The negative score is because the site is within 100m of x3 grade II listed buildings. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Any impact on the Listed Buildings will be considered at application stage. Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>13</td>
<td>5004</td>
<td>Land to the South of Ayton Street, Byker</td>
<td>The size of the site will likely limit renewable energy options. Draft SFRA (May 2017) suggest recommendation E should be allocated at flood risk grounds subject to consultation with LPA/LLFA.</td>
<td>Little perceived risk therefore allocated subject to consultation with the LPA/LLFA.</td>
</tr>
<tr>
<td>14</td>
<td>5858</td>
<td>Site of the former Gas Holder site to East of</td>
<td>The size of the site will likely restrict renewable energy options. Draft (May 2017) SFRA recommendation D-</td>
<td>Site Specific Flood Risk Assessment</td>
</tr>
<tr>
<td>15</td>
<td>2643</td>
<td>Pottery Bank, Walker</td>
<td>allocated subject to site FRA.</td>
<td>will be required at planning application stage.</td>
</tr>
<tr>
<td>16</td>
<td>3397</td>
<td>Land to the South of Brunton Lane (Cell D), Newcastle Great Park, Castle</td>
<td>1.5km North of Kingston Park train station/park and ride, North West (1km of A1) Edge of settlement limit to Newcastle Great Park Extension CS3/CS4. Links to Havannah nature reserve located to north (1km). The site is entirely a greenfield site that is of a Grade 4 Agricultural Land Classification. Although not in the green belt, the site supports the adjacent green belt and the site is entirely greenfield. The construction of the housing on the site will only temporarily contribute to reducing unemployment levels. On the whole, the levels will remain relatively the same. Its located to North of Ouseburn. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>This site is now on site and construction has commenced on an approved scheme.</td>
</tr>
<tr>
<td>16</td>
<td>3397</td>
<td>Land to the West of Coach Lane, Manor Park</td>
<td>The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a ‘1 in 1000’ SW flood risk area. Draft Site Specific Flood Risk Assessment will be</td>
<td>The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a ‘1 in 1000’ SW flood risk area. Draft (May 2017) SFRA</td>
</tr>
<tr>
<td>17</td>
<td>1515</td>
<td>Land to the North of Beaumont Street, Elswick</td>
<td>(May 2017) SFRA recommendation D-allocated subject to site FRA. The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 30' SW flood risk area. The other negative score is because the site is opposite x2 grade II listed buildings. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. Site Specific Flood Risk Assessment was assessed as part of the recent planning permission for this site. The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 30' SW flood risk area. The other negative score is because the site is opposite x2 grade II listed buildings; however, it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. The Grade II* Listed Church of St Michael is adjacent to the site, and any development would need to take this into account.</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>3058</td>
<td>Land to the West of Somerset Place, Elswick</td>
<td>The space occupies an area of green space likely used as recreational space by the community. There is a listed building on the east boundary of the site. The size of the site will likely limit renewable energy options outside of PV panels. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. Several mature trees and hedging on the site although no TPOs/TCAs. An open space assessment has been prepared. Site Specific Flood Risk Assessment will be required at the planning application stage. The site is adjacent to Grade II Listed buildings which will need to be taken into account as part of any future development.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land to the South of 22-140 Roundhill Avenue, Blakelaw</td>
<td>The size of the site will likely limit renewable energy options outside of PV panels. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
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</tr>
<tr>
<td>19</td>
<td>2572</td>
<td>The size of the site will likely limit renewable energy options outside of PV panels. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>The size of the site will likely limit renewable energy options outside of PV panels. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>20</td>
<td>4286</td>
<td>Land to the South of Brockwell House, Blakelaw</td>
<td>The size of the site will likely limit renewable energy options. Draft SFRA (May 2017) suggest recommendation E should be allocated at flood risk grounds subject to consultation with LPA/LLFA.</td>
<td>Little perceived risk therefore allocated subject to consultation with the LPA/LLFA.</td>
</tr>
<tr>
<td>21</td>
<td>3106</td>
<td>Scotswood Development Area, Scotswood</td>
<td>The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 30' SW flood risk area. The other negative score is because the site is within 100m of x2 grade II listed buildings. Draft (May 2017) SFRA recommendation</td>
<td>This site is part of a long-term phased development area and is now on site (under construction). Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>22</td>
<td>4213</td>
<td>Land at West Benwell Terraces, Benwell</td>
<td>The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. The negative score is because the site is in the eyeline of x5 grade II listed buildings. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>23</td>
<td>4214</td>
<td>Land at Westfield Road, Benwell</td>
<td>The size of the site will likely limit renewable energy options. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td>24</td>
<td>3027</td>
<td>Land to the South West of Throckley Primary School, Hexham Road, Throckley</td>
<td>The size of the site will likely limit renewable energy options. The neutral scores are because the site is in a '1 in 1000' SW flood risk area. The other negative score is because the site is on top of a grade II listed building. Draft (May 2017) SFRA recommendation Deallocated subject to site FRA.</td>
<td>Hadrians Wall and Grade II listed building on the site and is considered in the Development Principles evidence. Site Specific Flood Risk Assessment will be required at the planning application stage.</td>
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<tr>
<td>25</td>
<td>5832</td>
<td>Land to the South of Hallow Drive, Newburn</td>
<td>The size of the site will likely limit renewable energy options outside of PV panels. The site is a greenfield site that is of a Grade 3 Agricultural Land Classification. Draft (May 2017) SFRA recommendation E-little perceived risk, subject to consultation with the LPA / LLFA.</td>
<td>Little perceived risk, will be subject to consultation with the LPA/LLFA. Site is small in size and not part of a</td>
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<tr>
<td>26</td>
<td>3090</td>
<td>Land to the East of Newburn Road, Newburn</td>
<td>The size of the site will likely limit renewable energy options. The negative score is because the site is opposite a grade II listed building. Draft (May 2017) SFRA recommendation E-little perceived risk, subject to consultation with the LPA/LLFA.</td>
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<td></td>
<td></td>
<td></td>
<td>Little perceived risk, will be subject to consultation with the LPA/LLFA.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>The size of the site will likely limit renewable energy options. The negative score is because the site is opposite a grade II listed building; however, it is assumed that constraints will be placed on proposed developments to adhere to relevant design guides. Additionally, the site is located approximately 300m of the Frontiers of the Roman Empire (Hadrian's Wall) WHS, as such it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides. Draft (May 2017) SFRA recommendation E-little perceived risk, subject to consultation with the LPA/LLFA.</td>
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<tr>
<td></td>
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<td></td>
<td>The site was previously cleared and is two plateaus reflecting the previous community buildings on site. The site is considered to be of low/no archaeological value. The impact of development on the adjacent Listed Building will be considered at the planning application stage. Little perceived risk, subject to consultation with the LPA/LLFA.</td>
<td></td>
</tr>
</tbody>
</table>

<p>| 27 | 3051 | Land to the West of Broughton Close, Newbiggin Hall | The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. Draft SFRA (May 2017) suggest recommendation E should be allocated at flood risk grounds subject to consultation with LPA/LLFA. |
| | | | Little perceived risk therefore allocated subject to consultation with the LPA/LLFA. |
| | | | The size of the site will likely limit renewable energy options. The negative scores are because the site is in a '1 in 100' SW flood risk area. Draft SFRA (May 2017) suggest recommendation E should be allocated at flood risk grounds subject to consultation with LPA/LLFA. |
| | | | Little perceived risk therefore allocated subject to consultation with the LPA/LLFA. |</p>
<table>
<thead>
<tr>
<th>28</th>
<th>5245</th>
<th><strong>Land at Wansfell Avenue</strong></th>
<th>The size of the site will likely limit renewable energy options. The site is currently open green space. The site is well supported by public transportation into Newcastle city centre. Draft (May 2017) SFRA recommendation D allocated subject to site specific FRA.</th>
<th>Site Specific Flood Risk Assessment will be required at planning application stage.</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>4484</td>
<td><strong>Site of former Westgate Community College (North), Grange Road, Fenham</strong></td>
<td>The size of the site will likely limit renewable energy options. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. Site Specific Flood Risk Assessment will be required at planning application stage.</td>
<td>The size of the site will likely limit renewable energy options. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA. The site is located approximately 30m from Frontiers of the Roman Empire (Hadrian's Wall) WHS. Site Specific Flood Risk Assessment will be required at planning application stage. Archaeological investigations are ongoing.</td>
</tr>
<tr>
<td>30</td>
<td>5955</td>
<td><strong>Land to south west corner of NGP Cell C</strong></td>
<td>Approximately 290m and 575m south from Scheduled Monuments (Two rectilinear enclosed settlements). Adjacent to Newcastle Great Park and Ride. The size of the site will likely limit renewable energy options. The site is located within Flood Zones 2 and 3. The site is underlain by glacial till which will limit SUDS options. Draft SFRA (May 2017) suggest recommendation E should be allocated at flood risk grounds subject to consultation with LPA/LLFA. This site is now on site and construction has commenced on an approved scheme.</td>
<td>Adjacent to Newcastle Great Park and Ride. The size of the site will likely limit renewable energy options. The site is located within Flood Zones 2 and 3. The site is underlain by glacial till which will limit SUDS options. Draft SFRA (May 2017) suggest recommendation C - consider site layout and design around the identified flood risk if site passes Sequential Test. There are x2 Scheduled Monuments located greater than 300m from site; however, it is assumed that constraints will be placed on proposed developments to adhere to relevant design guides. This site is now on site and construction has commenced on an approved scheme.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land at Losh Terrace, Walker</td>
<td>Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
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<td>-------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>31</td>
<td>4427</td>
<td>Land on Benfield Road, Walkergate</td>
<td>Although the site is open space, it is not publicly accessible and as such will not result in the loss of recreational open space and may result in additional accessible open space due to the size of the site. The site is well supported by public transportation including bus links and the metro. The site is not located within Flood Zones 2 or 3; however, the site is located within a ’1 in 100’ SW flood risk area. The size of the site would likely support sufficient SUDs. The site is located approximately 650m from the Hadrian's Wall Scheduled Monument, as such it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides. Draft (May 2017) SFRA recommendation D-allocated subject to site specific FRA</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage and the site is considered to be of low/no archaeological value</td>
</tr>
<tr>
<td>33</td>
<td>3032</td>
<td>Land on Salter's Road, Gosforth</td>
<td>The size of the site will likely limit renewable energy options. The site is not located within Flood Zones 2 or 3 nor is it located within a surface water flood zone. The size of the site may support small scale SUDs options. The site appears to be derelict and previously developed but restored to be green space. The green space however, is inaccessible to the public. There are several listed buildings within the surrounding area of the site, however they are located greater than 200m from the site and it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides. Draft (May 2017) SFRA recommendation D allocated subject to site specific FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage and the site is considered to be of low/no archaeological value</td>
</tr>
<tr>
<td>34</td>
<td>4654</td>
<td>Land on Marleven Avenue, Heaton</td>
<td>The site is well supported by public transportation including bus services and close access to the metro; however, due to the size of the site, it is likely that additional traffic will be generated. The site is not located within Flood Zones 2 or 3; however, the site is located within a '1 in 100' SW flood risk area. It is possible, due to the size of the site, that appropriate surface water management could be implemented. The site is located approximately</td>
<td>The site is located in close proximity to a metro station and local bus services. The site is considered accessible via Hartford Street and Marleven Avenue. Site Specific Flood Risk Assessment will be required at planning application stage and the site is considered to be of</td>
</tr>
<tr>
<td>No.</td>
<td>Code</td>
<td>Description</td>
<td>Comments</td>
<td></td>
</tr>
<tr>
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<td>-------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>5983</td>
<td>Land on West Jesmond Avenue, Jesmond</td>
<td>The size of the site will likely limit renewable energy options. The site is not located within Flood Zones 2 or 3, nor is it located within a SW flood risk area. The negative score is because the site is opposite a grade II listed building; however, it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides. Any scheme would need to be developed in context to the listed structure opposite.</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>5990</td>
<td>Land on Whickham View, Scotswood</td>
<td>The site appears to currently support community facilities including a chapel and jiu-jitsu training. The size of the site will likely limit renewable energy options. The site is not located within Flood Zones 2 or 3; however, part of the site is located within a '1 in 30' SW flood risk area. The site is located approximately 550m from Hadrian's Wall Scheduled Monument, as such it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides. The site lies on the edge of the presumed extent of Benwell medieval village. There is a possibility that buried medieval and post-medieval remains may survive. A planning application will need to be accompanied by an archaeological desk-based assessment and building recording.</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>3059</td>
<td>Land at Sceptre Street, Elswick</td>
<td>The site is currently accessible green space. The size of the site will likely limit renewable energy options. The site is not located within Flood Zones 2 or 3, nor is it located within a SW flood risk area. The site is located approximately 85m from Hadrian's Wall Scheduled Monument, as such it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides.</td>
<td>Development of the site will need to consider Hadrian's Wall Scheduled Ancient Monument. An open space assessment has been prepared.</td>
</tr>
<tr>
<td>38</td>
<td>1616</td>
<td>Land at Maria Street/ Caroline Street</td>
<td>Although the site is currently grass fields, they are sign marked with private property signs, indicating that the site is not accessible green space. The size of the site will likely limit renewable energy options. The site is not located within Flood Zones 2 or 3; however, it is located within a '1 in 100' SW flood risk area. There are several listed buildings within the surrounding area of the site, however they are located greater than 200m from the site and it is assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides. Draft (May 2017) SFRA recommendation Deallocated subject to site specific FRA.</td>
<td>Development of the site should not have a detrimental impact on the Listed Buildings. Site Specific Flood Risk Assessment will be required at planning application stage.</td>
</tr>
<tr>
<td></td>
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<td>---</td>
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</tr>
<tr>
<td>39</td>
<td>1294</td>
<td>Land to the West of Roman Avenue, Byker</td>
<td>The size of the site will likely limit renewable energy options. Draft SFRA (May 2017) suggest recommendation E should be allocated at flood risk grounds subject to consultation with LPA/LLFA.</td>
<td>Little perceived risk of flooding, subject to consultation with the LPA/LLFA. Noise assessment is needed</td>
</tr>
<tr>
<td>40</td>
<td>5228</td>
<td>Land to the North of Thornley Road, West Denton</td>
<td>Cannot assess if a specific housing site will increase business survival. Site is 330m north of Hadrian's Wall World Heritage Site. Site is approximately 415m north of Sugley Dene Local Nature Reserve. Draft (May 2017) SFRA recommendation Deallocated subject to site FRA.</td>
<td>Site is of low/no archaeological value. Site Specific Flood Risk Assessment required at planning application stage</td>
</tr>
<tr>
<td>41</td>
<td>5392</td>
<td>Land South of Hartburn Walk, Kenton Bar Estate</td>
<td>The size of the site will likely limit renewable energy options. The southern edge of the site is in a '1 in 100' SW flood risk area, however the site will not impact on areas of ecological importance. Draft (May 2017) SFRA recommendation D-allocated subject to site FRA.</td>
<td>Site Specific Flood Risk Assessment will be required at planning application stage</td>
</tr>
<tr>
<td>42</td>
<td>3050</td>
<td>Land south of Broughton</td>
<td>The size of the site will likely limit renewable energy options. Draft SFRA (May 2017)</td>
<td>Little perceived risk</td>
</tr>
<tr>
<td>Close, Newbiggin Hall</td>
<td>suggest recommendation E should be allocated at flood risk grounds subject to consultation with LPA/LLFA.</td>
<td>therefore allocated subject to consultation with the LPA/LLFA</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Compliance Statement: DM6 Accessible and Adaptable Standards**

**DM6 Accessible and Adaptable Standards:**

**Accessible and Adaptable Housing**

This policy is designed to help meet the needs of the ageing population by providing homes for life. Furthermore, it will enable adaptations to be made to homes to support older or disabled people and enable them to stay in their own homes for longer.

**Policy (full policy):**

National planning policy outlines that in order to create inclusive and mixed communities Local Planning Authorities should plan for a mix of housing, based on the needs of different groups in the community. In addition, new residential accommodation should be adaptable to changes in an individual's circumstances.

The promotion of lifetime neighbourhoods and providing a choice of quality accommodation is a strategic objective in the CSUCP. CSUCP Policy CS11 encourages the provision of Lifetime Homes, Wheelchair Accessible Homes, and increasing choice of suitable accommodation for the elderly population and those with special needs, including bungalows, sheltered accommodation and extra care accommodation.

To support independent living, personal wellbeing and ensure that new homes are fit to support a range of future needs, Policy DM6 sets out accessibility requirements for new homes.

**Policy DM6 - Accessible and Adaptable Housing**

The design of new build homes will be required to be flexible and adaptable for the future to meet the needs of the population. This will be achieved by requiring new housing developments of 11 dwellings or more to provide 25% of all new homes to be built to Accessible and Adaptable Standard.

**Accessible and Adaptable Standard** is defined as homes in Use Class C3 (dwellinghouses) built to be resilient and flexible for the future needs of the city. This will include homes built to accessible and adaptable standards suitable for future adaptation to meet the forecast needs for the elderly and the changing needs of residents. Currently the relevant accessible and adaptable standard is M4(2) of the building regulations. In future the specific measures incorporated into schemes will need to demonstrate compliance with the relevant government standards for accessible and adaptable homes at that time.

National planning guidance gives authorities the option to set additional technical requirements, exceeding the minimum access standards required by building regulations, to achieve improvements to housing stock suitable for the varied needs of the population.

The city's population, like the majority of the UK, is ageing with the number of people aged 65 years and over expected to increase by around 14,200 between 2015-2030 accounting for 47% of net population growth over this period. The resultant changing housing requirements of an older population need to be recognised and addressed. This can in part be met through increasing the accessible and adaptable standards applied to all new housing through Policy DM6.
The specific measures incorporated into schemes will need to demonstrate compliance with the relevant accessible and adaptable standard (Building Regulation M4 (2)). Where step-free access is not feasible for site specific reasons, such as on steeply sloping land or stair accessed apartments, off-site contributions towards meeting the citywide targets will be required.

Positively Prepared:

There is a clear need for more housing which is suitable for older and disabled people in Newcastle. The SHMA for Newcastle (see page 165 on) found that significant levels of public money is spent on Disabled Facilities Grants, adapting properties to meet their residents’ needs. The population in older age groups was projected to increase substantially over the plan period, with almost half the overall net population growth projected to be aged 65+ (SHMA p169). The SHMA also found that 4.3% of social rented lettings were to households assigned as having a reasonable preference on medical or welfare grounds. Ultimately, the SHMA recommended that 60% of new homes in Newcastle be built to M4 (2) standards, subject to viability (SHMA) (2017) (para. 6.148).

Both authorities which share a Housing Market Area with Newcastle – North Tyneside and Gateshead Councils – have either adopted or are proposing to adopt the standards. Northumberland, the only other authority which neighbours Newcastle but which does not share its HMA, is also proposing to adopt the standards through its draft plan.

Core Strategy Vision and Objectives compliance and delivery:

**Strategic Objective 06** Ensure that our residential offer provides a choice of quality accommodation in sustainable locations to meet people’s current and future needs and aspirations.

**Strategic Objective 10** Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

**Policy CS1** (Spatial Strategy for Sustainable Growth) (8) (i)& (iii) requires development to be well designed to promote wellbeing, be fully inclusive and meet diverse needs of all residents. Policy **CS14** (Wellbeing and Health) also requires development to contribute to an age friendly, healthy and equitable living environment.

CSUCP policy **CS11** promotes lifetime neighbourhoods, including by encouraging the provision of Lifetime Homes and Wheelchair-Accessible Homes, and by increasing the choice of suitable accommodation for the elderly population and those with special needs including bungalows, sheltered accommodation and extra care accommodation.

The supporting text of the policy goes on to say that ‘The creation of lifetime neighbourhoods (whether through retrofitting in existing neighbourhoods or the development of new neighbourhoods) supports community cohesion by encouraging a diverse mix of accommodation helping residents to remain within their communities as their circumstances change. Wherever practicable, new housing will be encouraged to adopt principles of lifetime homes so as to be easily adaptable for everyone from young families to older people and people with disabilities. This will reduce the need for adaptations or for people to move home as their circumstances change.’
DAP Policy DM6 will facilitate delivery of this policy by setting specific standards for housing to meet the needs of older and disabled people, enabling people to live in their home throughout their life and reducing the need for adaptations.

Policy Preparation:

Policy DM6 has evolved taking into account national planning guidance, consultation responses, and updated evidence.

A main concern arising from developers during consultation was that the policy would harm viability and limit the capacity of the site. These claims were tested thoroughly through viability assessment and it was concluded that, at the level proposed through the policy, the effects of imposing the standards on viability would be minimal.

The main change to the policy itself is the change from requiring ‘new homes’ to meet the standards, to requiring ‘new build homes’ to meet the standards, in acknowledgement of the fact that, as conversions are by necessity working with a set amount of space, it would not be appropriate to expect this type of development to meet the standards.

Changes were also made to the supporting text, to specify that: ‘Currently the relevant accessible and adaptable standard is M4(2) of the building regulations. In future the specific measures incorporated into schemes will need to demonstrate compliance with the relevant government standards for accessible and adaptable homes at that time.’

It also specified that there may be cases where the standards cannot be applied as it is not possible to provide step-free access ‘for site-specific reasons.

In addition, the Council has prepared an Addendum to the Housing Needs and Standards paper to respond to the updates to the PPG in September 2018 with regards to the build to rent form of development and the impact of the introduction of the optional technical housing standards.

A further supplemental report to the SHMA entitled, Gateshead and Newcastle upon Tyne Housing for People with Disabilities, was also commissioned in response to representations regarding need for the accessible and adaptable standards raised at Pre-Submission consultation.

Statutory Consultation:

**Draft Plan (Regulation 18)**

Certain groups were specifically targeted as part of the regulation 18 consultation; the Council met with Newcastle’s Disability and Access Forum and Elders’ Council to seek their views on the wider DAP.

Points raised at regulation 18 consultation;
- The proportion of accessible and adaptable housing required should be higher
- The housing policies in the DAP are not specific enough about the exact size, type, and tenure of housing to be provided
- The Elders’ Council supported the policy but stated that homes should be
built to Lifetime Homes standards

- Multiple organisations raised concerns about the policy. Whilst many were broadly in support, comments were made stating that the wording of the policy was not sufficiently clear and that the evidence of need and viability was not sufficient to justify the policy and the specific proportion of accessible and adaptable housing required

As a result of this consultation, the evidence supporting the need for the policy and its viability was reviewed and updated. Additionally, the wording of the policy and its supporting text was amended, as outlined in the above section.

**Pre-Submission Plan (Regulation 19)**

Again, certain groups were specifically targeted as part of the regulation 18 consultation; the Council met with Newcastle’s Disability and Access Forum and Elders’ Council to seek their views on the DAP.

Points raised at regulation 19 consultation;

- Barratt David Wilson Homes, Elders Council and Gentoo Homes support the delivery of accessible and adaptable homes in principle.
- Gentoo Homes don’t support the intention to introduce accessible and adaptable requirement without compromise or flexibility across all proposals of 11 or more homes.
- The majority of respondents objected to DM6 considering it goes against the intentions of policy CS11 and could impact on the viability and deliverability of future developments.
- A number of developers do not consider that an ageing population is sufficient evidence to identify a need for M4(2) homes.
- A number of concerns with viability assumptions in the Viability and Deliverability Report.
- Several developers request that a transition period is included, and that it will not be retrospectively applied to sites with planning permission.
- The proposed blanket 25% provision is not considered to be robustly justified by Story Homes.

**Sustainability Appraisal:**

The 2018 Sustainability Appraisal prepared by JBA Consulting on behalf of Newcastle City Council found that the proposed NDSS policy had a slightly positive effect on sustainability. The appraisal assessed each policy across eleven different objectives. Policy DM7 was found to have a minor positive impact on:

- Promoting strong and inclusive communities
- Ensuring that equality, diversity and integration are embedded in all future development
- Improving health and well-being and reducing inequalities in health

The policy was found to have a neutral impact on:

- Improving educational achievement and skill levels across Newcastle
- Promoting, enhancing, and respecting our culture, heritage, and diversity
- Ensuring good accessibility to jobs, facilities, goods and services
- Adapting to and mitigating against the impacts of climate change: making sure we adapt to the effects of climate change and mitigate against its impacts in future development
- Living within environmental limits, both locally and globally
• Protecting and enhancing our environmental assets and infrastructure
• Strengthening our economy
• Improving access to a stable and sustainable employment market
The policy was found to have a minor negative impact on:
• Adapting to and mitigating against the impacts of climate change: reducing our contributions to the causes of climate change
There was just one change at Pre-Submission DAP SA, where a minor negative impact was amended to neutral.

Joint working:

In preparing evidence for the policy we worked closely with neighbouring Gateshead Council developing a common evidence base that supports both the joint Core Strategy and key policies in the detailed local plan policies common to both local authorities. We took a similar approach to the preparation of evidence with a joint SHMA and joint Local Plan Viability and Deliverability report. This found that a key change for both Councils was the increase in the number of older people as a proportion of household growth (p137).

A further supplemental report to the SHMA entitled, Gateshead and Newcastle upon Tyne Housing for People with Disabilities, was also commissioned jointly in response to representations raised at Pre-Submission consultation.
The SHMA considered similar evidence to that considered by North Tyneside Council, which has also adopted the standards. Based on similar SHMA evidence the Inspector concluded, ‘I am nonetheless satisfied that that Council has, in broad terms, met the evidential threshold to justify optional standards at the local level’ (para. 242. Inspector’s report into N Tyneside Local Plan, May 2017) (File Ref: PINS/W4515/429/7).

The SHMA study included a cross boundary workshop with North Tyneside, South Tyneside, Gateshead and Northumberland Councils.

Justified:

The Council has taken a reasoned approach to the adoption of the policy, following the approach set out in PPG by taking account of the need for the policy, its likely impact on viability, and appropriate timing for it to come into effect following potential adoption of the policy. As part of preparing the policy, a range of evidence and potential alternatives were considered, as outlined in greater detail in the relevant sections of this report.

1) The preparation of the DAP takes into account PPG advice that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area (ID 56-002-20160519) and justify setting appropriate policies in their Local Plans.

2) The SHMA (2017 update) identifies the most significant growth in the population in Newcastle (for 2015-30) with a projected increase of 14,200 persons is those aged 65 and over – this is over 47% in Newcastle for 2015-30 (para.s 6.79/6.110) and is continuing to increase since the previous SHMA (2010) with an equivalent forecast growth of 40% (2010-30) (topic paper page 7). The SHMA (2017) recommends in Newcastle upon Tyne 10,200 households (of the growth of 16,100 households to 2030) are likely to have household representatives aged 65 or over (Figure 93, para.6.8).

3) The availability of accessible and adaptable homes is critical to meeting the need of the demographic groups in the city. Whilst the greatest proportion of
the projected increase in population 2015-30 (30,680 persons) is expected to be in older age groups (para. 6.110), younger people are more likely to make a move (para. 6.114). Adaptations to existing stock cannot provide for the new housing needs to be built for households growing older or disabled (chapter 6, SHMA). Improvements are thus required to the overall housing stock in the city for all.

4) This significant need for improved housing stock relates to properties providing for households of any age that experiences disability or other reason why accessible and adaptable housing becomes a necessity. In April 2017 535 households were registered as in need of housing either for welfare or disability grounds (Fig. 129). Between 2014/15 and 2016/17, 7% of DGG adaptations were carried out across private rented properties (para. 6.100). Thus, new build and build to rent properties can contribute to much needed improvements in accessible and adaptable stock in the city.

5) Given this context, the evidence supports the need for at least 60% of all dwellings in Newcastle upon Tyne to meet Building Regulation M4 (2) requirements (and 6% wheelchair user standard M4(3)), providing that this does not compromise viability (SHMA, Figure 6). Viability testing supports the delivery of a more modest proportion of M (4)2 across the city.

6) The Viability and Deliverability report (local plans) (2018) assesses different proportions of M4(2) compliance and concludes the 60% need requirement for M4(2) evidenced in the SHMA cannot be justified on viability grounds, however the report advises M4 (2) accessible and adaptable standards in DAP local plan should be limited to 25% of dwellings and not any higher proportion. The M4 (3) standard should not be brought forward, as this would potentially undermine scheme viability (p166). The viability impact of adopting the M 4 (2) standards at the proportion recommended was relatively small when applied to 25% of dwellings on a development; likely to be £5000 in total for a scheme of 15 dwellings (p102). It ultimately found that, at the level proposed to be required by the policy (25%), whilst the pressure on viability undoubtedly increased as a result of the policy, this pressure was not sufficient to change the viability outcome of any appraisals (para. 8.2.1-8.2.6). This remained true when considered alongside the cumulative burden of costs imposed by the CSUCP, CIL, and all proposed DAP policies (p113). The plan costs are considered marginal and would not therefore undermine the ‘delivery of the plan’ (NPPF, para. 34).

7) The Council also prepared a topic paper, Addressing Housing Needs and Standards, which further examined the same evidence used for the SHMA. This document reiterated findings from the SHMA, that there would be significant growth in the numbers of older people living in Newcastle, and that around 5.6% of the overall OAN would be for wheelchair adapted housing (SHMA) (Figure 134). It noted that roughly 350 dwellings per annum are adapted through Disabled Facilities Grants, which can be costly and should not be relied upon to meet the need for accessible and adaptable housing (Addressing Housing Needs and Standards p20). Furthermore, it was noted that nationally only 43% of housing could be made more accessible (p20).

8) 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 SHMA 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26). The Council considers evidence that the ageing
The update to the analysis in the SHMA 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes.

**Evidence:**

A range of evidence was prepared to consider the need for the policy and to justify its inclusion in the Submission Draft DAP.

1) The 2017 SHMA reviewed the city’s needs 2015-30 and what this meant for different groups residing now and in the future. It evidences the proportion of new housing growth comprising of people aged 65 and up (p137) and the need for new homes to be provided for people disabilities. It also considered the current costs of adapting homes, the types of properties in the existing housing stock in the city.

2) The Council also prepared a topic paper, *Addressing Housing Needs and Standards*, which further examined the same evidence used for the SHMA. This document drew upon findings in the SHMA, that there would be significant growth in the numbers of older people living in Newcastle.

3) The Gateshead & Newcastle Housing for People with Disabilities supplemental report was prepared to provide further data in relation the need for accessible and adaptable dwellings in the city and was commissioned in response to plan representations. This expands on the outputs of the SHMA 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26).

4) The 2018 Viability and Deliverability report built on past published strategic viability analysis for consistency of approach and tested updated costs and values and plan costs to notional schemes across viability profile areas in the city. It also tested site allocations in the city.

5) Recent research of other authorities which had adopted the accessible and adaptable policy considered the evidence they had prepared, implemented and currently monitoring the policy. The report found that other authorities with adopted M4 (2) policies had received similar comments from developers expressing concern that the standards would impact on viability. See North Tyneside Local Plan Inspector’s report (2017)) (File Ref: PINS/W4515/429/7).

**Alternatives:**

1) Use of an alternative standard

The government has made clear through PPG (para 008, ref 56-008-20160519) that, where a Local Planning Authority wishes to adopt higher standards for accessibility, this should be done through reference to one or both of the optional M4 standards. No other standards are to be permitted:

‘Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body.’

This is intended to prevent different authorities across the country from having significant variety in the standards required, and in the evidence used to justify those standards.
2) Use of Local Authority Mechanisms only

Higher accessibility standards could be achieved through the functions of the Council predominantly on schemes developed on Council owned land. The Housing Needs and Standards topic paper identifies that the Council has a track record of facilitating delivery of a significant proportion of the city’s housing provision (page 19), and a programme of housing delivery (See Viability and Deliverability report (Section 10.3). Therefore, the Council could build homes which it delivers, in whole or in part, to higher accessibility standards than housing delivered exclusively through the private sector.

This approach is taken forward, regarding the M4 (3) wheelchair user housing standards, which bears a much higher cost than the M4 (2) standards and which are more specific to the requirements of a relatively small (<6%) proportion of the overall population growth. It was felt that it would not be appropriate, therefore, to require private developers to deliver such a costly product when there would be no way of ensuring that the resulting dwellings would be sold to people in need of wheelchair adapted homes. Therefore, it was concluded that it would be more appropriate for the local authority to ensure the needs of the wheelchair residents are met within M4(3) standard, usually through a bespoke adaptation at the point of allocation from the housing register (para. 6.146).

However, this was not considered to be an appropriate solution to meeting the need for M4(2) housing. Given the extent of need and the costs involved, it would not be appropriate to expect the cost burden of providing suitable housing to meet this need to be provided solely from the public purse. Furthermore, the cost of requiring this standard was much lower, so its impact on viability would be correspondingly smaller: requiring this standard of developers would not be too onerous.

Effective:

The standard has been conceived by central government and so its effectiveness will be monitored on a national level. It is clearly measurable by virtue of the building regulation specifications and is considered effective meeting the aim of helping to improve the housing stock and the needs of the city.

The policy is considered to be deliverable as extensive evidence has been produced to support the need for and viability of the policy. Furthermore, neighbouring North Tyneside Council has already adopted the standards into its policy. As Newcastle is part of the same Housing Market Area as North Tyneside, it is reasonable to assume that the policy will be equally effective in both authorities.

Gateshead are also proposing to adopt a policy requiring 25% of homes to meet the M4 (2) standard. If they were to do so, this would mean that all three authorities within the Housing Market Area have a policy on space standards, ensuring quality of housing across the area. It would not be an effective strategy for Newcastle to build less accessible homes than its neighbours, particularly those in the same HMA.

Monitoring:

The policy will be monitored by DAP framework target no. 5 and number of approvals for housing units that are required to be built to M4(2) standard. The majority of major housing developments approved within the city should meet the standards as required by the policy.
Consistent with National Policy:

The footnotes to NPPF para 127(f) state that planning policies for housing 'should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties.' Para 127(f) itself states that planning policies should ensure that development creates places 'with a high standard of amenity for existing and future users. Policy DM6 is consistent with these extracts from the NPPF and will help to ensure that dwellings are built to meet the needs of residents both now and in the future.

Policy DM6 is also considered consistent with PPG Housing -Optional Technical Standards (section 2. Accessibility and wheelchair housing standards). In particular the Council has addressed the factors that PPG encourages local authorities to take into account (para. ID (ID 56-007-20150327) in the supporting evidence base:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings)

Please see the SHMA, Addressing Housing Needs and Standards topic paper and summary of need under 'justified' above.

- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).

The SHMA (2017) in chapter 6 reviews housing need for the older people and people with specific needs in the city. It draws upon accepted national databases and locally held data, including the More Choice, Greater Voice toolkit (LIN) and English Housing Survey and Disabled Facilities Grant data. The national data and SHMA recommendations provide citywide evidence of need, for differing housing products to serve the needs of older people and indicative breakdown by tenure. Figure 124 indicates there are currently 2,983 older person housing units (2015) and fig. 123 models the potential additional requirements for new specialist housing in Newcastle, amounting to the need for 7,800 units 2015-30. In April 2017, there were 535 households registered in Newcastle as needing to move on welfare or disability grounds. The evidence of the need is citywide data requiring a response across locations, type and tenure to meet significant needs. It should not be just for the public purse to respond, as the private sector will also need to contribute towards inclusive communities and high standard of homes built across tenures.

- the accessibility and adaptability of existing housing stock.

SHMA (chapter 6) also considers the accessibility and adaptability of existing stock (para. 6.144-6.165) and concludes a large proportion of the existing dwelling stock could not be adapted to reach M (4)2 or M4(3) standard and dwellings built since 1981 (8%) are less likely to be viable to adapt that those built between 1919 and 1980. It is concluded that adapting stock alone cannot provide sufficient adapted properties to meet the need (6.162).

- how needs vary across different housing tenures.

Tenure has been addressed to meet specific needs of groups (see above), it is also a key consideration for building homes to M4(3) standard to ensure homes are appropriately adapted to specific needs, however, the Viability and deliverability
report concludes that there is insufficient viability to justify a policy requirement to meet M4(3) standard, which would normally be applied to local authority managed stock for people with specific disabilities.

- **the overall impact on viability**

Given this context, the evidence supports the need for at least 60% of all dwellings in Newcastle upon Tyne to meet Building Regulation M4 (2) requirements (and 6% wheelchair user standard M4(3)), providing that this does not compromise viability. Viability testing supports the delivery of a more modest proportion of M4 (2) across the city.

The viability and deliverability report (local plans) assess different proportions of M4(2) and concludes the 60% need requirement for M4(2) evidenced in the SHMA cannot be justified on viability grounds, however the report advises M4 (2) accessible and adaptable standards in DAP local plan should be limited to 25% of dwellings and not any higher proportion. 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). The policy’s potential to enable sustainable development is reflected in its positive appraisal in the SA Environmental Report.
The majority of comments stated that the prepared evidence of need and viability was not sufficiently robust to justify adoption of the policy.

As a result of this, the evidence was reviewed and updated to demonstrate that the cost of development did not change the viability of development, and that minimum space standards were needed in the area to ensure that all rooms of new homes could be comfortably lived in.

Others requested that the proportion of M4 (2) compliant housing required be higher, or that the Lifetime Homes Standards be required.

PPG is clear that, when it comes to accessibility, only standards that refer to Building Regulations Part M (i.e. M4 (2) and M4 (3))

Commenters again questioned the evidence of need and viability underpinning this policy.

<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy DM6</strong></td>
<td>Barratt David Wilson Homes, Elders Council and Gentoo Homes support the delivery of accessible and adaptable homes in principle.</td>
<td>No modifications proposed.</td>
</tr>
<tr>
<td>The majority of comments stated that the prepared evidence of need and viability was not sufficiently robust to justify adoption of the policy.</td>
<td>Gentoo Homes don’t support the intention to introduce accessible and adaptable requirement without compromise or flexibility across all proposals of 11 or more homes.</td>
<td></td>
</tr>
<tr>
<td>As a result of this, the evidence was reviewed and updated to demonstrate that the cost of development did not change the viability of development, and that minimum space standards were needed in the area to ensure that all rooms of new homes could be comfortably lived in.</td>
<td>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).</td>
<td></td>
</tr>
<tr>
<td>Others requested that the proportion of M4 (2) compliant housing required be higher, or that the Lifetime Homes Standards be required.</td>
<td>The majority of respondents objected to DM6 considering it goes against the intentions of policy CS11 and could impact on the viability and deliverability of future developments.</td>
<td></td>
</tr>
<tr>
<td>PPG is clear that, when it comes to accessibility, only standards that refer to Building Regulations Part M (i.e. M4 (2) and M4 (3))</td>
<td>Building Regulation M4 (2) is the current measurable target for providing accessible and adaptable homes and will deliver 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 and is supported by evidence in the Viability and Deliverability Report.</td>
<td></td>
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may be used. This is not to say that development proposals which did meet the Lifetime Homes standards would not be supported.

The evidence is set out in the evidence library documents: Strategic Housing Market Assessment (2017) the supplemental report, Gateshead and Newcastle upon Tyne Housing for People with Disabilities (February 2019); Addressing Needs and Standards topic paper (and Build to Rent addendum); Viability and Deliverability Report (2018) and Compliance Paper.

A number of developers do not consider that an ageing population is sufficient evidence to identify a need for M4 (2) homes.

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.

Barratt David Wilson Homes raise a number of concerns with assumptions in the Viability and Deliverability Report.

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.

Several developers request that a transition period is included, and that it will not be retrospectively applied to sites with planning permission.

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 normally be possible without impact on the scheme capacity.

The proposed blanket 25% provision is not considered to be robustly justified by Story Homes.

The viability 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).

Commenters also noted that the attempt to futureproof the policy by requiring any superseding standards to be required in place of the M4(2) standard but requested that the Inspector comment on whether the wording was adequate to make the policy fully effective.

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.

Persimmon indicate disappointment 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.

The Council have undertaken significant engagement with 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.
**DM7 Space Standards**

This policy introduces minimum standards for internal floorspace of residential dwellings, excluding furnished layouts (e.g. purpose-built student accommodation). It is intended to ensure that homes in Newcastle are fit for purpose, with sufficient space for furniture, storage, and circulation. It will also require homes to be built to a high standard, enabling Newcastle to continue to compete with comparator cities in its housing offer. This policy is aligned with the accessible and adaptable standard M4(2) (Policy DM6).

**Policy (full policy):**

The Nationally Described Space Standards consists of a single set of gross internal areas which represents a reasonable level of internal provision for new dwellings. The standard varies for different types of dwellings and incorporates requirements for internal storage, minimum bedroom size and a minimum floor to ceiling height. Overall these features are intended to ensure that new homes provide a flexible and high-quality environment capable of responding to occupants’ needs and supporting a good quality of life. Policy DM7 requires new homes meet to the Nationally Described Space Standards to accommodate the needs of residents and remain attractive to successive generations.

**Policy DM7 - Space Standards**

The design of all new homes will be required to meet the relevant minimum internal floorspace for the type of dwellings, complying with the Nationally Described Space Standards.

The Government’s Nationally Described Space Standards will secure new homes which can accommodate a basic set of furniture, fittings, activity and circulation space. These standards will be introduced in one year from the date of adoption allowing for a period of transition in accordance with the national planning guidance. It will not be applied retrospectively to those applications for reserved matters where the outline permission was determined or is subject to a resolution to grant permission (including subject to planning obligations) before the end of the transition period. It applies to new dwellings only.

**Positively Prepared:**

National Planning Practice Guidance requires local authorities to gather evidence to determine whether there is a need for additional housing technical standards and justify setting appropriate policies in their local Plans (ID 56-002-20160519). In response the Council commissioned the SHMA Update 2017 to address the need for internal space standards and accessibility and wheelchair housing standards. The conclusions across all the optional standards (including water efficiency) is evidenced in the Addressing Housing Needs and Standards paper.

The SHMA for Newcastle found that 64% of the city’s housing completed in recent years (2014/15-15/16) is smaller than the national minimum standards, in some cases significantly so. Over two thirds of the new build completions did not meet recommended minimum standards, with the 3 bed sized properties the most significant house type failing to meet the space standards. Further evidence should be collated to assess whether the standards should be adopted into policy.

It was found that the size of dwellings can have a significant impact on people’s health.
and quality of life, affecting their ability to have their own space within a home, and to socialise. Viability assessment, conversely, demonstrated minimal impact of the standards on the viability of development and would not undermine overall viability of the plan (see section 7.1 & 11 of the Viability and Deliverability Report) (2018).

Both authorities which share a Housing Market Area with Newcastle – North Tyneside and Gateshead Councils – have either adopted or are proposing to adopt the standards. Northumberland, the only other authority which neighbours Newcastle but which does not share its HMA, found that the greatest majority of its housing permitted since 2011 met the standards, and the proportion of housing which did not was not great enough to justify imposing the standards through planning policy.

Newcastle City Council published a topic paper ‘Addressing Housing Needs and Standards’ in 2017 (at Draft Plan and Pre-Submission Plan consultation) to help provide the clarity of approach supporting the proposed policy on spacing standards.

**Core Strategy Vision and Objectives compliance and delivery:**

The **Core Strategy and Urban Core Plan Vision Statement** seeks to establish ‘new sustainable housing areas and communities to help attract population back into the area’, supported by local services and employment opportunities. The spatial portrait notes Newcastle in particular continues to show patterns of outmigration to surrounding areas. The majority of out-migrants are of working age and the city is losing families and employed people to other districts. There is a need to improve the quality of the housing offer and a need for a broader range of housing to reduce net out-migration to surrounding areas, and a corresponding need to increase build rates overall.

Policy DM7 will help to fulfil the CSUCP vision and the following Plan Objectives:

**Strategic Objective 6** Ensure that our residential offer provides a choice of quality accommodation in sustainable locations to meet people’s current and future needs and aspirations.

**Strategic Objective 10** Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

Additionally, the following strategic policies are critical to the framework for delivery: **Policy CS1** (Spatial Strategy for Sustainable Growth) (8) (i)& (iii) requires development to be well designed to promote wellbeing, be fully inclusive and meet diverse needs of all residents. **Policy CS14** (Wellbeing and Health) also requires development to contribute to an age friendly, healthy and equitable living environment.

In order to meet the city’s needs **CSUCP policy CS11 (1)** requires 60% of new private housing across the plan area to be suitable for and attractive to families with a minimum target of 16,000 new homes to have 3 or more bedrooms. The Neighbourhood and Village Growth Areas (NN1-NN4, NV1-NV3) have a higher-level requirement to provide a range of sizes, types and tenures of housing to include a minimum of 75% family homes (3 bedrooms or more).

Additionally, **CS11(4)** requires development to provide adequate space inside and outside of the home to needs the needs of residents.

The supporting text of the policy goes on to say that ‘concerns have been raised that some new homes, and indeed some existing homes, do not have enough space for the modern family. For new development we are looking to ensure that the homes that are built are attractive to a wide range of residents by providing the right amount of both
indoor and outdoor space, including storage, for their targeted market’. The SHMA (2010) household survey found the greatest area of inadequacy identified by Newcastle residents related to properties being too small. A key finding of the SHMA is that over 50% of households whose homes were considered inadequate for their requirements, gave the main reason as that it is too small.

Following the adoption of the CSUCP, the optional technical housing standards were published in the PPG (27 March 2015) setting out measurable standards for internal space that local plan policies can apply- too late to be incorporated into CSUCP policy.

DAP Policy DM7 will however facilitate delivery Policy CS11 by setting specific measurable standards for exactly what constitutes ‘adequate space inside… of the home’ including storage.

Policy Preparation:

Policy DM7 has evolved taking into account national planning guidance, consultation responses, and updated evidence. The progression of the policy through the plan stages is set out in the policy development table below. The council has produced evidence, undertaken stakeholder consultation, considered changes to national policy and has sought to respond positively to stakeholder representations.

A main concern arising from developers during consultation was that need for the policy was still to be established and that the policy would harm viability and limit the capacity of the site. These claims were tested thoroughly through the Viability and Deliverability Report (2018) and it was concluded that the impact of the policy on viability and capacity would be minimal. In response to concerns raised at regulation 19 consultation, the Council again carried out due diligence in reviewing the need evidence. The supplemental report to the Gateshead and Newcastle SHMA has been prepared on ‘Compliance with NDSS Targets’ (March 2019) responding to requests for further data, and urban design analysis of recently approved schemes was undertaken by the Council.

Since regulation 19 consultation stage, the Council has prepared additional evidence (See numbers 4 & 5 in the Evidence section below).

The main change to the policy over the course of its development was the amendment to the transition period. The initial consultation draft specified a date by which the policy would take effect and was contained in the Policy. However, in response to comments received the transition period was amended to a time period post plan adoption, to ensure any potential delay in examination did not impinge on the transition period. The Pre-Submission draft paragraph 4.3.2 states that the policy will take effect a year after the plan is adopted.

Additionally, the supporting text also confirms the policy will not be applied at reserved matters applications for schemes benefiting from outline planning permission approved before the end of the transition period.

Statutory Consultation:

The Consultation Feedback Report and Chapter 5 of the Viability and Deliverability Report set out the engagement undertaken on the policy preparation. This includes 2 early plan making stakeholder workshops in 2017/18; 2 separate consultations on viability assumptions; and individual meetings with HBF and housebuilder objectors to the policy.
Certain groups were specifically targeted as part of the regulation 18 consultation; the Council met with Newcastle’s Disability and Access Forum and Elders’ Council to seek their views on the wider DAP.

Points raised at regulation 18 consultation;
- The standards did not go far enough; standards should be set for wall thickness and sound proofing too, or the Parker Morris standards, or Lifetime Homes standards should be used instead
- The viability exemption ought to be removed
- The viability exemption ought to be moved to the policy itself rather than being in the supporting text
- The evidence of need and viability supporting the policy was not robust enough
- The evidence ought to consider market signals and the potential impact on housing delivery more thoroughly

As a result of this consultation, the evidence supporting the need for the policy and its viability was reviewed and updated.

Pre-Submission Plan (Regulation 19)
Again, certain groups were specifically targeted as part of the regulation 18 consultation; the Council met with Newcastle’s Disability and Access Forum and Elders’ Council to seek their views on the DAP.

Points raised at regulation 19 consultation;
- Commenters again questioned the evidence of ‘need’ underpinning this policy
- Commenters again questioned the evidence of ‘viability’ underpinning this policy
- A number of representations raised remaining concerns regarding viability assumptions used in the Viability testing for the local plan
- Developers also noted that the standards would increase cost to the purchaser, reducing affordability of dwellings.
- The transition period was again questioned as to whether the time period was reasonable. 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 the Core Strategy and pressure on Green Belt
- Concerns raised on the impacts of NDSS may have on affordability, size of dwellings, and potential for NDSS to narrow the choice to purchasers.
- Newcastle will be one of the first councils to adopt NDSS and it may be that purchasers will choose to buy homes elsewhere in the housing market area.
- 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.
- The draft policy as it stands does not allow for the introduction of space standards to be subject to viability, which should be reflected in the policy
- Evidence in the Strategic Housing Market Assessment (SHMA) (2017) on the size of dwellings completed 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.
- The 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 NDSS included as
• There remains a distinct risk to the deliverability of housing in the City through the proposed introduction of the NDSS which would affect the Council’s five-year land supply and impact on the Council’s future Housing Delivery Test results.
• NDSS should consider the impact across various different housing market character areas and across different tenures. There is potential for NDSS to have a negative impact on regeneration initiatives, affordable housing provision and adversely affect demand in lower value market areas.
• It is assessed that the impact of NDSS has not been considered in relation to density, increased costs and CIL payments.

Sustainability Appraisal:

The 2018 Sustainability Appraisal prepared by JBA Consulting on behalf of Newcastle City Council found that the proposed NDSS policy had a slight positive effect on sustainability. The appraisal assessed each policy across eleven different objectives. Policy DM7 was found to have a minor positive impact on:

• Promoting strong and inclusive communities
• Ensuring that equality, diversity and integration are embedded in all future development
• Improving health and well-being and reducing inequalities in health

The policy was found to have a neutral impact on the remaining objectives:

• Improving educational achievement and skill levels across Newcastle
• Promoting, enhancing, and respecting our culture, heritage, and diversity
• Ensuring good accessibility to jobs, facilities, goods and services
• Adapting to and mitigating against the impacts of climate change: reducing our contributions to the causes of climate change
• Adapting to and mitigating against the impacts of climate change: making sure we adapt to the effects of climate change and mitigate against its impacts in future development
• Living within environmental limits, both locally and globally
• Protecting and enhancing our environmental assets and infrastructure
• Strengthening our economy
• Improving access to a stable and sustainable employment market

There were no further changes to the appraisals at Pre-Submission DAP stage.

Joint working:

In preparing evidence for the policy we worked closely with neighbouring Gateshead Council developing a common evidence base that supports both the joint Core Strategy and key policies in the detailed local plan policies common to both local authorities. We took a similar approach to the preparation of evidence with a joint SHMA and joint Local Plan Viability and Deliverability report.

In addition, we took North Tyneside Council as an especially relevant example, as a neighbouring local authority that forms part of our Housing Market Area and had already adopted the standards. In the interests of having comparable data, we followed the approach taken by North Tyneside Council, which took a sample of housing over a set period and considered what the average discrepancy was from the NDSS, by house type and value area.

The Gateshead and Newcastle SHMA considered similar evidence to that considered by North Tyneside Council, which adopted the housing standards in the local plan in 2017, based on similar SHMA evidence the Inspector concluded,
‘I am nonetheless satisfied that that Council has, in broad terms, met the evidential threshold to justify optional standards at the local level’ (para. 242. Inspector’s report into North Tyneside Local Plan, May 2017) (File Ref: PINS/W4515/429/7). The Housing Needs and Standards topic paper includes an extract of key NDSS measuring evidence, which shows a very similar pattern of recent homes completed that fall below the NDSS floorspace which greatest variance in the 3- and 2-bedroom property types (See Compliance with NDSS Targets (March 2019) (Figure 146).

Justified:

The Council has taken a reasoned approach to the adoption of the policy, following the guidance set out in PPG by taking account of the need for the policy, its likely impact on viability, and appropriate timing for it to come into effect following potential adoption of the policy.

1. The Core Strategy and Urban Core Plan Vision is an inherently sustainable plan seeking to reduce the flow of working age out migration to neighbouring areas by attracting families back into the area. Strategic Objective 6 requires the residential offer to meet the needs of people’s current and future needs and aspirations.
2. Policy CS11 Core Strategy and Urban Core Plan requires 60% of new private housing to be attractive to families (3 beds or more); and to provide adequate space inside residential development (as justified by evidence in the SHMA 2010).
3. Post adoption of the CSUCP, Government publishes the requirement for Local authorities to gather evidence to determine whether there is a need for additional housing technical standards and justify setting appropriate policies in their local Plans (ID 56-002-20160519), including the Nationally Described Space Standard (NDSS).
4. Council commissioned the SHMA Update 2017 which confirms the need for 60% family housing and identifies a pattern of house types providing internal space below the NDSS: only 41% of 1,544 dwellings assessed met NDSS, with the lowest proportion of compliance by number of bedrooms (at only 27% compliance) was for 3-bedroom properties (See para. 7.24/Fig. 145, SHMA 2017). However, 47% of 4-bedroom properties and all 5/6-bedroom properties met the standard. Yet, the most common house size built in the City is the 3 bedoomed property (compared to of all sizes) at 38% (Fig. 146, SHMA).
5. In the last few years the city has received planning applications for a new model of build to rent in the private rented sector in the City centre, analysis of the internal space indicates a further pattern of units that fall below NDSS. Recent testing of a build to rent (PRS) schemes on Rutherford Street (26 storey) indicates 33% of units under NDSS, whist urban design would indicate a remodeling within the same footprint would allow for 100% compliance. A further PRS scheme (Crawhall Road) approved in June 2017 proposes 71% of units under NDSS with an average of -12 square metres divergence for one bed units (See Build to Rent Addendum) (figures 1&2).
6. The 2018 Viability and Deliverability found that the impact of adopting the NDSS on viability was minimal and was not sufficient to change the viability of development or to ‘undermine the deliverability of the plan’ (Para. 34. NPPF, July 2019). This remained true when considered alongside the cumulative burden of costs imposed by the CSUCP, CIL, and all proposed DAP policies.
7. The supplemental report to the Gateshead and Newcastle SHMA has been prepared in ‘Compliance with NDSS Targets’ (March 2019) in response to recent objections to this policy. Section 1 of the report considers national data (Government’s energy performance of building certificates). It can be seen across...
The average floorspace of all new houses, bungalows, flats and maisonettes fell from 95m² in 2010 to 86 m² in 2018, a decrease in floorspace of 10% (para.1.17). The proposed introduction of NDSS in the city will help to halt the reductions in floorspace in new properties and ensure they are fit for purpose.

8. The supplemental report also assesses the deviation from the NDSS bedroom minima for a sample of sites. The evidence indicates within a sample of sites 80-90% of dwellings falling below the NDSS for at least one bedroom within the property (paras 1.28/1.30).

9. Analysis of tenure has been considered within the SHMA 2014-16 sample of 390 affordable units. The most frequent NDSS compliant house types of affordable units were located within the Low and Low viability areas (approx. 80%) compared with reduced compliance in the urban core and High Mid viability areas (0-5%) (See Figure 8) (Compliance with NDSS Target) (March 2019).

10. Recent in-house urban design analysis of permissions post adoption of the Core Strategy of a range of permitted schemes undertaken in house has confirmed that equivalent NDSS (in conjunction with Accessible and Adaptable) compliant house type substitutions are generally feasible without significant impact on site capacity. Assessments in the High Mid area (where many of the strategic sites are located) could be designed to be NDSS compliant within the structure of the housing layout scheme simply with substitution of equivalent NDSS compliant house types to the same overall (100%) site capacity (compared to the permitted schemes with 70% of units West Middle Callerton meeting NDSS, and 4% at Dinnington North meeting NDSS). (See stakeholder regulation 20 responses to DM7)

11. The evidence justifying intervention indicates a pattern of small unit sizes that has the potential to render properties as not fit for purpose, undermining the adopted CSUCP vision and policies to attract families back into the city by providing sufficient new homes that are suitable and attractive to families (with 3 or more bedrooms).

Evidence:

A range of evidence was prepared to consider the need for the policy and to justify its inclusion in the Submission Draft DAP.

1) The 2017 SHMA (chapter 7) included an analysis of a sample of completed housing over a two-year period (2014/15-15/16) assessing 1,544 dwellings for compliance with NDSS overall floorspace standards.

2) Topic paper, Addressing Housing Needs and Standards, which further examined the evidence provided in the SHMA. This document has been part of the evidence for consultation at regulation 18 and 19 and considers the city’s housing needs for specific groups including the housing standards evidence of need, viability, and timing, as required by PPG.

3) The 2018 Viability and Deliverability built on past published strategic viability analysis for consistency of approach and tested updated costs and values and plan costs to notional schemes across viability profile areas in the city. It also tested site allocations in the city.

4) Build to Rent Addendum to the Addressing Housing Needs and Standards- this paper responds to recent changes to national policy and guidance (subsequent to Pre-Submission DAP consultation) on this form of development and concludes that Policies DM6 and DM7 should also apply to build to rent development in the city.

5) A supplemental report to the Gateshead and Newcastle SHMA has been prepared
on ‘Compliance with NDSS Targets’ (March 2019) by ORS in response to objections to this policy. The appendix to the supplemental provides further data that was used in the SHMA 2017 analysis and graphs (chapter 7, figures 141-151).

6) Research undertaken has found that other authorities with adopted NDSS policies had faced similar challenges in demonstrating need in their authority area as Newcastle, and also that they had received similar comments from developers concerned that the standards would impact on viability. See North Tyneside Local Plan Inspector’s report (2017)) (File Ref: PINS/W4515/429/7).

Alternatives:

1) Consider use of local standards
PPG sets out the scope for local authorities to apply the optional technical housing standards (including NSS standards) to apply. This is intended to prevent different authorities across the country from having significant variety in the standards required, and in the evidence used to justify those standards.

2) Alternative delivery mechanisms for NDSS
Higher space standards could be improved through the Council’s housing delivery programme- a significant proportion of which is proving for affordable and specialist dwellings. Whist the local authority could specify the higher standards on all dwellings in the programme as part of wider functions this approach was not favoured as the evidence of non-compliance was across tenures, sizes of dwellings and types, rather than the forms of development implemented by the Council. Housing standards in the city ought to be tenure blind, benefitting all housing sectors equally without undue reliance on public money. In particular the allocation of strategic sites at 75% 3 bedrooms (or more) are private sector led allocations, upon which the CSUCP vision and objectives rely to help deliver the strategic policies.

3) Area based or citywide policy
Newcastle City Council does not support applying different standards of housing across different geographic areas based on their economic status. The Council’s housing delivery programme is focused on providing for housing needs across the city and uses its assets and wider functions to improve housing with particular reference to (lower viability) regeneration areas.

Effective:

The standard has been conceived by central government and so its effectiveness will be monitored on a national level, with amendments made if necessary. The NDSS provides a detailed schedule of measurable floorspace minima and a corresponding rulebook for implementation. Planning conditions will require compliance to Policy DM7 to ensure delivery and that the policy will achieve its aim.

Within Newcastle, the effectiveness of the policy will be determined by monitoring its implementation and its effect on the deliverability of the plan.

Monitoring:

The policy will be monitored by DAP indicator ref. no. 6 considering the proportion of new dwellings completed that meet the standards (excluding furnished layouts e.g. student accommodation and permitted development conversions).
As part of this planning applications and the validation of the applications will be required to state the internal floorspace of their dwellings (for development that is currently required to as CIL liable development). Planning conditions will require compliance.

**Consistent with National Policy:**

1. NPPF (July 2018) states the purpose of the planning system is to contribute to sustainable development, a key part of the social objective is ‘ensuring a sufficient number and range of homes can be provided to meet the needs of present and future generations’ (para. 8). Planning for the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. (para. 61).

2. The footnotes to NPPF para 127(f) state that planning policies for housing ‘may also make use of the nationally described space standard, where the need for an internal space standard can be justified’. Para 127(f) itself states that planning policies should ensure that development creates places ‘with a high standard of amenity for existing and future users. Policy DM7 is consistent with these extracts from the NPPF and will help to ensure that dwellings are built with sufficient space to meet the needs of residents both now and in the future. The policy’s potential to enable sustainable development is reflected in its positive appraisal in the SA Environmental Report.

3. With regard to PPG, paragraph 020 (reference ID: 56-020-20150327) states that, in preparing evidence on space standards:

   *Local planning authorities should take account of the following areas:*
   
   **Need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.

4. The evidence of need for improvements to the internal spacing of new homes is set out on the SHMAA (chapter 7), the topic paper, ‘Addressing Housing Needs and Standards' and summarised above in ‘Justified’ section. Analysis across all sizes and types of dwellings were assessed. The impacts of adoption of space standards would be to improve the stock of new 3 and 2 bed properties. The evidence indicates relatively minor floorspace adjustments would be necessary to schemes in the High Mid viability area of the city where recent completions were reviewed in the SHMA (2017) (chapter 7), including Newcastle Great Park strategic site (Castle Ward) where the greatest cluster of completions analysed (412 dwellings) (fig. 143) are located. Paragraph 7.31 states the High Mid viability area compliance data indicated on average divergence from NDSS for individual properties exceeds the standards by +0.76 square metres. In comparison, 2 recent approved build to rent (PRS) schemes in the city centre indicate 3.1 square metres average exceedance and 10 square metres average divergence from NDSS in 1-3 bedroomed units (Rutherford St & Crawhall Road schemes).

5. The City has not received any planning applications for starter homes and thus there is not considered a significant demand for this type of accommodation (as per the NPFF definition). Newcastle has a modest affordability ratio when compared to the national ratio (para. 5.74-7)( SHMA) (2017).
viability – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.

6. The Viability and Deliverability report (local plans) (sept. 2018) assesses the impact of adopting the NDSS with cumulative plan and CIL costs (Chapter 7). When taken as a whole, the overall internal floorspace assumptions for a scheme using the NDSS averages are similar to what was applied in previous Viability and Deliverability reports supporting the Core strategy and CIL, with all the floorspace sizes compliant with NDSS for 2/3 and 4 bed properties.

Impact of potentially larger dwellings

7. There is flexibility in the application of the NDSS, 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 NDSS 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 NDSS is applied to the viability testing the net developable areas would not require adjustment (paras 7.1.11-7.1.15).

8. Recent analysis of permissions post adoption of the Core Strategy indicates in the High Mid strategic sites (where many of the new homes will be built to 2030) the structure of the housing layout scheme could be retained with substitution of equivalent NDSS compliant house types to the same overall capacity. The substitution in some instances involved a replacement of free-standing garages with integral garage house types.

9. In urban areas, taking into account the local market dynamics and the value bandings involved (where there would be an increased use of terraced and semi-detached dwellings, as well as 2.5 and 3 storey dwelling types) the Council consider the average NDSS figures to be realistic and deliverable, certainly for the purposes of the viability testing.

10. In the City Centre following a period of significant build out of purpose-built student accommodation (assumed exempt from the published NDSS), there is interest in build to rent accommodation and a number of schemes are currently under construction. Assessment of Rutherford Street accommodation indicates realignment of unit subdivisions allows for full compliance within the same footprint and overall capacity (See Addressing Housing Needs and Standards Addendum-Build to Rent). On this basis it is considered that there is no significant impact of adoption of NDSS on future land supply.

Impacts on affordability where a space standard is to be adopted.

11. The SHMA assesses market signals and the affordability ratio (ratio between the lower quartile house prices and lower quartile earnings) and market signals in the city (pages 14-15). The SHMA identifies the affordability ratio is much lower in Newcastle than across England as a whole (5.8 compared to 7), and that lower quartile house prices are lower than national average of £111,000 compared to
£142,000 (based on 2015-16 prices). The SHMA concludes that housing market pressure in Newcastle is generally comparable to those in similar areas and in many cases lower than national averages and recommends there is no need to uplift the objectively assessed need than the higher than household projections.

12. The Viability and Deliverability report 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).

13. Affordability of access to new homes is a combination of a number of factors and recent increased delivery of homes in the city has benefited from Government incentives, such as the Help to Buy scheme.

14. The overall viability outcomes remain the same without plan on costs. Areas of the city with baseline viability in the strategic (non-urban) High Mid and Mid areas of city and unviable baseline notional scheme in the Low, Low Mid and High (urban core) areas continue to be unviable. Delivery of housing in the low, low mid value areas has continued assisted by Council land assets and specialist private housebuilders are also able to deliver schemes in lower value locations. The NDSS policy costs do not affect the overall outcomes and therefore is not considered to impact on the ‘deliverability of the plan’ (para. 34 NPPF).

**timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.

15. Paragraph 4.3.2 states Policy DM7 will be introduced in one year post adoption allowing for a period of transition in accordance with PPG. It will not be applied retrospectively to those applications for reserved matters where outline permission was determined or is subject to a resolution to grant permission before the end of the transition period.
<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy DM7</strong></td>
<td></td>
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</tr>
<tr>
<td>The majority of comments stated that the prepared evidence of need and viability was not sufficiently robust to justify adoption of the policy. As a result of this, the evidence was reviewed and updated to demonstrate that the cost of development did not change the viability of development, and that minimum space standards were needed in the area to ensure that all rooms of new homes could be comfortably lived in. Others requested that other standards, e.g. for wall thickness and sound proofing, or the Lifetime Homes Standards, be used instead. PPG is clear that, when it comes to space, the NDSS are the only standards that may be used. Additional standards relating to the construction of dwellings are a matter for building regulations rather than planning.</td>
<td>Further evidence of need for NDSS in the city was requested by a number of housebuilders. The Council has continued to assess the need for NDSS given the representations received and a supplemental report to the Gateshead and Newcastle SHMA has been prepared on ‘Compliance with NDSS Targets’ (March 2019). Commenters again questioned the evidence of viability underpinning this policy The impact of adopting the NDSS on viability was minimal and was not sufficient to change the viability of development or to ‘undermine the deliverability of the plan’ (Para. 34. NPPF). This remained true when considered alongside the cumulative burden of costs imposed by the CSUCP, CIL, and all proposed DAP policies. A number of representations raised remaining concerns regarding viability assumptions used in the Viability testing for the local plan. The council has undertaken significant engagement with stakeholders regarding the viability assumptions adopted in the Viability and Deliverability Report (see Viability and Deliverability Report) (Appendices 2-9). The Council has sought clarification on the assumptions of which there are 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. Developers also noted that the standards would increase cost to the purchaser, reducing affordability of dwellings.</td>
<td>No modifications to the policy or supporting evidence are recommended.</td>
</tr>
</tbody>
</table>
Build cost assumptions are reviewed at para.6.11 of the Viability and Deliverability Report. 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.

The transition period was again questioned as to whether the time period was reasonable. 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 the Core Strategy and pressure on Green Belt.

The 12-month transition period identified in the supporting text (Pre-Submission DAP) (para.4.3.2) is considered a reasonable time frame, given that adequate space is an existing CSUCP policy (CS11) which would reasonably be anticipated would lead to NDSS detailed policy in the planned DAP.

Concerns raised on the impacts of NDSS may have on: affordability, size of dwellings, NDSS would narrow the choice to purchasers.

Concerns regarding affordability have also been considered. The SHMA 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 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 (Viability and Deliverability Report) (para. 7.1.16-7.1.21).

Newcastle will be one of the first councils to adopt NDSS and it may be that purchasers will choose to buy homes elsewhere in the housing market area. 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.

The draft policy as it stands does not allow for the introduction of space standards to be subject to viability, which should be reflected in the policy.
The DAP (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). Evidence in the Strategic Housing Market Assessment (SHMA) (2017) on the size of dwellings completed 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. The Council’s evidence and justification is set out in the compliance paper, including the SHMA, Addressing Needs and Standards topic paper and the Viability and Deliverability report (local plans) (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).

The 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 NDSS included as an assumption. 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). There remains a distinct risk to the deliverability of housing in the City through the proposed introduction of the NDSS which would be affected by the impact of larger homes on housing land supply the Council’s five-year land supply and impact on the Council’s future Housing Delivery Test results. In responding to concerns, recent urban design analysis of a range of permitted schemes has confirmed that equivalent NDSS (in conjunction with Accessible and Adaptable) compliant house type substitutions are generally feasible without significant impact on site capacity. Recent analysis of a range of permissions in different parts of the city post adoption of the Core Strategy indicates strategic sites in the High Mid area could be designed to be NDSS compliant within the structure of the housing layout scheme simply with substitution of equivalent NDSS compliant house types to the same overall site capacity (30% of units West Middle Callerton do not meet NDSS,
and 96% do not meet NDSS at Dinnington North). NDSS should consider the impact across various different housing market character areas and across different tenures. There is potential for NDSS to have a negative impact on regeneration initiatives, affordable housing provision and adversely affect demand in lower value market areas.

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 low value locations (in line with actual site delivery in recent years and sites currently being brought forward / promoted).

It is assessed that the impact of NDSS has not been considered in relation to density, increased costs and CIL payments.

The Viability and Deliverability report identifies there is flexibility in the application of the NDSS, 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.

The Viability and Deliverability Report (2018) assesses the impact of adopting the NDSS with cumulative plan and CIL costs (Chapter 7). When taken as a whole, the overall internal floorspace assumptions for a scheme using the NDSS averages are similar to what was applied in previous Viability and Deliverability reports supporting the Core Strategy and CIL.
Compliance Statement: DM8 Specialist Residential Accommodation

DM8 Specialist Residential Accommodation:

Specialist Residential Accommodation
This policy is designed to help meet the needs of the ageing population by requiring development be located in appropriate locations and by setting standards for any specialist residential accommodation proposals.

Policy

The need for specialist accommodation will increase over the plan period and this is evidenced in the Strategic Housing Market Assessment (SHMA) (2017). CSUCP Policy CS11 seeks to provide a range and choice of housing to meet the varied needs of our population. The building of attractive and sustainable development is critical to meeting the objectives of the plan. Policy DM8 sets out criteria for the development of specialist residential accommodation. Policy DM8 should be read in conjunction with Policy DM6 Accessible and Adaptable Housing, which taken together, will implement the strategy to ensure a proportion of new homes are built to meet the needs of households with disabilities and thus make necessary improvements to the city's housing stock.

Policy DM8 - Specialist Residential Accommodation
All development providing specialist residential accommodation will be required to be:
1. Located within an existing community and to deliver a mix of housing within that community.
2. Easily accessible to existing local services and facilities, including local health care services.
3. Designed to Accessible and Adaptable Standard and/or wheelchair adaptable standard.

Specialist Residential Accommodation is defined as Class C3 (Dwellinghouses) and C2 (Residential Institutions) which provides specially designed homes for people with specific needs, including assisted living accommodation for people over 55 years old, retirement and sheltered apartments and housing where care is provided. General needs bungalows and student accommodation are excluded from this definition.

4.4.2 Providing specialist accommodation and homes which are attractive for people with specific housing requirements will help meet future housing and care needs, whilst assisting in releasing under-occupied larger family homes. The council's Specialist Housing Delivery Plan aims to help people to stay living independently for as long as possible in a home of their choice. This could either be via a supply of purpose-built housing designed to meet specific needs or needs groups or providing adaptations to existing homes.

Specialist accommodation should be developed in suitable and sustainable locations, integrated with the community and within easy access to services to promote independent living. Currently specialist accommodation will be expected to conform to the appropriate standards set out within the Building Regulations (as amended 2015) relating to Accessible and Adaptable Dwellings Category M4(2) or Wheelchair User Dwellings M4(3) and in the future specialist accommodation will be expected to comply with the relevant government standards. These requirements are in addition to those set out in Policy DM6 relating to Accessible and Adaptable standards.

Positively Prepared:

There is a clear need for more housing which is suitable for older and disabled people in Newcastle. The SHMA for Newcastle (see figure 123, page 162) using the LIN toolkit projected that 1,430 additional bedspaces of specialist older person housing (traditional
sheltered, extra care, enhanced sheltered, dementia, and leasehold schemes for the elderly) would be needed by the end of the plan period.

Both authorities which share a Housing Market Area with Newcastle – North Tyneside and Gateshead Councils – have either adopted or are proposing to adopt a comparable policy setting out minimum requirements for specialist accommodation.

Northumberland, the only other authority which neighbours Newcastle but which does not share its HMA, is proposing to provide specialist accommodation through its draft Local Plan (policy HOU 4, p127). However, this is done as part of a broader policy requesting a range of housing types and mix, with applications to be ‘assessed according to how well they meet the needs and aspirations of those living in and seeking to move to Northumberland, as identified in the most recent Strategic Housing Market Assessment.’

Core Strategy Vision and Objectives compliance and delivery:

CSUCP policy CS11 promotes lifetime neighbourhoods, including by encouraging the provision of Lifetime Homes and Wheelchair-Accessible Homes, and by increasing the choice of suitable accommodation for the elderly population and those with special needs including bungalows, sheltered accommodation and extra care accommodation.

The supporting text of the policy goes on to say that ‘The creation of lifetime neighbourhoods (whether through retrofitting in existing neighbourhoods or the development of new neighbourhoods) supports community cohesion by encouraging a diverse mix of accommodation helping residents to remain within their communities as their circumstances change. Wherever practicable, new housing will be encouraged to adopt principles of lifetime homes so as to be easily adaptable for everyone from young families to older people and people with disabilities. This will reduce the need for adaptations or for people to move home as their circumstances change.’

DAP Policy DM8 will facilitate delivery of this policy by requiring specialist housing to be located within an existing community, with accessible local services. This will help ensure that people with specific needs can have their needs met whilst remaining a part of the community.

Policy Preparation:

Policy DM8 has evolved taking into account national planning guidance, consultation responses, and updated evidence.

Few comments were made about this policy at regulation 18 consultation, where the majority of commenters expressed concern about the attempt to control rather than encourage specialist housing or requested a return to Lifetime Neighbourhoods. No changes to the policy text itself were considered necessary.

Changes were however made to the supporting text, to specify that: ‘The council’s Specialist Housing Delivery Plan aims to help people to stay living independently for as long as possible in a home of their choice. This could either be via a supply of purpose-built housing designed to meet specific needs or needs groups or providing adaptations to existing homes.’

It was also added that specialist accommodation should be ‘integrated with the community’. Furthermore, it specified that wheelchair user housing should be built to M4 (3) standard, ‘and in the future specialist accommodation will be expected to comply with the relevant government standards. These requirements are in addition to those set out in Policy DM6 relating to Accessible and Adaptable standards.’ This was intended to ensure that the policy will continue to apply even where government guidance on accessibility standards changes in future.
Statutory Consultation:

**Draft DAP (Regulation 18)**

Certain groups were specifically targeted as part of the regulation 18 consultation; the Council met with Newcastle’s Disability and Access Forum and Elders’ Council to seek their views on the wider DAP.

Points raised at regulation 18 consultation;

- It is important to ensure that housing for older people is within a neighbourhood and not ‘fenced off’
- The development of specialist accommodation should be encouraged, not controlled
- The Lifetime Neighbourhoods standard should be reintroduced
- Some respondents requested further housing standards and one stated reducing the number of housing standards required would encourage development

As a result of this consultation, the wording of the policy’s supporting text was amended, as outlined in the above section.

**Pre-Submission DAP (Regulation 19)**

Again, certain groups were specifically targeted as part of the regulation 18 consultation; the Council met with Newcastle’s Disability and Access Forum and Elders’ Council to seek their views on the wider DAP. However, no duly made representations were received.

**Sustainability Appraisal:**

The 2018 Sustainability Appraisal prepared by JBA Consulting on behalf of Newcastle City Council found that the proposed NDSS policy had a broadly positive effect on sustainability. The appraisal assessed each policy across eleven different objectives.

Policy DM8 was found to have a significant positive impact on:

- Promoting strong and inclusive communities
- Ensuring that equality, diversity and integration are embedded in all future development
- Ensuring good accessibility to jobs, facilities, goods and services
- Adapting to and mitigating against the impacts of climate change: reducing our contributions to the causes of climate change
- Strengthening our economy
- Improving access to a stable and sustainable employment market

The policy was found to have a slight positive effect on:

- Improving health and well-being and reducing inequalities in health
- Living within environmental limits, both locally and globally

The policy was found to have a neutral impact on:

- Improving educational achievement and skill levels across Newcastle?
- Promoting, enhancing, and respecting our culture, heritage, and diversity
- Adapting to and mitigating against the impacts of climate change: making sure we adapt to the effects of climate change and mitigate against its impacts in future development
- Protecting and enhancing our environmental assets and infrastructure

There was no change at Pre-Submission DAP.

**Joint working:**

In preparing evidence for the policy we worked closely with neighbouring Gateshead Council developing a common evidence base that supports both the joint Core Strategy and key policies in the detailed local plan policies common to both local authorities. We took a similar approach to the preparation of evidence with a joint SHMA and joint Local Plan Viability and Deliverability report.
The SHMA (2017), which assessed the projected growth in the population of older and disabled people. This found that a key change for both Councils was the increase in the number of older people as a proportion of household growth, with 63% of Newcastle’s growth projected to be in the 65+ age group (para.6.8). A further supplemental report to the SHMA entitled, Gateshead and Newcastle upon Tyne Housing for People with Disabilities, was also commissioned jointly in response to representations raised at Pre-Submission consultation.

**Justified:**

1. The Council has taken a reasoned approach to the adoption of the policy, following the approach set out in PPG by taking account of the need for the policy, its likely impact on viability, and appropriate timing for it to come into effect following potential adoption of the policy.
2. As part of preparing the policy, a range of evidence and potential alternatives were considered, as outlined in greater detail in the relevant sections of this report.
3. Promoting good quality specialist housing is good practice, with Newcastle’s Specialist Housing Delivery Plan detailing the benefits of providing decent quality housing for older people (p7). Policy DM8 requires specialist accommodation to be located in appropriate locations easily accessible to local services and facilities, seeking to ensure those with current or future housing needs can stay living independently for as long as possible whilst assisting in releasing under occupied larger homes.
4. The 2017 SHMA found that a significant proportion of new housing growth – almost two thirds – was going to comprise of people aged 65 and up (p137). Furthermore, it anticipated that an additional 1,430 units of specialist older person housing would be required by 2030.
5. The Gateshead & Newcastle Housing for People with Disabilities supplemental report expands on the outputs of the SHMA 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26). The Council considered the evidence that the ageing population will require more adapted housing is important. The update to the analysis in the SHMA 2017 provides the evidence that there will be a high rate of growth in older households who require adapted homes. Paragraph 1.36 of the supplemental report considers it appropriate for all specialist housing for older people to meet M4(2) category 2 requirements helping to reduce the proportion of general needs housing that would need to meet M4 (2) standard. M4 (3) need in specialist accommodation would be justified against need for at least 25% and ideally 50%, however, the viability testing of M4(3) in scenario 2 of the Viability and deliverability report does not support the additional costs of an M4(3) requirement.
6. The 2018 Viability and Deliverability report tests a notional assisted living scheme in the base appraisals (which excluded the requirements to meet the M4 (2) accessible and adaptable standards) and showed that only the ‘high’ value urban / suburban model returned a viable outcome, with a residual land value surplus around 25% higher than the benchmark land value. We subsequently re-ran the model to incorporate the costs of meeting the M4 (2) standards. This appraisal again returned a viable outcome, albeit with a slightly reduced surplus. This suggests that the impact of the M4 (2) standard would not be sufficient to change the viability outcome, (Viability and Deliverability report) (2018) (para. s 8.1.8-9).

Private sector led assisted living schemes are being delivered in the higher viability areas of the City, elsewhere specialist schemes (including assisted living) are being delivered through Council led delivery mechanisms. The Housing Needs and Standards report indicates 17% of Council led housing delivered in Newcastle in 2017/18 was accessible or specialist (page 19) and the table in Appendix 2 lists the proposed Council led delivery for specialist and dwellings to be built to
accessible and adaptable (or higher) standard across the city.

7. However, this policy covers a number of differing types of specialist accommodation including those in communal care homes that fall with use class C2 residential institutions which would be expected to meet or exceed the requirements of standard M4 (2) to meet the needs of residents.

Evidence:
A range of evidence was prepared to consider the need for the policy and to justify its inclusion in the Submission Draft DAP.

1) Strategic Housing Market Area Assessment (2017)
2) 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 SHMA 2017 and establishes a minimum need of 10,099 households in Newcastle would need to move to new housing (para. 1.26).
3) Addressing Housing Needs and Standards- summarises the SHMA evidence and considers improvements to existing housing stock and Council le housing programme. Of specialist and affordable homes.
4) The 2018 Viability and Deliverability report tests a notional assisted living scheme in the base appraisals.

Alternatives:
The alternative to this policy would be to see specialist housing developments completed in less accessible or poorly connected locations, which would run the risk of isolating the residents from existing communities and/ or essential services and facilities. Furthermore, specialist housing without easy access to local facilities would risk reducing the independence of residents, adversely affecting their quality of life. Finally, specialist housing which is not built to sufficient standards of accessibility should not be permitted as again it risks creating dependency of residents on others before they are in real need of additional support.

Effective:
The effectiveness of the policy will be determined by monitoring its implementation and its effect on the deliverability of the plan. However, the policy is considered effective in meeting the aim of encouraging appropriate specialist accommodation to meet identified needs.

Monitoring:
The policy will be monitored by DAP indicator no.7 considering the number of new specialist dwellings and bedspaces provided that meet the requirements of the policy.

Consistent with National Policy:
Paragraph 61 of the NPPF stipulates that ‘the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people...’) [emphasis added]. Policy DM8 is consistent with the NPPF and will help to ensure that specialist dwellings are built to meet the needs of residents both now and in the future. The policy’s potential to enable sustainable development is reflected in its positive appraisal in the SA Environmental Report.
Commenters were broadly in favour of specialist accommodation, with one noting that it is important to integrate it into existing communities, and another objecting as they felt the focus of the policy was on controlling rather than encouraging this type of accommodation.

The policy requires specialist housing to be integrated into existing neighbourhoods. Furthermore, it was and is considered to be important that only the best quality specialist housing is built to ensure that the needs of residents can be met and that they can be given a good quality of life.

Some commenters requested that the DAP went further, recommending that it do more to provide for housing in the future, or that density or soundproofing standards should be added. A final commenter made the opposite point, stating that requiring fewer standards through the plan would do more to encourage development by minimising costs.

On balance it was felt that the DAP was balanced in setting minimum standards for acceptable development and limiting development from coming forward by requiring prohibitively costly standards.

<table>
<thead>
<tr>
<th>Policy DM8</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
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<tbody>
<tr>
<td>Commenters were broadly in favour of specialist accommodation, with one noting that it is important to integrate it into existing communities, and another objecting as they felt the focus of the policy was on controlling rather than encouraging this type of accommodation. The policy requires specialist housing to be integrated into existing neighbourhoods. Furthermore, it was and is considered to be important that only the best quality specialist housing is built to ensure that the needs of residents can be met and that they can be given a good quality of life. Some commenters requested that the DAP went further, recommending that it do more to provide for housing in the future, or that density or soundproofing standards should be added. A final commenter made the opposite point, stating that requiring fewer standards through the plan would do more to encourage development by minimising costs. On balance it was felt that the DAP was balanced in setting minimum standards for acceptable development and limiting development from coming forward by requiring prohibitively costly standards.</td>
<td>No representations made.</td>
<td>No further amendments to the policy or its supporting text are considered necessary.</td>
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Policy DM9 – Campus for Ageing and Vitality (CAV) Site

**Policy title and introduction to purpose:** Policy DM9 – Campus for Ageing and Vitality (CAV) Site

The purpose of this policy is to set out uses and criteria that development of the Campus for Ageing and Vitality (CAV) site, formerly the site of Newcastle General Hospital, will be required to meet.

The policy takes into consideration the unique circumstances surrounding the CAV site and sets a criteria-based approach to ensure that the development of the site is comprehensive and appropriately related to the Council’s strategy for the City, particularly related development in the Urban Core at Newcastle Helix.

**Policy (full policy):**

The Campus for Ageing and Vitality (CAV) site, identified on the Policies Map, is allocated for mixed-use. The principal uses will include, Retail (A1), Business Uses (B1) and Residential Institutions (C2), Dwellinghouses (C3) and Non-residential Institutions (D1).

1. Development on the CAV site will be required to:
   i. masterplan the site to demonstrate a comprehensive and co-ordinated approach to the site’s redevelopment;
   ii. provide high quality sustainable design and scale and massing appropriate to the character of the area;
   iii. sustain and enhance the significance of historic assets through sensitive incorporation into the design;
   iv. investigate, preserve and promote the significance and understanding of the Hadrian’s Wall corridor;
   v. maintain public access through the site through the provision of pedestrian and cycle links between Nuns Moor Road and Westgate Road, Wingrove Road and Brighton Grove;
   vi. protect and enhance important trees and landscape features; and
   vii. provide a foul and surface water drainage strategy.

2. Retail use must not exceed 1,300 square metres (net) of convenience goods floorspace and must provide an active frontage onto Westgate Road.

**Positively Prepared:**

DM9 has been prepared in line with objectives set out in the CSUCP. The allocation of the CAV conforms with Council’s aims to develop the Civic Sub-Area and support the growth of the knowledge economy and enhance accessibility through the Civic Sub-Area. The development of the CAV site directly contributes to the Council’s commitment to the expansion the Universities and RVI Hospital. The Helix (formerly Science Central) is a priority and its development will drive the development of the Sub-Area. It will attract science and research led mixed-uses together with offices and residential uses along with complimentary uses in order to facilitate the wider regeneration of the immediate area. Development in this location is expected to improve linkages with communities in the west of the city and the City Centre. It will support development of several other sites including the Universities, the College, the International Centre for Life, and the Royal Victoria
Core Strategy Vision and Objectives compliance and delivery:

DAP Policy DM9 allocates the CAV for a mix of uses and sets out site-specific criteria. The development of the CAV site is in line with the Council’s objectives for developing the science, office and residential uses set out in the CSCUP. Paragraph 16.40 establishes the Council’s commitment to working closely with Newcastle University to attract science and research led mixed-uses together with offices and residential uses supported by complimentary uses to this area of the City, focused around the Newcastle Helix (formerly Science Central). The CAV site is identified as being a site which could be redeveloped as part of the wider regeneration of the western area of the City alongside the Helix and further development of the Civic Sub-Area.

Policy Preparation:
In the draft DAP this policy was in the
This policy was subject to several changes.
- Changes to the wording to provide clarity
- Change of name of site from Newcastle General Hospital Site to Campus for Ageing and Vitality (CAV) Site
- Inclusion of Retail (A1) in the list of principal uses acceptable on the site
- Change if part 1, i. indicating that development on the CAV site is required to master plan the site and coordinate the approach to redevelopment
- Change to part 1, ii. To refer to scale and massing in terms of its appropriateness to the character of the area rather than the surrounding buildings
- Inclusion of a new criteria requiring that the significance of historic assets to be sensitively incorporated into the design
- Amend part 1, iv. to include reference to the significance of the Hadrian’s Wall corridor
- Amend part 1, v. to include reference to Westgate Road, Wingrove Road and Brighton Grove
- Additional part 2, addressing retail development on the CAV site

Statutory Consultation:

Comments following regulation 18 consultation

- One resident supported the policy, suggesting a number of potentials uses for the site
- One resident objected to this policy, asking that the site be turned into an eco-centre
- Three residents made general comments on this policy, asking what had been proposed for the site
- One organisation commented in support of the policy, but advised that a good mix of housing on the site would create a more sustainable community
Seven organisations made general comments on the policy. The Tenants and Residents of Elswick Triangle expressed concern that housing on the site could contribute to social problems in the west end. Highways England requested that a robust transport assessment be carried out to assess the implications of developing the site for the Strategic Road Network.

Others requested that the site be used to provide accessible housing, and that the heritage assets on site be protected.

Comments following regulation 19 consultation

Historic England commented in support of the policy.

Newcastle University made a number of comments in relation to the policy.

- The CAV site is identified in the DAP as a mixed-use site for those uses including A1, B1, C2, C3 and D1. However, 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. 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.

- 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 DAP (2017 consultation). The current version of the DAP does not reflect the HELAA and employment sites assessment which identified specific capacity of 2.2ha of employment land and 100 of residential units on site.

- Paragraph 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.

- The University recommend that a specific quantum of development be set out in DM1 or DM9.

- The CAV site is shown in the DAP Policies Map to include the university’s existing campus, this site boundary is different in the HELA

Sustainability Appraisal:

Draft SA

The site was assessed through SA Appendix G Allocation Sites Appraisal. It scored positively against the majority of sustainability indicators however negative scores were recorded for environmental sustainability due to the site’s proximity to a ‘1 in 100’ SW flood risk area. It was also noted that the size of the site may limit renewable energy options. The other negative score related to social sustainability because the site is within 100m of 5 grade II listed buildings.

Pre-Submission SA

The scoring of the site did not change between the Draft and Pre-Submission
stage SA. Additionally, it was noted that the Frontiers of the Roman Empire (Hadrian’s Wall) WHS is located along the southern boundary of the site. However, it was assumed that any proposed developments will consider the curtilage and be required to adhere to relevant design guides.

<table>
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<tr>
<th>Joint working:</th>
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<tr>
<td>The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been identified through the process in relation to the policy.</td>
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</table>

| Justified: |
| Evidence: |
| This policy has been developed with regard to several key pieces of evidence. |

- The CAV site assessment which provides detail to inform the Development and Allocations Plan (DAP). It sets out the justification behind the allocation of the CAV site for mixed-use allocation and includes a sequential test.

- The Newcastle Local List Supplementary Planning Document identifies the city’s buildings and sites considered to be of historic or architectural value to the local community. The list of non-designated heritage assets includes a range of buildings, spaces and structures.

- The evidence base also includes the Tyne and Wear Historic Landscape Characterisation Report. This report provides an overview of the Tyne & Wear Historic Landscape Characterisation Project.

- These reports and documents along with the guidance of heritage specialists in the Council’s conservation team have provided the basis for the development of the policy.

| Alternatives: |
| An alternative approach would have been not to develop a policy in the DAP. It is considered that it is important to set out the range of uses considered acceptable on the CAV site and criteria to be addressed. Key criteria set out matters relating to the protection of heritage assets, design and the natural environment. |

| Effective: |
| The policy will be delivered through the development management process through discussion and negotiations. The ability to record the information about our past cannot be considered a factor in determining whether to permit the loss of a heritage asset. |

| Monitoring: |
Policy DM9 is a site-specific policy and therefore is not linked to a specific monitoring indicator. However, development of the site will be monitored through indicators relating to the development taking place on site and relevant site matters. For example, the development of employment uses on the site will be monitored within monitoring indicators in the CSUCP (8 – Employment Floorspace, and 9 – Employment Land Supply), and the DAP 1 (Employment Sites, 2 – Employment Land Supply).

**Consistent with National Policy:**

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). Achieving sustainable development means that the planning system has three overarching objectives, which includes an economic objective. The economic objective focuses on ensuring that sufficient land of the right types is available in the right places and at the right times to support growth, innovation and improved productivity, and on the need to identify and coordinate the provision of infrastructure.

NPPF (paragraph 117) requires planning policies to promote an effective use of land in meeting the need for homes and other uses. In particular it promotes the use of suitable brownfield land within settlements for homes and other identified needs. It promotes and supports the development of underutilised land and buildings.

The development of the CAV site will help to meet the requirements of the NPPF. The relocation of several medical services from the site has left several areas available for redevelopment, which creates the opportunity to bring the site into full use again, while also integrating it with research and development related activities on the northern part of the site. The criteria within the policy will ensure that redevelopment will come forward as part of a comprehensive masterplan, which will take account of factors on site including valuable heritage assets, landscape features, necessary infrastructure improvements, and public access through the site.

NPPF requires planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries at a variety of scales and in suitably accessible locations. (paragraph 82). The CSUCP (paragraph 16.40) sets out the Council’s commitment to work with Newcastle University to develop the Helix (Formerly Science Central) and to attract science and research led mixed-uses supported by other complementary uses such as housing. The CSUCP identified the CAV site (then the General Hospital) as one of the locations that would be regenerated and benefit from improved linkages with the Civic Sub Area as a result of the development of the Helix. It is expected that this development to act as a catalyst for the regeneration of the immediate area but also improve linkages between the western communities and the City Centre.
The NPPF makes it clear that main town centre uses should be located within town centres (paragraph 86). Only in cases were suitable sites are not available in town centres should edge of centre locations, and then out of centre locations be considered. To provide justification in line with the requirements set out in the NPPF for the redevelopment of the CAV site for mixed uses including main town centre uses the Council produced a sequential test.

The initial findings of the sequential test were that there were a number of sites which could be discounted early on either because they are located in less sequentially preferable locations, such as at Newcastle International Airport, or because development has already been permitted or had commenced on site.

From the search a number of potential office sites were identified within the Urban Core. No edge of centre sites were identified other than the CAV itself. Of the identified sites several were reasonably well located in terms of connectivity to the facilities at Newcastle Helix, the RVI, the university campuses, and Newcastle College, however none were proximate to any of Newcastle’s medical, science, or research & development facilities to the same degree as the CAV. The ability to support ‘clustering’ at medical, scientific, and R&D facilities is a key element of the proposal for the CAV and is supported by national planning policy. The CAV site is proximate to surrounding medical research, science, and R&D facilities as well as being situated in a readily accessible location which reduces the need to travel by car and is easily accessible.

The sequential test demonstrated that there were no sequentially preferable sites available to accommodate the proposed development. Therefore, the principle of development is in accord with the requirements of the NPPF and the aims of the CSUCP.
<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy DM9</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Several respondents commented in support of the policy.</td>
<td>Historic England commented in support of the policy and requested some additional signposting to evidence in the supporting text.</td>
<td>Further guidance is set out in the Campus for Ageing and Vitality Site Evidence Paper &amp; Sequential Test.</td>
</tr>
<tr>
<td>Comments in support of the policy were noted.</td>
<td>Support was noted. Further discussions were held with Historic England and reference can be made in the supporting text to the Campus for Ageing and Vitality Site Evidence Paper &amp; Sequential Test.</td>
<td></td>
</tr>
<tr>
<td>One resident objected to this policy, asking that the site be turned into an eco-centre.</td>
<td>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. 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.</td>
<td></td>
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<tr>
<td>Several local residents made general comments on this policy, asking what had been proposed for the site, and proposing possible uses. Seven organisations made general comments on the policy. The Tenants and Residents of Elswick Triangle expressed concern that housing on the site could contribute to social problems in the west end.</td>
<td>The Council responded that the site is envisaged as integrating with the medical and R&amp;D related uses existing on part of the site, and with the wider development at Newcastle Helix (Science Central), Newcastle, and Northumbria universities,</td>
<td></td>
</tr>
<tr>
<td>The Council responded that the site is envisaged as integrating with the medical and R&amp;D related uses existing on part of the site, and with the wider development at Newcastle Helix (Science Central), Newcastle, and Northumbria universities,</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
and the College. It was further stated that Policy DM9 requires the site to be master planned for mixed uses, including housing and, or residential institutions. The General Hospital (CAV) will contribute to providing a range of choice of homes for the local community, as well as promoting wider regeneration of the area and supporting local shops and services.

Highways England requested that a robust transport assessment be carried out to assess the implications of developing the site for the Strategic Road Network.

The comment was noted. Master planning of the site would assess any such implications. All major development schemes will be considered against a transport and access statement and also an assessment where appropriate.

A respondent commented in support of the principle of a mixed-use development on site. However, they considered that the approach set out in the policy was too prescriptive and a more flexible approach should be taken with to focus on bringing forward successful development on site. They also commented that a more flexible approach should be taken when protecting heritage assets on site.

masterplan aligned with the previous version of the Development and Allocations Plan (2017 consultation). 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. 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.

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. 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.

The Council responded that quantum of development will need to be
The Council reiterated that the General Hospital (CAV) site is allocated for a mix of uses and that its development would need to be in compliance with an approved masterplan to demonstrate a comprehensive and coordinated approach to development. The approach to sensitively restore and incorporate heritage assets on the site into future development was upheld and it was stated that further discussion with Historic England would be required.

Historic England requested that the heritage assets on site be protected.

The Council responded that further consideration and future discussions would be held, and that changes to the policy and supporting text may have followed in response to these discussions.

Several changes were made to the policy after the draft stage, these included minor changes to the name of the site from Newcastle General Hospital to the Campus for Ageing and Vitality (CAV) Site.

Minor changes to the grammar of the supporting text and policy were made.

discussed and agreed as part of the masterplanning exercise.

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.

The boundary of the CAV site reflects the masterplan area rather than the remaining area for development.
Greater clarity was provided in DM9 to align with the NPPF. The requirement to manage travel demand and maximise provision for alternative modes of transport was removed.

An additional point was added to the policy placing a cap on the maximum size of retail uses on site and indicating that they must provide an active frontage onto Westgate Road. This addition was made to ensure that retail uses on site would be of an appropriate scale so as not to undermine the vitality of other District and Local Centres.
Chapter 5 – Transport and Accessibility
### Policy DM10 - Pedestrian and Cycle Movement

#### Policy title and introduction to purpose:

Policy DM10 - Pedestrian and Cycle Movement

The purpose of this policy is to ensure developments are designed to encourage walking and cycling and to create more opportunities for these activities.

#### Policy (full policy):

Policy DM10 - Pedestrian and Cycle Movement

Development will be required to:

1. Provide safe, convenient, attractive and continuous pedestrian and cycle links to key local facilities and services.
2. Provide connections through developments both to the existing and future wider pedestrian and cycle network.
3. Demonstrate that major developments are within acceptable walking and cycling distances of key local facilities and services.

#### Positively prepared:

This policy has been positively prepared through the promotion of sustainable travel modes. The promotion of walking and cycling will help achieve more sustainable patterns of living and make our communities thriving and attractive places to live and work. It will also contribute to improving health and wellbeing. These objectives support the aims contained in our Cycling Strategy and the forthcoming LCWIP.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objectives:

- **SO7**: Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops
- **SO8**: Improve sustainable access to, within and around the Urban Core by promoting fast and direct public transport links to the heart of the Urban Core increasing walking and cycling and minimising through traffic.
- **SO10**: Provide the opportunity for a high-quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

#### Policy Preparation:

Policy DM10 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent public consultation are:

- Inclusion of reference to cycling distances in point 3 and moving the cycle parking requirements to parking policy DM12.
- Adding reference to the LCWIP in the supporting text.

#### Statutory Consultation:

A resident commented that there is no evidence of walking and cycling routes being included in the initial planning and therefore developments will lack permeability for walking and cycling. Story Homes raise concerns regarding the effectiveness and deliverability of the policy. The wording should be amended to encourage, where appropriate and deliverable. The Tyne and Wear Joint Local Access Forum states that there should be specific mention of disabled and less mobile users. They consider new non-motor routes should be planned for and should mesh with the existing and upgraded Public Rights of Way to meet greater demand associated with the substantial house building programme. A Councillor supports the policy.

Highways England supports the aspirations to ensure that pedestrian and cycle movement are accommodated and supported within new developments.

#### Sustainability Appraisal:
This policy seeks to improve pedestrian and cycle infrastructure connectivity from new developments, which cumulatively will result in improved infrastructure across Newcastle. There are strong positive health implications of promoting sustainable transport modes such as walking and cycling. The policy is therefore assessed as having an overall positive implication on the social sustainability objectives. It aligns well with the CSUCP CS13 hierarchy of sustainable modes of transport and reflects the fundamental relationship between the location of development and how people choose to move around. The policy should also help enhance community cohesion.

Overall, the policy is assessed as having a very positive impact on the environmental sustainability objective because the policy seeks to improve pedestrian and cycle infrastructure connectivity from new developments, which cumulatively will result in improved infrastructure across Newcastle. DM10 will have a positive impact on environmental sustainability and will provide a secondary benefit on improved air quality and decreased CO2 as result of the cumulatively improved sustainable transport network across. It should strongly relate to the CSUCP aim to create a strategic cycle network CSUCP CS13 and extensive public transport network.

Joint working:
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection of open space during this process.

Justified Evidence:
The principle of improving conditions for walking and cycling is well established at national, regional and local levels.

At a national level the Government published its first Cycling and Walking Investment Strategy in 2017. The Strategy sets out the Government’s ambition to make walking and cycling the natural choices for shorter journeys or as part of a longer journey. All local authorities in England are now encouraged to develop Local Cycling and Walking Infrastructure Plans which set out their ideas for local networks, core zones for further development, and a prioritised programme of infrastructure improvements. Newcastle is expected to complete its LCWIP in Spring 2019.

Local Transport Note 2/08 Cycle Infrastructure Design, DfT, 2008 states that encouraging more people to cycle is increasingly being seen as a vital part of any local authority plan to tackle congestion, improve air quality, promote physical activity and improve accessibility.

At a regional level the Our Journey, A 20-year Transport Manifesto for the North East Combined Authority (NECA) 2016 sets out guiding principles which include more sustainable travel, healthy, active lifestyles and a better cycling network.

At a local level the Transport Assessments, Travel Plans and Parking Developer Guidance, 2015 sets out guidelines on producing travel plans. Travel plans are an essential tool for improving sustainable access and increasing sustainable travel. Providing measures to promote walking and cycling are an essential element of travel planning. This document also states that a Transport Assessment needs to promote accessibility to all modes of travel especially walking, cycling, public transport and develop appropriate measures to influence travel behaviour.

Protecting and enhancing pedestrian routes, cycle networks and Rights of Way are key mechanisms in the promotion of sustainable travel choices as set out in Core Strategy.
Policy CS13 Transport.

Terminology contained in the policy such as safe, attractive and continuous, and ensuring developments are within acceptable walking and cycling distances of key local facilities and services, all reflect principles and terminology used in the evidence documents Local Transport Note 2/08 Cycle Infrastructure Design by the DfT, Planning for Walking, The Institution of Highways & Transportation, 2015 and the approved Core Strategy.

Although equestrians are not specifically referred to in the policy, they are mentioned in the supporting text. The walking and cycling network referred to in the policy includes the Public Rights of Way (PROW), which is also important for equestrians. The supporting text states that developments should facilitate equestrian movement by enhancing the existing network through the creation of linkages and safe crossings, which is based on principles set out in Appendix K Equestrian Access Strategy from the Tyne and Wear Rights of Way Improvement Plan.

Alternatives:
Promoting walking and cycling has been a long-standing planning policy objective, however its importance extends to other Council departments. Increasing levels of walking and cycling are key components in the Council’s health agenda and the Annual Report of the Director of Public Health, Newcastle upon Tyne, 2014, May 2015 specifically refers to using transport as a means to improve health. The recent publication of the Cycling and Walking Investment Strategy by the DfT in 2017 reaffirms the Government’s commitment to increase walking and cycling levels and states that we want cycling and walking to be the natural choices for shorter journeys in every urban and rural community in England. In this context, not having a policy on walking and cycling is not a feasible option. This policy supports the existing Core Strategy polices by providing more detail for developers on what is required as part of developments.

Designating cycle routes in the DAP were considered. Designations in the DAP must meet policy tests of soundness set out in the National Planning Policy Framework, therefore a robust evidence base will need to be developed to support the identification of routes and to demonstrate delivery by 2030. As much of the Strategic Cycle Network (SCN) cannot be accurately defined and its deliverability cannot be assured, it would not meet these tests of soundness. Existing cycling infrastructure is also subject to change as the network and travel patterns continually evolve. The preferred approach is to identify cycle routes in an updated Cycling Strategy. The Cycling Strategy can be updated relatively quickly and therefore will provide more accurate representations of the cycle network.

Including detailed street design guidance for pedestrians and cyclists was considered. The Plan making process must be in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and therefore amendments can only be made through a formal review of Plan. Including detailed design requirements in the policy would form a commitment until the next plan review, and we would not able us to respond to any changes in best practice and therefore there is a risk that these standards could become out of date.

Effective

The policy will be delivered through the development management process. The Core Strategy and Urban Core Plan indicator 22 requires monitoring of cycling trips. The DAP indicator 9 will monitor km of new cycling infrastructure and Public Rights of Way created together with the number of pedestrian and cyclist accidents.
Consistent with National Policy:
Section 8 Promoting healthy and safe communities, paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places. Examples of this are the provision of layouts that encourage walking and cycling and the use of clear and legible pedestrian routes to create safe and accessible places.

Section 9 Promoting Sustainable Transport paragraph 102 c) states opportunities to promote walking and cycling are identified and pursued.

Paragraph 104 states planning policies should provide for high quality walking and cycling and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans).

Paragraph 106 states that in town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

Paragraph 110 states within the context of paragraph 109 (development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe), development should give priority first to pedestrian and cycle movements, and create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Paragraph 108 states in assessing specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

DM10 supports these policies while providing more detail on how this can be achieved.

**Planning Practice Guidance Travel Plans, Transport Assessments and Statements**
The primary purpose of a Travel Plan is to identify opportunities for the effective promotion and delivery of sustainable transport initiatives e.g. walking, cycling, public transport and tele-commuting, in connection with both proposed and existing developments and through this to thereby reduce the demand for travel by less sustainable modes.

**Policy DM11 - Public Transport**

**Policy title and introduction to purpose:**
Policy DM11 - Public Transport
The purpose of this policy is to ensure that major new developments are sustainable and accessible by public transport. It will also designate park and ride sites.

**Policy (full policy):**
**Policy DM11 - Public Transport**
1. Major development will be required to promote and facilitate the use of public transport and demonstrate accessibility by public transport to the Urban Core and other key local facilities.
2. Callerton Parkway, Newcastle Great Park, Kingston Park and Regent Centre are designated on the Policies Map as park and ride facilities.

**Positively Prepared**
This policy has been positively prepared through the promotion of sustainable travel modes. Central to this is encouraging and enabling more people to make more of their door-to-door journeys by sustainable means: public transport, supported by walking and
cycling. This policy ensures that appropriate opportunities to promote public transport are identified and pursued.

Core Strategy Vision and Objectives compliance and delivery:
This policy will contribute to the achievement of the following strategic objectives:
- SO7: Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops
- SO8: Improve sustainable access to, within and around the Urban Core by promoting fast and direct public transport links to the heart of the Urban Core increasing walking and cycling and minimising through traffic.
- SO10: Provide the opportunity for a high-quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

Policy Preparation:
Considering the evidence, comments from the Sustainability Appraisal and responses to representations received during the consultation, no alterations have been made to this policy. The supporting text has been amended to provide additional detail on how to ensure developments are accessible by public transport and that layouts of new developments facilitate the operation of bus services.

Statutory Consultation:
A Councillor raises disappointment that enhancement of Bank Foot is not planned. NGP Consortium consider that Policy DM11 and paragraph 5.2.7 relating to Newcastle Great Park, Park & Ride should be amended to refer to the dual use with the schools and the review mechanism. Story Homes state the wording of the policy and supporting text is too rigid, lacks flexibility, is onerous, is not based on robust evidence and is contrary to the NPPF. Taylor Wimpey identifies that the policy omits the safeguarding of corridors for new Metro and tram routes. Need to define what is meant by a frequent bus service otherwise this policy is not enforceable.

Highways England supports the aspirations to promote and facilitate the use of public transport. North East Combined Authority welcome proposals to locate development in locations accessible by public transport wherever possible.

Nexus support the designation of land at Callerton Parkway as a park and ride facility but consider there is a need for extra flexibility to allow for alternative uses which would complement the park and ride facility and increase its attractiveness to customers or passengers.

Sustainability Appraisal:
Overall, the policy is assessed as having a positive to very positive impact on the environmental sustainability objective because the policy aims to improve access from major developments to public transport, which should provide a supporting framework for improving skills (e.g. access to educational facilities and services) and retaining the skilled workforce (e.g. improved access to employment). The policy has been judged as having an overall positive impact on the social sustainability objectives. This policy seeks to ensure major developments have access to public transportation infrastructure which will ensure good accessibility to jobs, goods, services and facilities. It will have a neutral to positive impact on environmental sustainability objectives. This policy will provide a secondary benefit on improved air quality and decreased CO2 emissions as result of the cumulatively improved sustainable transport network across.

Joint working:
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection of open space during this process.

Justified
Evidence:

The principle of promoting and facilitating the use of public transport is established throughout national, regional and local levels.

At a regional level, the Integrated Transport Authority (ITA) Bus Strategy for Tyne and Wear 2012, aligns with current national policy and the Tyne and Wear Local Transport Plan. The document sets out how the ITA intends to meet the vision to “Ensure that buses play a central role in providing a simple, affordable and integrated public transport system in Tyne and Wear”.

The Nexus Planning Liaison report, April 2016 states that it seeks to increase developers’ awareness of the social, economic and environmental benefits of sustainable travel, and gives an overview of those developments which could potentially have an impact on the region’s public transport network. The document also aims to ensure that developers understand what the role of Nexus is in the planning process and the ways in which it can help to achieve successful outcomes for all concerned. Detailed guidance set out in the supporting text is sourced from this report.

Our Journey, A 20-year Transport Manifesto for the North East Combined Authority (NECA) 2016 sets out guiding principles which include more sustainable travel and expansion of the public transport network.

At a local level, one of the objectives of the Transport Assessments, Travel Plans and Parking Developer Guidance, 2015 is to widen sustainable transport choices and ensure developments are accessible by walking, cycling and public transport. It states that a Transport Assessment needs to promote accessibility to all modes of travel especially walking, cycling, public transport and develop appropriate measures to influence travel behaviour, and sets out measures that could be included in a travel plan to promote public transport usage.

Evidence for the principle of allocating Park and Ride sites and the sites identified are set out in the Park and Ride note. The land at Callerton Parkway is currently allocated through the UDP and its owners, Nexus have agreed that it should be allocated for Park and Ride use. The existing Park and Ride site was secured through planning application 1999/1300/01/OUT. This report is supported by Nexus' Park and Ride Strategy, 2011 which aims to improve the utilisation of the existing P&R facilities on the Metro system, establish a best practice model for P&R schemes and identify opportunities for new Metro Park and Ride sites.

The 500 space Newcastle Great Park P&R Scheme is located on the northern edge of the city with direct links to the A1. It provides a bus service link to Newcastle city centre that takes 25 minutes at peaks and 18 minutes off peak. 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. The allocation ensures that this valuable parking bus link will be retained.

Kingston Park and Regent Centre are also designated as key Park and Ride facilities.

Alternatives:
Promoting sustainable travel through the increased use of public transport has been a long-standing planning policy objective and national, regional and local level. In this context, not having a policy on public transport is not a feasible option. This policy aims build on existing Core Strategy polices by providing more detail to developers on what is required as part of developments.
One of the options considered was the requirement that development should achieve specific public transport accessibility scores. A public transport accessibility assessment was undertaken that defined baseline accessibility levels for the entire city which could have been used to identify the target accessibility requirements for any given development site. It was decided that defining specific scores was too prescriptive. Scores would be difficult to achieve, and it will be difficult to demonstrate the harm if a score cannot be achieved by a small margin. Accessibility levels for city will change continuously as a result of development. Consequently, baseline accessibility levels would require constant updating and would therefore be open to challenge.

**Effective:**
The policy will be delivered through the development management process.

**Monitoring:**
The Core Strategy and Urban Core Plan indicators 21 and 26 relate to accessibility of residential development and public transport patronage respectively and any significant decrease in accessibility or public transport patronage will need to be assessed.

**Consistent with National Policy**

Section 9 Promoting Sustainable Transport paragraph 102 c) states opportunities to promote public transport are identified and pursued.

Paragraph 108 states in assessing specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

Paragraph 110 states within the context of paragraph 109 (development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe), development should give priority - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

DM11 supports these policies while providing more detail on how this can be achieved.

**Planning Practice Guidance Travel Plans, Transport Assessments and Statements**
The primary purpose of a Travel Plan is to identify opportunities for the effective promotion and delivery of sustainable transport initiatives e.g. walking, cycling, public transport and tele-commuting, in connection with both proposed and existing developments and through this to thereby reduce the demand for travel by less sustainable modes.
**Policy DM12 – Parking and Servicing**

**Policy title and introduction to purpose:**
Policy DM12 – Parking and Servicing
This policy aims to ensure developments provide appropriate car parking provision and adequate servicing.

**Policy (full policy):**
**Policy DM12 – Parking and Servicing**
Developments will be required to provide:
1. Safe, secure and useable vehicle and cycle parking that satisfies its operational requirements.
2. Employee changing and shower facilities for major non-residential developments.
3. Adequate drop-off and collection, servicing and loading facilities.

**Positively Prepared**
This policy has been positively prepared through ensuring both car and cycle parking is at an appropriate level and quality to cater for operational requirements, whilst taking into account the location and characteristics of the surrounding area. The requirement for changing and shower facilities aims to encourage cycling trips and supports the Council’s cycling objectives. Requiring adequate servicing facilities seeks to limit the impact of servicing on the environment and quality of place.

Core Strategy Vision and Objectives compliance and delivery:
This policy will contribute to the achievement of the following strategic objectives:
- SO7: Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops

**Policy Preparation:**
Policy DM12 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant change to this policy since the draft Plan and subsequent public consultation is moving reference to cycling parking from DM10 Pedestrian and Cycle Movement to this policy.

**Statutory Consultation:**
It is argued that this policy should include specific parking standards and/or targets, and that this policy contradicts other policies that aim to increase travel by sustainable. The provision of free and plentiful parking at new developments will increase the number of trips by private car.

North East Combined Authority welcome proposals to locate development in locations accessible by public transport wherever possible.

**Sustainability Appraisal:**
The policy has been judged as having an overall positive impact on the social sustainability objectives as it supports accessibility to developments and contributes towards a safe and secure environment. Whilst it includes provision for private cars the policy is also concerned with supporting sufficient cycle storage, that should encourage more cycle trips helping to improve health and wellbeing. Overall, the policy is assessed as having a positive impact on the environmental sustainability objective because the policy supports business survival and employment retention through meeting operational needs and accessibility. The policy has been judged to have an overall negative impact on the environmental sustainability objectives because it could result in increased reliance on the private car leading increased CO2 emissions result. However, by supporting sufficient cycle storage, the policy is encouraging increased cycle trips to work and minimising the CO2 emissions.

**Joint working:**
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection of open space during this process.

**Justified**

The key piece of evidence supporting this policy is the Transport Assessments, Travel Plans and Parking Developer Guidance (October 2015) and was approved by Cabinet on 25 November 2015. It sets out guidance on the requirements of delivery service and construction management plans, and guidance on parking requirements.

Changing and shower at workplaces are identified as measures to promote cycling in the Transport Assessments, Travel Plans and Parking Developer Guidance (October 2015).

Developer Guidance Note: Provision of Waste and Recycling Collection and Storage Facilities 2015 is currently used as a practical guide for the provision of minimum standards for the storage, recycling and collection of refuse in properties subject to planning permission.

**Alternatives:**
One option was to include specific parking standards and/or targets as defined in the Transport Assessments, Travel Plans and Parking Developer Guidance (October 2015). However, the parking levels set out in the guidance are intended to be flexible and ensure that local circumstances are taken into account. Including parking levels in the policy would form a commitment until the next plan review, and we would not able us to respond to any changes in best practice, and therefore there is a risk that these levels could become out of date.

**Effective**

The policy will be delivered through the development management process.

**Monitoring**

The number of applications approved contrary to this policy will be considered and if a significant number are approved contrary to the policy its effectiveness will be assessed.

**Consistent with National Policy**

Section 9 Promoting Sustainable Transport, paragraph 104 states planning policies should provide for high quality walking and cycling and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans).

Paragraph 105 states if setting local parking standards for residential and non-residential development, policies should take into account:
- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
Paragraph 106 states maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in the city and town centres and other locations that are well served by public transport. In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrian and cyclists.

DM12 supports these policies while providing more detail on how this can be achieved.

**Planning Practice Guidance Travel Plans, Transport Assessments and Statements**

Maximum parking standards can lead to poor quality development and congested streets, local planning authorities should seek to ensure parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable.

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**Policy DM13 – Road Hierarchy**

**Policy title and introduction to purpose:**

Policy DM13 – Road Hierarchy
The purpose of this policy is to support the management of movement on the highway network and to ensure the safe and efficient movement of people and goods.

**Policy (full policy):**

Policy DM13 – Road Hierarchy
The following hierarchy of roads are designated on the Policies Map in order to support the management of movement on the highway network and to ensure the safe and efficient movement of people and goods:

1. Strategic Road
2. Primary Distributor Road
3. Secondary Distributor Road
4. Public Transport Distributor Road

Developments must ensure that proposals are in accordance with the road hierarchy definitions as set out in Appendix 2.

**Positively Prepared**

This policy has been positively prepared by requiring developments to contribute to the creation of safe, secure and attractive places which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objectives:

- SO7: Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops
- SO8: Improve sustainable access to, within and around the Urban Core by promoting fast and direct public transport links to the heart of the Urban Core increasing walking and cycling and minimising through traffic.
- SO10: Provide the opportunity for a high-quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

**Policy Preparation**

Policy DM13 has evolved during the preparation of the Plan, considering evidence prepared,
comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent public consultation are:

- In the interests of clarity, the rewording of text requiring development to consider and address the requirements appropriate to their function. The policy now contains a reference to appendix 2 which contains definitions of the roads in the hierarchy.
- Minor amendments have also been made to the road hierarchy definitions in response to public consultation.

Statutory Consultation:
Space for Gosforth objected to this policy, suggesting amendments to wording and recommending that two additional tiers be added to the road hierarchy. Four organisations made general comments on the policy, requesting clearer standards for what is expected through the policy, and advising that the guidance and standards which support the policy should be updated and consulted on.

There was general support for this policy, however it was considered the policy was incomplete in that it only requires development to consider the movement functions of roads. It must also take account of the function of roads as places where people live, meet and socialise. Highways England welcomes and supports the establishment of a roads hierarchy. Comments also stated that a greater emphasis should be given to the cycling network by referring to the Strategic Cycle Network as being protected by this Plan and the Strategic Network being identified clearly on the Proposals Map, either as part of this policy or DM10.

Newcastle Airport welcome the designation of Brunton Lane and Kingston Park Road as a 'secondary distributor road. The plan does not designate the Great Park spine road; however, the road is not yet built and cannot be designated.

Sustainability Appraisal:
The policy has been judged as having an overall neutral impact on the environmental sustainability objectives. The policy supports good accessibility and encourages the use of public transport though the designation of public transport distributor roads. The policy has been judged as having an overall neutral to positive impacts on the social sustainability objectives. The policy supports good accessibility and encourages the use of public transport though the designation of public transport distributor roads. The policy has been judged to have an overall positive impact on the economic objectives. The policy supports the delivery of the goods required for business operation and survival. The road hierarchy is also intended to ensure safety contributing to strong communities and supporting economic growth.

Joint working:
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection of open space during this process.

Justified

Evidence:
The road categories and their definitions used in the road hierarchy policy are based on terminology used in the Guidance on Road Classification and the Primary Route Network, Department for Transport, 2012, and the Design and Construction of Roads and Accesses to Adoptable Standards Developer Guidance, 2015, and designations approved in the CSUCP. The Road Hierarchy Justification Report, Newcastle City Council, 2018 sets out in detail the process of selecting roads to be included in the updated road hierarchy.

Alternatives:
The alternative to this policy is not to define a road hierarchy. However, defining a road
hierarchy is considered an important element of the Council’s strategy for the movement of vehicles and managing the competing demands on the highway. In order to accommodate the traffic levels associated with our plans for growth set out in the Gateshead and Newcastle Core Strategy and Urban Core Plan and minimise its impact, there is a need to focus traffic movement on key corridors. This in turn, creates opportunities, particularly in those areas not included in the hierarchy, to improve conditions for pedestrians and cyclists, and create welcoming places that are safe and attractive to all. The road hierarchy covers the city-wide area and supports and builds on the designations already approved in the Core Strategy and Urban Core Plan.

Effective

The policy will be delivered through a range of methods including the development management process. The road hierarchy effectively sets out the Council’s strategy for the movement of vehicles. Therefore, it is an important consideration in the development of traffic schemes that may originate outside of the planning process and will support the day to day management of the traffic network.

Monitoring:
The number of applications approved contrary to this policy will be considered and if a significant number are approved contrary to the policy its effectiveness will be assessed.

Consistent with National Policy

Section 2 Achieving sustainable development that the social objective of the planning system is to support strong, vibrant and healthy communities by fostering a well-designed and safe built environment.

Section 8 Promoting healthy and safe communities, paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Section 9 Promoting Sustainable Transport, paragraph 102 states that transport issues should be considered from the earliest stages of development proposals so that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

Paragraph 108 states in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

Paragraph 110 states within the context of paragraph 109 (development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe), development should give priority first to pedestrian and cycle movements, and create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, and allow for the efficient delivery of goods, and access by service and emergency vehicles.

Section 12 Achieving well-designed places, paragraph 127 states that planning policies and decisions should ensure that developments establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit, and create places that are safe, inclusive and accessible and which promote health and well-being.

DM13 supports these policies while providing more detail on how this can be achieved.
Policy DM14 - Mitigation and Highway Management

**Policy title and introduction to purpose:**
Policy DM14 - Mitigation and Highway Management
The purpose of this policy is to ensure the Council maintains a functional and safe highway network.

**Policy (full policy):**
Policy DM14 - Mitigation and Highway Management
1. Development will be required to adequately mitigate against its impact on the highway network in the interests of safety, efficiency and accessibility.
2. Development involving works to the public highway will be required to be undertaken in accordance with the standards of the highway authority.
3. Development creating new public highway to be adopted by the council will be required to be constructed in accordance with the standards of the highway authority.

**Positively Prepared**

**Core Strategy Vision and Objectives compliance and delivery:**
This policy will contribute to the achievement of the following strategic objectives:
- SO7: Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops

**Policy Preparation:**
Policy DM14 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant change to this policy since the draft Plan and subsequent public consultation is:
- the addition of the word adequately to the sentence: development will be required to adequately mitigate against its impact. This ensures the policy is justified, reasonable and positively prepared.

This policy has been positively prepared through the requirement that impacts on highway safety are mitigated.

**Statutory Consultation:**
Three residents made general comments on this policy, expressing concern about the state of the road in terms of congestion and littering. Two organisations commented in support of the policy, expressing concern about the accessibility of the road network to older people, and requesting mention of how the impacts of the road network on rivers could be mitigated. Two organisations objected to the policy, suggesting that the wording be amended to more strongly encourage more sustainable modes of transport. Four organisations made general comments on this policy. The National Leasehold Campaign requested that all roads be fully adopted by the Council and funded through Council tax. Others requested more detail to clarify exactly how the policy is to be applied and recommended encouraging more sustainable modes of transport and accessible routes around the city.

The Environment Agency indicated that reference to mitigating the impacts of the road network on water quality of rivers should be included.

**Sustainability Appraisal:**
The policy has been judged as having an overall neutral to positive impacts on the social sustainability objectives. It supports the objective of environmental sustainability as it aims to mitigate any impacts to the highway network in the interests of safety, efficiency and accessibility. The policy indirectly supports the objective as well-maintained roads may
improve traffic flow and reduce vehicle idling time that could maintain or improve air quality. DM14 is economically sustainable as it aims to mitigate any impacts to the highway network in the interests of safety, efficiency and accessibility. Improvements to the highway network should improve journey times for commuters potentially enhancing employment retention and provision.

Joint working:
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection of open space during this process.

Justified

Evidence:
Mitigating the impact of development on the highway network in the interests of safety and efficiency is supported by a number of evidence documents. These are:

- At a national level, Section 16 of the Traffic Management Act 2004 places a duty on Local authorities to manage and maintain their road networks with the objectives to secure the expeditious movement of traffic on the authority’s road network, use the road network more efficiently and to avoid, eliminate or reduce road congestion or other disruption to the movement of traffic on their road network.
- At a regional level, the Our Journey, A 20-year Transport Manifesto for the North East Combined Authority (NECA) 2016 aims to improve road safety, particularly for cyclists and pedestrians. The vision for transport in Tyne and Wear in the LTP states that our strategic networks will support the efficient movement of people and goods within and beyond Tyne and Wear.
- At a local level, the Design and Construction of Roads and Accesses to Adoptable Standards Developer, 2015 provides guidance to developers and their agents on providing new highway that is required to be adopted and subsequently maintained by Newcastle City Council. These standards were approved by Cabinet on 25 November 2015.

Parts two and three of this policy relate to highway works being undertaken in accordance with the standards of the Highway Authority. Development creating new public highway to be adopted by the Council will be required to be Section 38 of the Highways Act 1980 enables Newcastle City Council (NCC) to take over and maintain at the public expense (adopt), roads, footways, footpaths, cycle lanes, cycle tracks and other areas constructed by a third party through a legal agreement. Where a new development requires work to be carried out on the existing (publicly maintained) highway it will be necessary to enter in to an agreement with Newcastle City Council (NCC) under Section 278 of the Highways Act 1980. The design of the S38 highway works and S278 highway works and must be in accordance with the Council’s design standards as set out in Design and Construction of Roads and Accesses to Adoptable Standards, 2015 to ensure that highway works are delivered to the satisfaction of all parties. These documents were approved by Cabinet on 25 November 2015.

Alternatives:
This policy could specifically refer to impacts on the local environment as per saved UDP transport policy T7.1 and would address concerns expressed during the consultation that the policy does adequately refer to the environmental issues (specifically air quality and mitigating the impacts of the road network on water quality of rivers). It is acknowledged that traffic can have a detrimental impact on the environment, however when drafting planning policies, they do not need to repeat National or local policies and should be
concise. Individual policies also need to be read in conjunction with the wider DAP and Core Strategy and Urban Core Plan (Part 1 of our Local Plan) policies. Environmental protection is covered in Policy DM24 and therefore the supporting for DM14 will cross-reference to this policy.

Effective
The policy will be delivered through the development management process.

Monitoring:

The DAP includes indicator 10 which requires the number of applications granted with conditions requiring completion of highway works before occupation and/or submission of details of adoptable streets to be monitored.

The number of applications approved contrary to this policy will be monitored and if a significant number are approved contrary to policy the effectiveness of the policy will be assessed.

Consistent with National Policy

Section 2 Achieving sustainable development that the social objective of the planning system is to support strong, vibrant and healthy communities by fostering a well-designed and safe built environment.

Section 8 Promoting healthy and safe communities, paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Section 9 Promoting Sustainable Transport, paragraph 108 states in assessing specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users, and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 110 states within this context, applications for development should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, and allow for the efficient delivery of goods, and access by service and emergency vehicles.

Paragraph 11 states all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

The proposed policy supports these principles while providing more detail on how this can be achieved.

Planning Practice Guidance Travel Plans, Transport Assessments and Statements
The Transport Assessment or Transport Statement may propose mitigation measures where these are necessary to avoid unacceptable or “severe” impacts. Travel Plans can play an effective role in taking forward those mitigation measures which relate to on-going occupation and operation of the development.
### Overall Transport Section

The transport policies provide no additional detail or assurance than we presently have under the existing adopted policy and guidance documents. Additional reference and detail should be included in these policies in relation to actual standards which are both measurable and evidenced and how the authority will apply them in the future.

The supporting text signposts to Transport Assessments, Travel Plans and Parking Developer Guidance rather than include specific standards and/or targets in the policies. This ensures the policy is flexible and able to reflect changes in circumstances.

The guidance that sits behind the transport policies are in some cases out of date or have not gone through appropriate consultation prior to adoption.

The report Supporting Development in Newcastle Developer Guidance was approved by Cabinet on 25 November 2015. Developers and agents who regularly submit planning applications were consulted as part of the drafting process.

### Transport Section

The DAP does not identify or protect future highway schemes.

Transport schemes needed to support the Local Plan are identified in the IDP (update August 2018) and relevant Core Strategy policy. Planning applications will also be assessed on their merits to determine if transport schemes are required to mitigate development.

A free-standing policy on treating the causes of poor air quality pro-actively through transport measures should be included in this section. There should also be reference to existing and possible future AQMAs.

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.
The transport policies provide no additional detail or assurance than we presently have under the existing adopted policy and guidance documents. Additional reference and detail should be included in these policies in relation to actual standards which are both measurable and evidenced and how the authority will apply them in the future.

The supporting text signposts to Transport Assessments, Travel Plans and Parking Developer Guidance rather than include specific standards and/or targets in the policies. This ensures the policy is flexible and able to reflect changes in circumstances.

The guidance that sits behind the transport policies are in some cases out of date or have not gone through appropriate consultation prior to adoption.

The report Supporting Development in Newcastle Developer Guidance was approved by Cabinet on 25 November 2015. Developers and agents who regularly submit planning applications were consulted as part of the drafting process.

**DM10**

The wording on this policy needs strengthening to ensure that walking and cycling are the natural choice for all journeys and that the stated objective of sustainable access and the wider vision of a prosperous sustainable city is achieved. There is a need to strengthen the

The DAP does not identify or protect future highway schemes.

Transport schemes needed to support the Local Plan are identified in the IDP (update August 2018) and relevant Core Strategy policy. Planning applications will also be assessed on their merits to determine if transport schemes are required to mitigate development.

A free-standing policy on treating the causes of poor air quality pro-actively through transport measures should be included in this section. There should also be reference to existing and possible future AQMAs.

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.

There are concerns regarding the effectiveness and deliverability of the policy. The wording should be amended to encourage, where appropriate and deliverable.

No proposed modifications.
general message for improving routes for non-
motorised users.

The importance of providing a safe
environment for both cyclists and pedestrians
is reflected in the draft policy wording. Overall,
the wording reflects the requirement that
planning policies need to be clear, concise,
precise and based on robust evidence.
Several minor amendments were made to the
wording to reflect comments made.

This policy should give increased emphasis to
the cycling network by referring to the Strategic
Cycle Network as being protected and being
identified clearly on the Proposals Map.

Designations in the DAP must meet policy
tests of soundness set out in the National
Planning Policy Framework. As much of the
Strategic Cycle Network (SCN) cannot be
accurately defined and its deliverability cannot
be assured, it would not meet these tests of
soundness.

The proposed wording will compromise
that ability to meet national ambitions and
fulfil the requirements of the NPPF and
does not meet the tests of soundness.
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.

Development should plan for new non-
motorised routes that will mesh with the
existing and upgraded Public Right of
Way.

There should be specific mention of
disabled and less mobile users.

Policies must meet the tests of soundness
set out in the National Planning Policy
Framework. Many of the points raised are
addressed in the supporting text. Policies
should not be read in isolation but
consider the Local Plan as a whole.

<table>
<thead>
<tr>
<th>DM11</th>
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| The policy lacks ambition and a more positive
  and detailed policy is needed. Encouragement
to use public transport will not be enough to
ensure adherence to these policies. |

Individual policies need to be read in
conjunction with the wider Draft DAP and Core
Strategy and Urban Core Plan (Part 1 of our
Local Plan) policies. |

Text relating to Newcastle Great Park,
park and ride should be amended to refer
to the dual use with the schools and the
review mechanism.

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
Inclusion of word major in supporting text
to ensure is aligns with policy wording.

Suggested amended wording regarding
frequent bus service is:
In line with guidance in the Nexus
Planning Liaison Policy document,
developments must be served by existing
or new bus services at a frequency

|  |  |
|  |  |
Overall, the wording reflects the requirement that planning policies need to be clear, concise, precise and based on robust evidence. Greater detail was added to the supporting text.

There is no discussion of future provision or policies to ensure that park and ride facilities are used in preference to driving into the city centre.

Don’t see the benefit of the policy approach if the Newcastle Great Park, park and ride facilities are not actively promoted by the council or other proactive policies outside the planning process are used to encourage more active modes of travel.

Potential park and ride sites are identified in the Core Strategy’s. Although they are not located within Newcastle, the City will directly benefit from the provision of these P&R sites. Therefore, the policy does not identify new park and ride sites but rather protects existing facilities. The Council will continue to work with Nexus to maximise the potential of the many existing park and ride sites.

<table>
<thead>
<tr>
<th>Considered as part of the planning application process.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The wording of the policy and supporting text is too rigid, lacks flexibility, is onerous, is not based on robust evidence and is contrary to the NPPF.</td>
</tr>
<tr>
<td>The NPPF states that opportunities to promote public transport are identified and pursued. Therefore, the requirements of the policy are not considered onerous but rather a fundamental consideration and that is already established in current developer guidance.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>Need to define what is meant by a frequent bus service otherwise this policy is not enforceable.</td>
</tr>
<tr>
<td>Commensurate with the scale, nature and location of the development proposed. Services should be provided throughout the day and week with a minimum 30-minute frequency between the hours of 6.30am and 6.30pm, Monday to Saturday.</td>
</tr>
</tbody>
</table>
Comments regarding a frequent daytime bus service are acknowledged and amended wording will be proposed.

Policy omits the safeguarding of corridors for new Metro and tram routes.

*Safeguarding land will require evidence of delivery within the plan period otherwise it is not justified.*

| DM12 | Car parking fees, both in the Urban Core and in other local employment or retail centres, must be priced to discourage the use of private cars and thus ensure a balance in favour of greater public transport use.  

*Individual policies need to be read in conjunction with the wider Draft DAP and Core Strategy and Urban Core Plan (Part 1 of our Local Plan) policies.*  

This policy contradicts other policies which ensure travel by sustainable modes. The policy as it stands makes car free developments impossible.  

*Car parking needs to be considered as an important part of any scheme and the parking policy requires developments to provide parking to meet their operational needs. Major developments are also expected to demonstrate measures that promote sustainable travel.* | The policy 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.  

*It is considered that the current policy is flexible enough to address these concerns.* | No proposed modifications. |
The policy is not sound as the Council does not provide any guidance or measurable targets that demonstrate the deliverability of this policy over the plan period. The policy makes no reference to the guidance Transport Assessments, Travel Plans and Parking Developer Guidance (October 2015).

Specific standards and/or targets in the policies are not included to ensure the policy is flexible and able to reflect changes in circumstances. Reference to the guidance was added to the supporting text.

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<tr>
<th>DM13</th>
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<tbody>
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<td>A number of suggestions were made to change the classification of individual roads including West Road, Grandstand Road and Grainger Park Road.</td>
<td>The policy nor the associated map refer to Tyne &amp; Wear Freight Partnership preferred freight routes.</td>
<td>No proposed modifications.</td>
</tr>
<tr>
<td>It would be helpful if the Airport link road is included in the road hierarchy.</td>
<td>These were considered as part of the development of the road hierarchy and are referenced in the evidence that supports this policy.</td>
<td></td>
</tr>
<tr>
<td>The evidence supporting the road hierarchy justifies the designations.</td>
<td>The plan should designate the Great Park spine road as a secondary distributor road.</td>
<td></td>
</tr>
<tr>
<td>The wording describing the characteristics of the road hierarchy categories aren’t easy to understand for walking and cycling. The nature of Public Transport Distributor roads should be made more explicit to ensure that public transport is prioritised accordingly.</td>
<td>It was considered that only those roads that were built should be included in the road hierarchy.</td>
<td></td>
</tr>
<tr>
<td>Amendments were made to the characteristics to improve clarity.</td>
<td></td>
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</tbody>
</table>
The hierarchy should include the categories residential area roads, retail area roads and the Strategic Cycle Network.

*Designations in the DAP must meet policy tests of soundness set out in the National Planning Policy Framework.*

This policy is incomplete in that it only requires development to consider the movement functions of roads.

*Additional wording was added to the supporting text to emphasise the role this policy has in creating a sense of place.*

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<th>DM14</th>
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As road traffic causing most of the air quality problems it should be referred to in this policy as well as in Policy DM24 Environmental and Health Impacts of Development.

*Policy DM24 addresses air quality issues from all sources. Additional text highlighting air quality issues was added to the introduction to the transport section with cross reference to DM24.*

The wording as it does not recognise the need to first avoid journeys before mitigating against them.

*Individual policies need to be read in conjunction with the wider Draft DAP and Core Strategy and Urban Core Plan (Part 1 of our*
Local Plan) policies. Policy DM14 is primarily concerned with highway safety and ensuring that conflicts between vehicles and other road-user groups as a result of development are minimised.
Chapter 6 – People and Place
DM15 - Conservation of Heritage Assets

**Policy title and introduction to purpose:** DM15 - Conservation of Heritage Assets

The purpose of this policy is to provide a positive strategy for the conservation and enhancement of the historic environment. It ensures that the rich and varied historic environment in Newcastle which is an integral part of the city’s character and identity is protected. DM15 sets out how heritage assets in the city will be managed. The policy sets out the criteria which must be met when heritage assets are altered, extended, restored or otherwise developed. It ensures that the significance and historically important features of conservation areas and registered parks and gardens is preserved or enhanced by development. It also sets out the criteria under which demolition of unlisted buildings in conservation areas will be allowed.

**Policy (full policy):**

DM15 - Conservation of Heritage Assets

1. 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 asset’s significance and character; and
   iii. 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.

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.

3. 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; or
   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.

**Positively Prepared:**

NPPF recognises the high importance of conserving and enhancing the historic environment. It sets out clearly that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.

Policy DM15 is positively prepares and provides an approach which ensures that heritage assets in the city are protected and where appropriate, enhanced. The policy will help to ensure that heritage assets which are identified in the NPPF as
irreplaceable resources are conserved in a manner appropriate to their
significance so that they can be enjoyed and continue to contribute to the quality of
life of existing and future generations.

Policy development was based on a detailed understanding of the city’s heritage
assets and wider historic environment. There have been detailed discussions with
the Council’s conservation, heritage specialists, and archaeological experts.

**Core Strategy Vision and Objectives compliance and delivery:**

SO5 Expand leisure, culture and tourism providing for all age groups and
diversifying the evening economy.

SO9 Ensure the development and use of land protects, sustains and enhances the
quality of the natural, built and historic environment, and ensuring our communities
are attractive, safe and sustainable.

**Policy Preparation:**

This policy has been developed, taking account of expert advice, available
evidence, Sustainability Comments and responses to consultation. The most
significant changes to the policy since the Draft Plan are:

- Minor changes to wording and layout
- Point 1 (iii) is amended to “reflect the significance of the significance of the
  heritage asset” rather than “preserve the significance….”. this is to align the
  policy with the NPPF
- Part 2 includes a change from “conservation area or registered park and
garden” to conservation area and registered park and garden”
- Part 2-deletion of “consideration and”
- Part 3 – criterion i. and ii. combined
- Part 3- insertion of “or” so that only one of the criteria must be met
- Part 3; criterion ii. - Insertion of “or new use”
- Part 3; criterion ii. – change “preservation” to “conservation”
- 6.2.3 – minor change of wording from “effects on setting could” to “effects
  on setting can”

**Statutory Consultation:**

Comments following regulation 18 consultation

- Two residents made general comments, referring to open space and the
  policy direction of the plan
- Two residents’ organisations were in support of the policy, welcoming the
  protection of the historic environment
- One organisation objected to this policy, and requested greater clarity and a
  more thorough evidence base for the plan
- Two organisations made general comments about this policy, stating that it
should be amended to be more consistent with national policy, and requesting
greater specific protection for Hadrian’s wall within the plan, either its own policy or as part of DM15

Comments following regulation 19 consultation

- Various recommended changes to the wording of the policies
- Recommend that the policy include the term “preserve and enhance” to be closer in line with the NPPF
- Recommendation that both criteria of point 3 be required to be met rather than one or another
- Recommendation to amend the policy to clarify that the impact of a proposal should be assessed by the local planning authority rather than the applicant
- Recommendation to remove terms “setting, appearance and character” and replace with reference to “significance” to better align with NPPF.
- Comments that the need for a “clear convincing justification” is only required where development will lead to “substantial harm”.
- Respondents pointed out that the policy is not compliant with the NPPF (paragraphs 195-196) which establishes “balancing principles” based on whether or not the proposed development would lead to substantial harm. The NPPF sets out the criteria under which a proposed development would lead to substantial harm should be granted permission. Paragraphs 196 and 197 set out the criteria by which an application should be considered where there is less than substantial harm. The respondent commented that the policy as written did not allow for the balancing principles to be applied.

Sustainability Appraisal:

There was no change in the SA scoring between the Draft DAP SA and the Pre-Submission DAP SA.

The policy was found to have a mostly positive or neutral effect in terms of the sustainability criteria. Minor negative impacts were identified in relation to the following objectives:

- 7a. Adapt to and mitigate against the impacts of climate change: Reduce our contributions to the causes of climate change
- 7b. Adapt to and mitigate against the impacts of climate change: make sure we adapt to the effects of climate change and mitigate against the impacts in future development; and
- 8. Live within environmental limits, both locally and globally

The negative impacts identified largely concerned the location of assets in relation to areas of flood risk, wildlife corridors, agricultural land, and the potential of development on the Green Belt. The impacts were identified as likely to be minimal with suitable mitigation measures available with adverse impacts on Green Belt
being mitigated by DM31 and impact on key wildlife sites being mitigated by DM28.

The policy was judged as having an overall positive impact on the social sustainability objectives as it may result in increased cultural/tourism facilities. It also directly supports the objective as it aims to minimise loss or damages and supports the enhancement and the protection of heritage assets.

The policy was judged to have minimal negative impacts in terms of environmental sustainability. These impacts were judged to be very minimal however, and it was considered that they could be appropriately managed through other policies.

The policy was assessed as having a positive impact in terms of the economic sustainability objectives as it should enable improvement of tourism/cultural facilities that could potentially lead to job creation.

**Joint working:**

The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been identifies through the process in relation to the historic environment.

Statutory objections were raised by Historic England. These matters were addressed and minor modifications to the policy.

**Justified:**

**Evidence:**

The NPPF requires local planning authorities to maintain or have access to a historic environment record, which should contain evidence about the historic environment in their area (paragraph 187). This data should be used to assess the significance of heritage assets and the contribution they make to the environment. It should be used to predict the likelihood that unidentified assets, and sites of historic or archaeological interest will be discovered in future.

Policy DM15 has been developed with regard to the following key evidence documents. The Newcastle Local List Supplementary Planning Document identifies the city’s buildings and sites considered to be of historic or architectural value to the local community. The list of non-designated heritage assets includes a range of buildings, spaces and structures.

Newcastle contains 12 conservation areas. They are supported by Conservation Area Character Appraisals, Statements and Management Plans. Several Management Plans are currently under development or review. These documents are a material consideration in the assessment of proposals for development that affect the character of conservation areas and will be used to support and guide enhancement.

The evidence base also includes the Tyne and Wear Historic Landscape
Characterisation Report. This report provides an overview of the Tyne & Wear Historic Landscape Characterisation Project.

These reports and documents along with the guidance of heritage specialists in the Council’s conservation team have provided the basis for the development of the policy.

Alternatives:

The approach taken in developing Policy DM15 which sets out how development affecting the heritage assets in the city will be managed is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS15.

An alternative approach would have been not to develop a policy in the DAP and to rely on the NPPF and the Conservation Area ac 1987. However, this would not have been a positive approach.

Effective:

The policy will be delivered through the development management process, for instance refusing development where the proposal does not accord with the policy.

Monitoring:

Policy DM15 will be monitored against the following CSUCP monitoring indicators;

Indicator 33 Historic built environment- This indicator monitors change in the extent and quality of the historic built environment:

- Number of scheduled monuments, grade I, II*, II listed buildings, battlefields, historic parks and gardens, conservation areas and other heritage assets;
- Loss of, or addition to heritage assets
- Additions or removals from the risk register
- Recorded damage to heritage assets

Consistent with National Policy:

The NPPF (paragraph 8) requires local planning authorities to contribute to sustainable development. It defines this in terms of economic, social and environmental objectives. The environmental objective requires the planning system to contribute to protecting and enhancing the natural, built and historic environment. Policy DM15 contributes to this objective by setting out a proactive criteria-based approach to support the Council’s strategic objectives regarding the protection and enhancement of heritage assets.

In accordance with the NPPF (paragraph 20-22) the Council’s strategic policies relating to the conservation of heritage assets are set out in the CSUCP. Policy CS15 deals with place making. A key element of this is managing how development affects heritage assets. The policy acknowledges that the right
development in the right place can enhance heritage assets and that the consideration of the historic environment and townscape should be the starting point for consideration of any development. CS15 requires development to consider the impact it will have on heritage assets and to sustain and enhance assets in an appropriate manner according to their significance.

UC13 Respecting and Managing Views Within, From and into the Urban Core - establishes a presumption against development in the Urban Core that would cause significant harm to views of designated heritage assets, and other distinctive landmark buildings and structures.

UC14 Heritage – requires development to maximise opportunities to sustain and enhance the significance of heritage assets and their setting, to deliver high quality in the design of new buildings and conversions reflecting historic fabric, and to include opportunities for the contemporary interpretation of heritage assets including Hadrian’s Wall and associated features.

NPPF (paragraph 28) sets out the requirements in terms of non-strategic policies, which must set out more detailed policies for specific areas, neighbourhoods or types of development. They can include matters such as conserving and enhancing the natural and historic environment and setting out other development management policies.

NPPF (paragraph 184-185) states that heritage assets are irreplaceable resources and should be conserved in a manner appropriate to their significance, it requires that plans set out a positive strategy for the conservation and enjoyment of the historic environment, including assets at risk. DM15 is in compliance with this element of national policy and ensures that the significance of a heritage asset is conserved or enhanced where appropriate.

In assessing proposals affecting heritage assets NPPF (paragraph 189-192) requires applicants to describe the significance of the heritage asset proportionate to the importance of the asset in as much detail as is needed to understand the potential impact of the proposal on the asset’s significance. Heritage Statements are the statutory element required to be included in applications affecting heritage assets. The local planning authority is then responsible for assessing the significance of any heritage asset, as well as taking account of;

"a) the desirability of sustaining and enhancing the significance of heritage asset and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness."

NPPF (paragraph 193) places great weight on the conservation of heritage assets when considering the impact of proposals on their significance. This is regardless of the extent of the potential harm to the asset. NPPF (paragraph 194) requires clear and convincing justification for any harm to or loss of the significance of a heritage asset. Substantial harm or loss of grade II listed buildings, grade II
registered parks or gardens should be exceptional, and assets including grade I and II* listed buildings, grade I and II* registered parks and gardens, and world heritage sites should be wholly exception.

In considering potential impacts DM15 is compliant with, and builds on, these requirements in requiring a detailed analysis and justification of the potential impact of proposals on a heritage asset and its context. Proposals are required to provide a detailed analysis and justification of potential impact of the development on the heritage asset and its context. The must explain how they will conserve the built fabric and architectural detailing that contributes to the heritage asset’s significance and character. They must also 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.

NPPF (paragraph 200) states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites in order to enhance or better reveal their significance. DM15 part 2 is in compliance with this policy and requires that development must ensure that the significance of a conservation areas and registered park and gardens is preserved or enhanced, including retention of historically important features. Where the loss of a building (or other element) which makes a positive contribution to the significance of a Conservation Area or World Heritage Site is proposed the NPPF states that this should be treated as either substantial or less than substantial harm in accordance with paragraphs 195 or 196. DM15 (supporting text paragraph 6.1.4- 6.1.5) states that any proposals which result in harm to the significance of designated heritage assets will be required, in line with national policy (paragraph 194-196), to demonstrate that the public benefits will outweigh any harm.

DM15 (part 3) states that;

“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; or
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.”

This approach is in compliance with the aims of the NPPF. In particular those set out in paragraph 185 which indicates how local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment. Especially the requirement to the desirability of new development making a positive contribution to local character and distinctiveness. This approach also takes appropriate account of NPPF paragraph 193 which requires great weight to be given to the conservation of designated heritage assets, with the weight given being dependent on the importance of the asset. The approach set out in DM15 to ensure that replacement development or new uses contributes to the character or appearance of the conservation area is also aligned with the approach set out in NPPF (paragraph 200), which requires local planning authorities to look favourably on new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, that enhances or better reveals their
Policy DM15 part 3.ii also conforms with NPPF (paragraph 201) in that it sets out a positive and clear approach to how elements of a Conservation Area that do not contribute to its significance should be treated.

### Policy DM16 - Conservation and Enhancement of the Setting of Heritage Assets

#### Policy title and introduction to purpose: Policy DM16 - Conservation and Enhancement of the Setting of Heritage Assets

The purpose of this policy is to support and provide clarity as to how development should enhance the setting of heritage assets. The setting of a heritage asset can have both positive or negative effects on heritage assets.

#### Policy (full policy):

Development proposals which impact on the setting of heritage assets will be required to:

1. Ensure that its design, location, siting, form and appearance conserves or enhances the significance of the heritage asset, its setting and surrounding key views.
2. Consider any additional impacts on the setting of heritage assets, including the degree of permanence of any impact.

#### Positively Prepared:

NPPF recognises the high importance of conserving and enhancing the historic environment. It sets out clearly that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.

Plans are required to set out a positive strategy for the conservation and enjoyment of the historic environment.

Paragraph 200 of the NPPF states:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

This policy has been positively prepared based on a thorough assessment of the City’s extensive heritage assets. There have been detailed discussions with the Council’s conservation, heritage specialists, and archaeological experts.

#### Core Strategy Vision and Objectives compliance and delivery:

SO5 Expand leisure, culture and tourism providing for all age groups and diversifying the evening economy.

SO9 Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.

#### Policy Preparation:

This policy has been developed, taking account of expert advice, available evidence,
Sustainability Comments and responses to consultation. The most significant changes to the policy since the Draft Plan are:

- Minor changes to wording in 6.2.1
- Change in 6.2.3 from “could” to “can”

**Statutory Consultation:**

Comments following regulation 18 consultation

- One resident made a general comment on the policy, expressing concern about the general direction of the plan
- Two residents’ organisations were in support of this policy, welcoming the proposed protection of the historic environment
- One organisation objected to this policy, requesting greater clarity in what is required, and a more thorough evidence base for the plan
- Two organisations made general comments, stating that the policy should be modified to be more consistent with NPPF paragraph 128, so as to create a proportionate approach to development which may impact on heritage assets, as opposed to the standard approach as in the policy as drafted

Comments following regulation 19 consultation

- Historic England commented that the policy should be amended with the words “conserve and enhances the significance” in order to be in line with NPPF
- The Ouseburn Trust registered their support for the policy
- NPPF refers to the impact of development in terms of “Significance” and “Harm” rather than “Setting or surrounding key views”.
- Northumbrian Water commented that the policy as worded does not allow the “balancing principles” in the NPPF (Paragraph 195-196) to be applied.
- Northumbrian Water commented that 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 paragraph 16).

**Sustainability Appraisal:**

There was no change in the SA scoring between the Draft DAP SA and the Pre-Submission DAP SA.

The policy was found to have a mostly positive or neutral effect in terms of the sustainability criteria. Minor negative impacts were identified in relation to the following objectives:

- 7a. Adapt to and mitigate against the impacts of climate change: Reduce our contributions to the causes of climate change
- 7b. Adapt to and mitigate against the impacts of climate change: make sure we adapt to the effects of climate change and mitigate against the impacts in future development; and
- 8. Live within environmental limits, both locally and globally

The policy was judged as having an overall positive impact on the social sustainability objectives as it may result in increased cultural/tourism facilities. It also directly supports
the objective as it aims to minimise loss or damages and supports the enhancement and the protection of heritage assets.

The policy has been judged to have overall minimal negative impacts on the environmental sustainability objectives. The policy supports developments that may result in the reduction of green field space that would cumulatively lead to a reduction in carbon storage. However, the degree of impact is dependent on the size and number of the developments. Heritage assets are located in the Green Belt / wildlife corridor and any developments could impact wildlife movement and biodiversity. However, Policy DM32 restricts most development in the Green Belt and policy DM29 should mitigate any negative impacts on all other sites, if implemented simultaneously. Some of the heritage assets are located in Flood Zones 2 and 3. This potentially puts any developments near those associated with those assets at increased risk of flooding.

It was suggested that a policy that requires Flood Risk Assessments for all developments located in Flood Zones 2 and 3 would help to mitigate this risk.

The policy does not deal directly with issues addressing the employment market. There are, however no anticipated negative effects on this objective so the effect is likely to be broadly neutral.

 Joint working:

The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been identified through the process in relation to the historic environment.

Statutory objections were raised by Historic England. These matters were addressed and minor modifications to the policy

 Justified:

 Evidence:

This policy is supported by several key pieces of evidence. It has been developed with regard to the following key evidence documents. The Newcastle Local List Supplementary Planning Document identifies the city’s buildings and sites considered to be of historic or architectural value to the local community. The list of non-designated heritage assets includes a range of buildings, spaces and structures.

Newcastle contains 12 conservation areas. They are supported by Conservation Area Character Appraisals, Statements and Management Plans. These documents are a material consideration in the assessment of proposals for development that affect the character of conservation areas and will be used to support and guide enhancement.

The evidence base also includes the Tyne and Wear Historic Landscape Characterisation Report. This report provides an overview of the Tyne & Wear Historic Landscape Characterisation Project.

These reports and documents along with the guidance of heritage specialists in the Council’s conservation team have provided the basis for the development of the policy.

 Alternatives:

The approach taken in developing policy DM16 which sets out how the setting of heritage assets will be conserved and enhanced is positive and in line with national policy and guidance.

An alternative approach would have been not to develop a policy in the DAP and to rely on the NPPF and the Conservation Area Act 1987. However, this would not have been a positive or proactive approach.
Effective:
The policy will be delivered through the development management process, for instance refusing development where the proposal does not accord with the policy.

Monitoring:
Policy DM16 will be monitored against the following Core Strategy and Urban Core Plan monitoring indicators;

Indicator 33 Historic Built Environment –
This indicator monitors change in the extent and quality of the historic built environment:
- Number of scheduled monuments, grade I, II*, II listed buildings, battlefields, historic parks and gardens, conservation areas and other heritage assets;
- Loss of, or addition to heritage assets
- Additions or removals from the risk register
- Recorded damage to heritage assets

Consistent with National Policy:
NPPF (paragraph 28) states that local planning authorities should use non-strategic policies to set out more detailed policies for specific areas, neighbourhoods, or types of development. It specifically refers to using non-strategic policies to provide greater detail relating to conserving and enhancing the historic environment. DM16 aligns with this national policy requirement and sets out further detail to support CSUCP Policy CS15 Place-Making (part 1.iv). It sets out a clear policy indicating the requirements that will be applied to development affecting the setting of a heritage asset.

NPPF (paragraphs 189-190) require applicants to describe the significance of heritage assets affected by their application, including any contribution made by their setting. Local planning authorities should then identify and assess the particular significance of any heritage asset that may be affected by a proposal. This includes development which has an effect on the setting of a heritage asset.

DM16 sets out how the council will determine proposals which impact the setting of heritage assets. It related closely to DM15 but can also apply to the impact of development beyond the boundary of a heritage asset itself. It provides criteria to be applied when a proposal will affect the setting of a heritage asset.

NPPF (paragraph 194) makes it clear that any proposal that would result in harm to, or loss of the significance of a heritage set, including from development within its setting must be accompanied by a clear and convincing justification. DM16 requires proposals to demonstrate that consideration has been given to the additional impacts on the setting of heritage assets, including the degree of permanence of any impact. This provides further clarity on the justification that the council will require and is compliant with national policy. DM16 also requires development to ensure that design, location, siting and form and appearance conserves or enhances the significance of the heritage asset. This is in accordance with the role of non-strategic policies as set out in national policy.

NPPF (paragraph 194-197) prescribe how proposals which cause harm or less than significant harm to a heritage asset should be considered. DM16 supporting text (paragraphs 6.2.4) confirms that national guidance will be applied when the impact of development upon the setting of heritage asset is considered.
NPPF (paragraph 200) requires local planning authorities to look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. It requires proposals which make a positive contribution to these assets to be treated favourably. DM16 provides clarity, requiring proposals to ensure that proposals ensure their design, location, siting, form and appearance conserves or enhances the significance of the heritage asset, its settings and surrounding key views. This approach aligns with national policy.

PPG
National Planning Practice Guidance in line with the NPPF provides guidance on the definition of the setting of a heritage asset. Policy DM16 is reflective of this definition.

Policy DM17 - Preservation of Archaeological Remains and Archaeological Work

Policy title and introduction to purpose: Policy DM17 - Preservation of Archaeological Remains and Archaeological Work

This policy has been produced to introduce criteria which development will be required to meet regarding the preservation of archaeological remains, and archaeological work carried out when any heritage asset is to be lost. It provides further detail in support of the requirement set out in CSUCP Policy CS15, which requires development to support and safeguard the historic environment by promoting the use, enjoyment and understanding of the historic environment.

Policy (full policy):

1. Development will be required to safeguard the understanding of the historic environment of the city through undertaking archaeological investigations where proposed development may affect a known site or potential area of archaeological remains.
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 to preserve in-situ. Where preservation in-situ is not justified the archaeological remains below ground and on the surface will be recorded and excavated prior to development commencing.
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, its buffer zone and its wider landscape setting.
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.

Positively Prepared:

Newcastle has a high concentration of heritage assets of archaeological interest. National planning policy recognises the high importance of conserving and enhancing the historic environment. It sets out clearly that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance. National guidance advises that local planning authorities should require developers to record and advance understanding of any heritage assets to be lost.

CSUCP Policy CS15 requires development to support and safeguard the historic environment by promoting the use, enjoyment and understanding of the historic environment. Policy DM17 provides detailed criteria, which proposals will be required to
meet regarding the preservation and recording of archaeological remains. It also provides greater detail on how development will be required to contribute to protecting and sustaining the Outstanding Universal Value (OUV) of the Frontiers of the Roman World Heritage Site, which is in line with CS15 and UC14. The policy provides clarity as to where the results of archaeological investigations must be deposited.

The policy has been positively prepared based on a thorough assessment of the City’s extensive heritage assets and their archaeological potential. There have been detailed discussions with the Council’s conservation, heritage specialists, and archaeological experts to determine the approach to the policy.

**Core Strategy Vision and Objectives compliance and delivery:**

The policy does not relate directly to any Core Strategy Vision and Objective in terms of its compliance and delivery. It will primarily be delivered through the development management process.

**Policy Preparation:**

This policy has been developed, taking account of expert advice, available evidence, Sustainability Comments and responses to consultation. The most significant changes to the policy since the Draft Plan are:

An additional point was added to the policy to provide further information regarding the Outstanding Universal Value (OUV) of the Frontiers of the Roman Empire World Heritage Site.

Final point was reworded to indicate clearly that the results of archaeological investigations must be deposited with the Tyne and Wear Historic Environment Record and that any significant archaeological findings will also be published.

**Statutory Consultation:**

Comments following regulation 18 consultation

- Two residents’ groups made comments in support of this policy, welcoming the protection and conservation of the historic environment
- One organisation objected to this policy, and requesting greater clarity and a more thorough evidence base for the plan
- One organisation made a general comment about this policy, broadly supporting its aims but stating that the policy should be modified to be more consistent with NPPF paragraph 128, to create a proportionate approach to development which may impact on heritage assets

Comments following regulation 19 consultation

Northumbrian Water made several comments in their representation:

- Clarification was requested regarding whether or not point 1 of the policy’s reference to “archaeological evaluations” refers to both desk based and field assessments
- It was requested that field assessments only be required where necessary
- The respondent commented that the NPPF paragraphs 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. The respondent commented that as it was currently worded the policy did not allow these principles to be applied
Historic England made several comments on the policy:

- DM17 Part 1 includes the term “investigations” and this could be misinterpreted to mean post-determination archaeological works
- It was recommended that part 1 of the policy state “through undertaking archaeological investigations assessment and evaluation where proposed development”
- It was recommended that part 2 of the policy state the following to reflect NPPF paragraphs 193 and 197 “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”
- It was recommended that part 3 would be more accurate if it stated “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.”
- It was recommended that part 4 be amended to incorporate the sentence “Any significant archaeological findings will also be published in a publicly-accessible form.

The Ouseburn Trust commented in support of the policy.

Story homes made several comments on the policy:

- Point 2 states;
  “where assessment and evaluation have established that proposed development will adversely affect a site or area of archaeological interest the developer will be required to preserve in-situ.”

Story Homes argue that this wording could apply to “any development”, because all development will result in the disturbance or loss of archaeological remains.

- The wording in the policy does not conform with the wording in 6.3.5 which states that the local authority will determine the need to preserve remains in-situ.
- DM17 points 1 & 2, as well as paragraphs 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 paragraph 199.

**Sustainability Appraisal:**

There was no change in the SA scoring between the Draft DAP SA and the Pre-Submission DAP SA.

The policy was found to have a mostly positive or neutral effect in terms of the sustainability criteria. An uncertain impact was identified for the following sustainability
criteria:

- 7a. Adapt to and mitigate against the impacts of climate change: Reduce our contributions to the causes of climate change
- 7b. Adapt to and mitigate against the impacts of climate change: make sure we adapt to the effects of climate change and mitigate against the impacts in future development; and
- 8. Live within environmental limits, both locally and globally

The policy has been judged as having an overall positive impact on the social sustainability objectives because it aims to protect /minimise impacts to archaeological assets while still allowing for developments to meet local needs.

In terms of environmental impacts there were several unknown scores. Many of the impacts to the environmental objectives are unknown and require further information. Where developments may impact key wildlife biodiversity/movement sites, Policy DM29 (Protecting and Enhancing Biodiversity and Habitats), if implemented simultaneously, will mitigate any negative impacts.

The policy has an overall positive impact on the economic objectives as it supports further development, despite the fact that the site may be location of archaeological remains, which will support the economic environmental both long and short term.

Joint working:

The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross- boundary or strategic issues have been identified through the process in relation to the historic environment.

Statutory objections were raised by Historic England. These matters were addressed and minor modifications to the policy.

Justified:

Evidence:
This policy has been developed with regard to several key pieces of evidence.

The Newcastle Local List Supplementary Planning Document identifies the city's buildings and sites considered to be of historic or architectural value to the local community. The list of non-designated heritage assets includes a range of buildings, spaces and structures.

Newcastle contains 12 conservation areas. They are supported by Conservation Area Character Appraisals, Statements and Management Plans. These documents are a material consideration in the assessment of proposals for development that affect the character of conservation areas and will be used to support and guide enhancement.

The evidence base also includes the Tyne and Wear Historic Landscape Characterisation Report. This report provides an overview of the Tyne & Wear Historic Landscape Characterisation Project.

The Archaeology and Development SPD explains why archaeological remains are important, how archaeological issues will be dealt with within the planning process and indicates where important deposits might be expected and be encountered.

These reports and documents along with the guidance of heritage specialists in the Council's conservation team have provided the basis for the development of the policy.

Alternatives:
The approach taken in developing policy DM17 which sets out how the setting of heritage assets will be conserved and enhanced is positive and in line with national policy and guidance.

An alternative approach would have been not to develop a policy in the DAP and to rely on the NPPF and the Conservation Area Act 1987. However, this would not have been a positive or proactive approach.

**Effective:**

The policy will be delivered through the development management process, for instance refusing development where the proposal does not accord with the policy.

**Monitoring:**

Policy DM17 will be monitored through the development management process. Significant loss of, or deterioration of heritage significance of archaeological heritage assets will trigger appropriate remedial action by the Council. Monitoring is carried out by Tyne and Wear Archaeologists.

Archaeological findings will be deposited with the Tyne and Wear Historic Environment Record.

**Consistent with National Policy:**

CSUCP Policy UC14 dealing with how the historic legacy of the Urban Core is respected. CSUCP paragraph 14.101 states that it is important that an early approach is taken to establishing any archaeological potential of proposed development sites in the Urban Core. In cases where proposed development may affect known or potential areas of archaeological remains DM17 (part 1) requires proposals to safeguard the understanding of the historic environment of the city through archaeological investigations. This approach is consistent NPPF (paragraph 189) which states that local planning authorities should require, in cases where heritage assets with archaeological interest are identified, developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

DM17 (part 2) provides clarity as to how archaeological remains must be treated when it has been established that proposed development will adversely affect them. Preservation in-situ is the preferred approach however when this is not justified the policy permits recording and excavation. The requirement to preserve in-situ is compliant with the NPPF. Paragraph 193 of the NPPF states that great weight should be given to the conservation of a designated heritage asset irrespective of whether potential harm is substantial, total loss, or less than substantial harm to its significance. NPPF Footnote 63 explains that non-designated assets of archaeological interest which are of demonstrably equivalent significance to scheduled monuments should be considered subject to the policies for designated heritage assets (NPPF paragraph 193-195).

DM17 (part 3) deals with how the Outstanding Universal Value (OUV) of the Frontiers of the Roman Empire World Heritage Site will be addressed in relation to proposals for development. Setting criteria for the protection of a World heritage Site is consistent with national policy (NPPF, paragraph 200). DM17 seeks opportunities to support and maintain the positive management of the World Heritage Site through development. NPPF (paragraph 201) states that not all elements of a World heritage Site will necessarily
contribute to its significance. Therefore, it recommends that loss of buildings or other elements which make a contribution to the significance of a site should be treated as substantial or less than substantial harm in accordance with paragraphs 195 and 196 respectively. DM17 does not conflict with the approach set out in national policy.

DM17 (part 4) provides clarity on where the results of archaeological investigations must be deposited. This approach has been agreed with Tyne and Wear Archaeology Officers and Historic England. This complies with national policy (NPPF paragraph 199).
**Policy DM18 - Building Recording**

**Policy title and introduction to purpose: Policy DM18 - Building Recording**

This policy has been produced to require appropriate building recording of designated and non-designated heritage assets prior to development.

**Policy (full policy):**

Prior to the demolition, alteration, extension or restoration 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.

**Positively Prepared:**

NPPF recognises the high importance of conserving and enhancing the historic environment. It sets out clearly that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance. National policy also makes the importance of local authorities having access to a record of the historic environment in order to assess heritage assets and predict the likelihood unidentified assets will be discovered in the future. Ensuring appropriate building recording is therefore a suitable and positive approach to policy.

The policy is in line with the strategic goals of the CSUCP. Policy CS15 requires development to contribute to good place making. Policy CS15 (part 2) requires development to take a proactive approach to sustaining the historic environment. It is required to promote the use, enjoyment and understanding of the historic environment. Building recording relevant to the asset’s significance will ensure that important historical and archaeological evidence associated with designated and non-designated heritage assets is not lost when development takes place.

**Core Strategy Vision and Objectives compliance and delivery:**

This policy is not monitored by a specific Core Strategy vision or objective. It will be delivered through the development management process. The policy has been prepared after detailed discussions with the Council’s conservation, heritage specialists, and archaeological experts to determine the approach to the policy. Members of the Council’s Urban Design and Conservation team will be consulted on relevant planning applications and will liaise with developers as required to ensure appropriate recording is carried out.

**Policy Preparation:**

This policy has been developed, taking account of expert advice, available evidence, Sustainability Assessment comments and responses to consultation. The most significant changes to the policy since the Draft Plan are:

Addition of the following at the end of the policy “and the results deposited with the Tyne and Wear Historic Environment Record Office.”. This is to make the policy consistent with the requirements of the NPPF (footnote 64: Copies of evidence
should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

**Statutory Consultation:**

Comments following regulation 18 consultation

- One resident made a general comment expressing concern about the infrastructure and amenity of Throckley
- One organisation objected, requesting greater clarity in what is required throughout the plan
- One organisation made a general comment welcoming the plan’s approach to the historic environment
- Comments following regulation 19 consultation

Northumbrian Water made several comments in relation to the policy:

- The representation states that policy DM18 requires building recording of heritage assets to be carried out prior to demolition, alteration, extension or restoration
- They state that the NPPF only requires recording to be carried out if any heritage assets will be lost (wholly or in part). They state that this makes the policy inconsistent with the NPPF

**Sustainability Appraisal:**

There was no change in the SA scoring between the Draft DAP SA and the Pre-Submission DAP SA.

The policy was found to have a mostly positive or neutral effect in terms of the sustainability criteria. An uncertain impact was identified for the following sustainability criteria:

The policy for the most part does not deal directly with issues addressing the social sustainability objectives. However, by enabling the alteration, extension or restoration of heritage assets, the policy may result in increased employment land depending on the nature of the development.

The policy does not deal directly with issues addressing the environmental sustainability objectives. There are, however no anticipated negative effects on this objective so the effect is likely to be broadly neutral.

The policy does not deal directly with issues addressing the economic sustainability objectives. There are, however no anticipated negative effects on this objective so the effect is likely to be broadly neutral.

**Joint working:**
The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been identified through the process in relation to the policy.

**Justified:**

**Evidence:**
This policy has been developed with regard to several key pieces of evidence. The Newcastle Local List Supplementary Planning Document identifies the city’s buildings and sites considered to be of historic or architectural value to the local community. The list of non-designated heritage assets includes a range of buildings, spaces and structures.

Newcastle contains 12 conservation areas. They are supported by Conservation Area Character Appraisals, Statements and Management Plans. These documents are a material consideration in the assessment of proposals for development that affect the character of conservation areas and will be used to support and guide enhancement.

The evidence base also includes the Tyne and Wear Historic Landscape Characterisation Report. This report provides an overview of the Tyne & Wear Historic Landscape Characterisation Project.

The Archaeology and Development SPD explains why archaeological remains are important, how archaeological issues will be dealt with within the planning process and indicates where important deposits might be expected and be encountered. These reports and documents along with the guidance of heritage specialists in the Council’s conservation team have provided the basis for the development of the policy.

The Tyne and Wear Archaeology Service (part of the Urban Design and Conservation Team) is responsible for maintaining and enhancing the Tyne and Wear Historic Environment Record (HER). The HER is a database of known archaeological and historical sites throughout the five districts which once formed Tyne and Wear (Gateshead, Newcastle, North Tyneside, South Tyneside and Sunderland).

There are over 17,000 sites on our database, which include monuments, earthworks, cropmarks, historic parks and gardens, battlefields, industrial sites and twentieth century defence sites. Relevant evidence gathered through the planning process is deposited in the HER, and the information it contains has been utilised in the formulation of the policy, with guidance from members of the Urban Design and Conservation Team.

**Alternatives:**
The approach taken in developing policy DM18 which sets out how information relating to heritage assets should be recorded. It is proactive and provides clarity to applicants.

An alternative approach would have been not to develop a policy in the DAP and
to rely on the NPPF alone. NPPF paragraph 199 requires Local planning authorities to require developers to record carry out recording and to make this evidence (and any archive generated) publicly accessible. Policy DM18 provides relevant local guidance on building recording, informing developers specifically where recording is to be deposited i.e. the Tyne and Wear Historic Environment Record.

**Effective:**
The policy will be delivered through the development management process through discussion and negotiations. The ability to record the information about our past cannot be considered a factor in determining whether to permit the loss of a heritage asset.

**Monitoring:**
This policy is not monitored by a specific monitoring indicator. It will be delivered through the development management process. The policy has been prepared after detailed discussions with the Council’s conservation, heritage specialists, and archaeological experts. Members of the Council’s Urban Design and Conservation team will be consulted on relevant planning applications and will liaise with developers as required to ensure appropriate recording is carried out.

**Consistent with National Policy:**

NPPF (paragraph 199) requires developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

It is noted that the wording of Policy DM18 refers to the demolition, alteration, extension or restoration of heritage assets, while NPPF refers to assets to be ‘lost wholly or in part’. In the case of buildings and structures demolition would constitute wholesale loss of the heritage asset. Alteration, extension, or restoration may also involve the loss of part of the heritage asset. As such it is considered that the wording of the policy is consistent with national policy.

Policy DM18 is compliant with the NPPF and provides further guidance regarding where information gathered through building recording should be deposited. In the case of Newcastle this is the Tyne and Wear Historic Environment Record Office. The supporting text also clarifies that the survey must be undertaken by a suitably experienced professional as specified by the council and to the relevant standards required by Historic England and the Chartered Institute of Archaeologists Standard and Guidance.
**Policy DM19 - Battlefield of Newburn Ford 1640**

**Policy title and introduction to purpose: Policy DM19 - Battlefield of Newburn Ford 1640**

This policy has been prepared to provide detailed locally specific guidance on how development affecting the significance of the Registered Historic Battlefield of Newburn Ford will be addressed.

**Policy (full policy):**

The significance of the Battlefield of Newburn Ford will be protected, sustained and enhanced by:

1. Protecting it against development which results in changes to the landscape which adversely affect the interpretation of the course of events during the battlefield.
2. Requiring development to enhance the appearance of the Battlefield through careful design of landscaping, use of materials, and provision of public access and interpretation.

**Positively Prepared:**

NPPF (paragraph 194) indicates that any development resulting in harm to, or loss of significance of a designated heritage asset should require clear and convincing justification. In cases where the heritage asset is a registered battlefield the harm or loss should be wholly exceptional.

Policy DM19 has been prepared in accordance with CUCP Policy CS15 Place-Making.

It is therefore appropriate for the Council to provide a policy setting out the key features of the battlefield that are to be protected, sustained and enhanced because this will serve to ensure that development within the boundaries of the Registered Historic Battlefield conserves and enhances the historic environment with regard to this local feature.

The policy has been positively prepared based national planning policy, planning practice guidance, and consideration of relevant evidence. Particular consideration has been given to Historic England’s Strategic Research for the Registered Battlefields at Newburn Ford and Boroughbridge. There have been detailed discussions with the Council’s conservation, heritage specialists, and archaeological experts to determine the approach to the policy.

**Core Strategy Vision and Objectives compliance and delivery:**

The policy is locally specific and relates to the Registered Historic Battlefield of Newburn Ford. It will contribute to the following strategic objective:

- **SO5:** Expand leisure, culture and tourism providing for all age groups and diversifying the evening economy.
SO9: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.

Policy Preparation:

This policy has been developed, taking account of expert advice, available evidence, Sustainability Comments and responses to consultation. The most significant changes to the policy since the Draft Plan are:

- Redrafting of the policy to state that Newburn Ford will be protected as well as sustained and enhanced.
- The policy is broken down into two parts:

  1. Protecting it against development which results in changes to the landscape which adversely affect the interpretation of the course of events during the battlefield.

  2. Requiring development to enhance the appearance of the Battlefield through careful design of landscaping, use of materials, and provision of public access and interpretation.”

Statutory Consultation:

Comments following regulation 18 consultation

One resident objected on the basis that development on the site had been permitted in the past, despite the historical value of the site.

Two residents made general comments on the policy, expressing concern about the general direction of the plan.

One organisation objected, requesting greater clarity in what is required throughout the plan.

One organisation (Historic England) made a general comment on this policy, welcoming the policy and its intent but suggesting that the wording be amended.

Comments following pre-submission consultation

Historic England made the following comments at pre-submission consultation:

Paragraph 6.5.1 and policy suggest that the significance of the battlefield is limited to landscape and appearance, whereas the significance actually extends beyond landscape.

Recommended changes include reference to:

- The archaeological potential of the site.
- The need to protect, evaluate and interpret any surviving artefacts.
• Amend part 1 to state:

“1. Protecting it against development that would adversely affect the interpretation of the course of events during the battle, by impacting upon;
   a. The below ground archaeological potential; and
   b. The landscape”

A respondent commented that 6.5.1 includes a historical inaccuracy.

**Sustainability Appraisal:**

There was no change in the SA scoring between the Draft DAP SA and the Pre-Submission DAP SA.

The policy was found to have a mostly positive or neutral effect in terms of the sustainability criteria.

The policy was judged as having an overall positive impact on the social sustainability objectives as it will indirectly support cycling / walking and air quality therefore supporting maintained / improved health. The policy will also indirectly support increased tourism and access to green spaces.

The policy was judged to have an overall positive to very positive impact on the environmental sustainability objectives as it will protect the green space associated with Newburn Battlefield leading to protected natural flood mitigation, the protection / enhancement of the wildlife corridor and indirect protection of SSSI Hallow Hill. Additionally, the park will continue to offer cycle paths which will support maintained / increased cycle trips and sustainable transport.

The policy does not deal directly with issues addressing the economic sustainability objectives. The policy will restrict development in an area that is well supported by sustainable transport (cycle paths). The impact is judged to be negative but minimal due to the size of the battlefield area left undeveloped and will have some positive impacts on tourism economy.

**Joint working:**

The Council have actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process. The designated area of Newburn Battlefield covers parts of Newcastle City Council and Gateshead Council. As such the formulation of the policy has been subject to extensive discussion and cooperation between the two authorities.

**Justified:**

**Evidence:**

This policy has been developed with regard to several key pieces of evidence.

The evidence base also includes the Tyne and Wear Historic Landscape Characterisation Report. This report provides an overview of the Tyne & Wear Historic Landscape Characterisation Project.
The Archaeology and Development SPD explains why archaeological remains are important, how archaeological issues will be dealt with within the planning process and to indicate where important deposits might be expected and be encountered.

The Newburn Ford Historic England Report 2018 provides guidance to inform the development of proposals effecting the battlefield.

These reports and documents along with the guidance of heritage specialists in the Council’s conservation team have provided the basis for the development of the policy.

**Alternatives:**

The approach taken in developing policy DM19 ensures that there is clarity for developers relating to what will be required of them in order to protect, sustain and enhance the Battlefield.

An alternative approach would have been not to develop a policy in the DAP and to rely on the NPPF. This would not be a positive approach.

**Effective:**

The policy will be delivered through the development management process through discussion and negotiations.

**Monitoring:**

Policy DM19 is a locally specific policy which deals with applications which affect the landscape, character and interpretation of the course of events during the battle. It will be monitored and delivered through the development management process.

**Consistent with National Policy:**

NPPF paragraph 194 establishes that registered battlefields are assets of the highest significance and that any harm to, or loss of, the significance should be wholly exceptional. Great weight must be given to the asset’s conservation. The more important the asset is the greater the weight should be.

Newburn Battlefield is a Registered Historic Battlefield. Its significance is detailed in the Newburn Ford Historic England Report 2018.

National policy requires that Registered Historic Battlefields are protected and loss to their significance should be wholly exceptional. At a strategic level CSCUP Policy CS15 Place-Making sets out the Council’s position on place making through conservation and enhancement of the historic environment. DAP Policy DM19 builds on this strategic policy at the locally specific level as set out in NPPF paragraph 28.
Two residents made general comments, referring to open space and the policy direction of the plan in general. Two residents’ organisations were in support of the policy, welcoming the protection of the historic environment.

One organisation objected to this policy and requested greater clarity and a more thorough evidence base for the plan.

Two organisations made general comments about this policy, stating that it should be amended to be more consistent with national policy, and requesting greater specific protection for Hadrian’s wall within the plan, either its own policy or as part of DM15.

**These comments were noted. It was considered that the points raised which were relevant to Policy DM15 were considered during the preparation of the DAP. The Council considered that further consideration of some comments was needed, and that they could inform**

The CPRE for Northumberland commented in support of the policy but recommended that both criteria of point 3 be required to be met rather than one or another.

**A modification to Policy DM15 was proposed to address the point raised and ensure that the policy provides effective protection of heritage assets.**

Historic England made a number of comments. They recommended that part (2) should be amended to state ‘preserved and enhanced’.

**On further discussion Historic England agreed that the policy could remain as currently worded.**

Northumbrian Water Ltd commented extensively on the policy.

They recommended the policy be amended to clarify that the impact of a proposal should be assessed by the

A minor modification to the policy was proposed by CPRE. The Council agreed that this would make the policy more robust. Historic England were consulted on this approach during further discussions with them in their role as a statutory consultee. The modification is as follows.

i. the building is of limited merit and makes little or no contribution to the character or appearance of the conservation area; or and

<table>
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<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
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<tbody>
<tr>
<td><strong>Policy DM15</strong></td>
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<td>Two residents made general comments,</td>
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<td>referring to open space and the policy</td>
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<td>protection of the historic environment.</td>
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<td>One organisation objected to this</td>
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<td>that it should be amended to be more</td>
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<td>consistent with national policy, and</td>
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<td>requesting greater specific protection</td>
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<td><strong>These comments were noted. It was</strong></td>
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<td><strong>which were relevant to Policy DM15</strong></td>
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<td><strong>were considered during the</strong></td>
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<td><strong>needed, and that they could inform</strong></td>
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changes to the supporting text in the Pre-Submission DAP. The Council considered that the policy was sufficiently aligned with national policy.  

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|   | local planning authority rather than the applicant. They recommended the replacing the terms “setting, appearance and character” with reference to “significance” on the grounds that this better aligns with NPPF. They commented that the need for a “clear convincing justification” is only required where development will lead to “substantial harm”. Respondents pointed out that the policy is not compliant with the NPPF (paragraphs 195-196) which establishes “balancing principles” based on whether or not the proposed development would lead to substantial harm. The respondent commented that the policy as written did not allow for the balancing principles to be applied. Northumbrian Waterst Ltd recommended that the policy be recorded. 

*The Council concluded after discussion with Historic England and members of the Urban Design and Conservation* |   |
<table>
<thead>
<tr>
<th>Policy DM16</th>
<th>Team that the policy as worded is not in conflict with the ‘balancing principles’ in the NPPF and is considered to be consistent with national policy.</th>
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</table>
| One resident made a general comment on the policy, expressing concern about the general direction of the plan. Two residents’ organisations were in support of this policy, welcoming the proposed protection of the historic environment. One organisation objected to this policy, requesting greater clarity in what is required, and a more thorough evidence base for the plan. Two organisations made general comments, stating that the policy should be modified to be more consistent with NPPF paragraph 128, so as to create a proportionate approach to development which may impact on heritage assets, as opposed to the standard approach as in the policy as drafted.  
*These comments were noted and considered. The view of the Council was that these comments required further* | Historic England commented that the policy should be amended with the words “conserve and enhances the significance” in order to be in line with NPPF  
*After further discussion with Historic England it was agreed that the policy remain as currently worded.*  
Northumbrian Water ltd commented that NPPF refers to the impact of development in terms of “Significance” and “Harm” rather than “Setting or surrounding key views”.  
Northumbrian Water commented that the policy as worded does not allow the “balancing principles” in the NPPF (Paragraph 195-196) to be applied.  
Northumbrian Water commented that Point 2 provides no clarity on how the decision maker should consider “additional impacts, including the degree of permanence of any impact”. | None |
consideration and would inform the development of the Draft Plan.

In terms of the comment stating that the policy should be modified to better reflect NPPF paragraph 128 (now paragraph 189, NPPF 2019), the Council did not amend the policy and consider that the policy as written accurately reflects national policy without the need to repeat wording from NPPF.

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<tr>
<th>Policy DM17</th>
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<tr>
<td>Two residents’ groups made comments in support of this policy, welcoming the protection and conservation of the historic environment.</td>
<td>One respondent commented in support of initiatives that can benefit heritage assets and their wider recognition.</td>
<td>Several modifications were recommended by Historic England to make the policy more reflective of national policy, and to improve accuracy. Where modifications were found to be necessary an agreed approach with historic England has been reached.</td>
</tr>
<tr>
<td>One organisation objected to this policy and requesting greater clarity and a more thorough evidence base for the plan.</td>
<td>Historic England supported the policy and made several supporting comments. They recommended that it be amended to bring it into greater conformity with NPPF.</td>
<td>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</td>
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<tr>
<td>One organisation made a general comment about this policy, broadly supporting its aims but stating that the policy should be modified to be more consistent with NPPF paragraph 128, to</td>
<td>DM17 Part 1 includes the term “investigations” could be misinterpreted</td>
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create a proportionate approach to development which may impact on heritage assets.

The Council acknowledged these comments and considered that further consideration was required and would inform the development of the Submission Draft Plan.

In terms of the comment stating that the policy should be modified to support less of a ‘blanket’ approach, and better reflect NPPF paragraph 128, which sets out that applicants should be required to describe the significance of any heritage assets affected by a proposal (now dealt with through paragraph 189, NPPF 2019), the Council did not amend the policy and consider that it accurately reflects national policy without the need to repeat wording from NPPF. The policy supporting text sets out in more detail the extent of work that may be required to safeguard the understanding of the historic environment. The Council also clarified that a suitably qualified archaeologist would be consulted on whether preservation in-situ is or is not justified.

to mean post-determination archaeological works.

Part 2 does not appear to be fully reflecting para. 193-197 of the NPPF.

Recommended that part 2 of the policy state the following to reflect NPPF paras. 193 and 197.

Part 3 should be amended for greater accuracy.

These comments were taken into consideration and further meetings with Historic England led to an agreed outcome and set of modifications. Historic England confirmed that they supported the plan and policy.

Story Homes commented on the policy. They stated that there are inconsistencies between policy and supporting text. They argued that the wording of Point 2 could apply to “any development”, because all development will result in the disturbance or loss of archaeological remains.

They consider the wording in the policy does not conform with the wording in

justified to preserve the remains in-situ.

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.

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 archaeological mitigation.
6.3.5 which states that the LA will determine the need to preserve remains in-situ.

The Council consider the policy to be sound and that it is in accordance with the NPPF. The Council do not consider that the policy is inconsistent with the supporting text set out in paragraph 6.3.5.

Northumbrian Water commented on Policy DM17. 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. If field assessments are required, then they request that these only be required where necessary.

This comment was noted. NPPF does require ‘desk based’ and ‘field evaluation’, where necessary. The determination of the need for a field assessment or desk-based work will depend on an assessment of the potential archaeological features, their significance, and the potential harm from development. Appropriately qualified and suitably experienced
**professional will determine the extent of archaeological work to be required.**

Northumbrian Water stated that NPPF (para. 195-7) sets 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.

They also state that DM17 point 2 is ambiguous, because where a development would not affect the site/remains no preservation would be needed.

Northumbrian Water 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 exit preservation in situ is the preferred strategy.

Regarding point 3 Northumbrian Water comments that the policy is inconsistent with the NPPF as it does not allow for the balancing principles to be applied.
The Council have held meetings with both the Urban Design and Conservation Team, and Historic England. They consider that the policy is compliant with the NPPF and does not interfere with the application of the relevant sections of the NPPF. The Council does not consider the position on the preservation of archaeological remains to be ambiguous.

The Ouseburn Trust commented in support of the policy.

*The support for the policy was noted.*

### Policy DM18

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
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<tbody>
<tr>
<td>One resident made a general comment expressing concern about the infrastructure and amenity of Throckley</td>
<td>Northumbrian Water made several comments in relation to the policy. The representation states that policy DM18 requires building recording of heritage assets to be carried out prior to demolition, alteration, extension or restoration. They state that the NPPF only requires recording to be carried out if any heritage assets will be lost (wholly or in part). They state that this makes the policy inconsistent with the NPPF.</td>
</tr>
<tr>
<td><em>This comment was noted.</em></td>
<td><em>The Council noted these comments and considered them when preparing the next stage of the DAP.</em></td>
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<tr>
<td>One organisation objected, requesting greater clarity in what is required throughout the plan.</td>
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<td><em>The Council have held meetings with both the Urban Design and</em></td>
<td><em>Minor change to correct a typo</em></td>
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<td>“Prior to the demolition, alteration, extension or restoration 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.”</td>
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<td>One organisation made a general</td>
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Comment welcoming the plan’s approach to the historic environment  

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<tr>
<th>Conservation Team, and Historic England. They consider that the policy is compliant with the NPPF and does not interfere with the application of the relevant sections of the NPPF.</th>
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**Policy DM19**

- One resident objected on the basis that development on the site had been permitted in the past, despite the historical value of the site.

- Two residents made general comments on the policy, expressing concern about the general direction of the plan.

- One organisation objected, requesting greater clarity in what is required throughout the plan.

  *These comments were noted.*

- One organisation (Historic England) made a general comment on this policy, welcoming the policy and its intent but suggesting that the wording be amended.

Historic England made the following comments at pre-submission consultation.

- Paragraph 6.5.1 and policy suggest that the significance of the battlefield is limited to landscape and appearance, whereas the significance actually extends beyond landscape.

- Recommendations included the need to consider the Registered Historic Battlefield’s archaeological potential as well as the need to protect, evaluate and interpret any surviving artefacts.

- The Council have held meetings with both the Urban Design and Conservation Team, and Historic England. Based on these discussions the Council has agreed a set of

  A respondent commented that they were pleased to see recognition

A modification was recommended by Historic England to make the policy to improve accuracy. Where modifications were found to be necessary an agreed approach with historic England has been reached.

- Protecting it against development which results in changes to the landscape which adversely affects the interpretation of the
DM20 Design

Policy title and introduction to purpose:

Policy DM20 – Design

The purpose of this policy is to set out place making criteria to be used in the consideration of the design of development when making a planning decision. New development will be required to deliver high quality and sustainable design which is reflective of its surroundings.

Policy (full policy):

Policy DM20 – Design

Development will be required to deliver high quality and sustainable design by:

1. Taking full advantage of positive site features including retaining the best buildings and securing opportunities to improve the character and quality of an area.
2. Demonstrating a positive response to topography, natural and built landscapes.
3. Using materials colours, tones and textures appropriate to the characteristics of the area.
4. Enhancing the appearance of the city from major movement corridors.
5. Accommodating an appropriate mix of uses.
6. Making efficient use of land by promoting higher densities where appropriate, taking account of the character of the area and location.
7. Taking a comprehensive and co-ordinated approach to development.
8. Incorporating hard and soft landscaping as an integral part of design, maximising tree planting, where appropriate, and providing for its long-term maintenance.
9. Incorporating measures to address the impacts of climate change and adverse microclimate conditions.
10. Integrating mechanical plant, refuse and cycle storage into the design of a building.
11. Ensuring that development contributes to a reduction in crime and disorder and is resilient to terrorism, delivers safe and secure buildings and spaces.

Positively Prepared

This policy replaces a saved policy within the UDP, EN1.1 relating to design. DM20 provides the policy direction for the assessment of the design of a development.

Policy DM20 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The criteria within the policy and supporting text has been modified to reflect comments received.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objectives:

- SO9 – Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.
- SO10 – Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities
- SO11 – To reduce CO2 emission from development and future growth while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change

Statutory Consultation:
A summary of the main comments received during the stages of public consultation are set out below.

### Draft DAP - Regulation 18 Consultation
- Policies should require densities and house types that are appropriate to their location
- Objection raised stating that DM20 should include more detail relating to the retention of buildings of architectural and historic merit
- Insufficient weight to the design of the public realm including the layout of streets and how they connect
- Policy lacks any guidance of measurable targets to effectively demonstrate how the policy will be delivered
- No recognition of the role that design can play in improving health by encouraging physical activity

### Pre-Submission DAP
- Suggests that the policy gives insufficient guidance on what might be suitable in terms of tree planting
- Appears to omit any requirement for energy efficiency, considers guidance is needed
- Considers some criteria is onerous, inflexible and could be difficult to achieve on some sites
- Suggests amendment to include criteria, that development should include measures which have a positive impact on physical activity.

### Policy Preparation:
Policy DM20 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent public consultation are:
- Criteria which sets out that development will be required to contribute to a reduction in crime and disorder and is resilient to terrorism, by delivering safe and secure buildings and spaces
- Inclusion of the criteria that development must make efficient use of land by promoting higher densities where appropriate
- Including criteria which requires development to use materials, colours, tones and textures appropriate to the character of the area
- Amending the criteria which considers site features, to clarify that development must demonstrate a positive response to topography and the natural and built environment
- The supporting text clarifies the definition of ‘best buildings’
- Inclusion of a map which details the major movement corridors, this forms an appendix in the DAP

The Policy Development table sets out how the comments raised consultation have been considered and informed the policy.

### Sustainability Appraisal:

#### Draft DAP
The policy has been judged as having an overall positive impact on the social sustainability objectives as it supports the development of an environment that can contribute to overall resident satisfaction and accessibility.
The policy will also indirectly contribute to resident health as a result of maintain / improved air quality and reduced flood risk.

The policy could be more explicit in relation to ensuring that new development is accessible to young people, older people and those with disabilities and served by public transport, cycleways and footpaths.

The policy is judged to have an overall neutral to positive impact on the environmental sustainability objectives. The inclusion of soft landscaping indirectly supports the objectives aims to reduce flood risk and improve air quality. Flood risk reduction is further strengthened with simultaneous application of policy DM25. The policy also encourages sustainability and reduced contributions to climate change.

The policy can be strengthened by requiring soft landscaping to support local wildlife, which would enhance the wildlife network in Newcastle.

The policy is judged as having an overall positive impact on the economic sustainability objectives due to the mixed use that will improve vitality and viability of developments. Additionally, the policy is further strengthened by simultaneous application of policies DM10 and DM11.

Pre-Submission DAP

No change in comments

Joint working:
The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach towards a design policy during this process.

Justified

Evidence:
The NPPF states that the creation of high-quality buildings and places are fundamental to what planning and development processes should achieve. DM20 aligns with this approach, requiring development to set a high standard of design which respects it surroundings, ensuring that the best buildings, positive site features, landscape and historic features are retained where possible.

DM20 replaces a saved policy in the Unitary Development Plan, EN1.1 which concerns development being required to meet high standards of design. This was a policy that has been well used in the Development Management process and has been successful in Planning appeals. The criteria used to assess design is based on best practice and established principles used in development management.

Alternatives:
The approach taken towards considering the design of a development is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS15 Place Making which sets out the policy direction in seeking to providing a sustainable and high-quality environment.
An alternative approach would have been to reply on the wording of the NPPF, but this does not provide a detailed criteria-based approach towards assessing design, therefore it would be difficult to assess planning applications.

**Effective**

The policy will be largely delivered through the development management process, for instance refusing development where it does not accord with the policy.

**Monitoring:**

Policy DM3 will be monitored against the following Development and Allocations monitoring indicator:

- 10 – Number of planning applications refused on design grounds

**Consistent with National Policy**

Paragraph 124 of the NPPF (2018) states that good design is a key aspect of sustainable development and that the creation of high-quality buildings and places is fundamental to what planning and development process should achieve. It suggests that in plan making, a clear design vision should be set out so that applicants have as much certainty as possible about what is likely to be acceptable. To achieve this, it considers policies should ensure developments consider the lifetime of the development, its function and how it adds to the overall quality of an area. The design is visually attractive, sympathetic to the local character and history, create a strong sense of place and that development optimising the potential of the site and an appropriate mix of uses.

Planning Practice Guidance (PPG)

PPG supports the NPPF by highlighting that development should seek to promote character in townscape and landscape and that planning should take design into consideration and should refuse permission for development of poor design. It suggests that planning should consider matters such as crime prevention, greenspaces, safe, connected and efficient streets, local character, natural resources and appropriate security measures in the design of a development.
<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
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<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy DM20</strong></td>
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<tr>
<td>An objection raised stating that DM20 should include more detail relating to the retention of buildings of architectural and historic merit. Criteria was included to require development to use materials, colours, tones and textures appropriate to the character of the area. A map which detailed the major movement corridors forms an appendix in the DAP.</td>
<td>Concerns raised that the policy gives insufficient guidance on what might be suitable in terms of tree planting. It is set out in paragraph 6.14.4 the council will prepare an SPD on Trees, Landscaping and Development. DM20 appears to omit any requirement for energy efficiency, considers guidance is needed. Core Strategy and Urban Core Plan Policy CS16 requires development to be sustainable and consider energy efficiency.</td>
<td>Minor amendment in supporting text to incorporate wording relating to requiring development to minimise energy consumption, in line with CSUCP policy CS16. Criteria to include reference to requiring development to provide spaces and buildings which promote active and healthy lifestyles.</td>
</tr>
<tr>
<td>Comment raised that policies should require densities and house types that are appropriate to their location. It was considered that the inclusion of criteria requiring development to make efficient use of land by promoting higher densities where appropriate would cover this point. It is considered that insufficient weight given to the design of the public realm including the layout of streets and how they connect. An amendment to the criteria which considers site features, to clarify that development must demonstrate a positive response to topography and the natural and built environment. The supporting text clarifies the definition of ‘best buildings. Additionally, criteria was included to require development to contribute to a reduction in crime and disorder and is resilient to terrorism, by delivering safe and secure buildings and spaces</td>
<td>DM20 appears to omit any requirement for energy efficiency, considers guidance is needed. Core Strategy and Urban Core Plan Policy CS16 requires development to be sustainable and consider energy efficiency. A comment raised that some of the criteria is onerous, inflexible and could be difficult to achieve on some sites. It is considered that criteria-based approach of the policy is justified. Suggestion raised that an amendment to the policy is required to include criteria that development should include measures which have a positive impact on physical activity. The CSUCP policy CS14 Wellbeing and Health requires development to promote and facilitate active and healthy lifestyles.</td>
<td></td>
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</table>
It is was raised that the policy lacks any guidance of measurable targets to effectively demonstrate how the policy will be delivered. A monitoring framework has been prepared to support the delivery and monitoring of DAP policies, for design an indicator seeks to monitor the number of planning applications refused on design grounds.

Concern was raised that there is no recognition of the role that design can play improving health by encouraging physical activity. It is considered that the CSUCP policy CS14 Wellbeing and Health requires development to promote and facilitate active and healthy lifestyles.
DM21 Shopfronts and Signage

Introduction

Shopfronts and signage are integral features of the Urban Core, District and Local Centres and on commercial streets across the city. The sensitive treatment of surviving historic shopfronts, introduction of complementary modern shopfronts and the use of appropriate signage is intrinsic to the preservation and enhancement of the environment. Well-maintained and appropriately designed shopfronts and signage can make a positive contribution to the character and appearance of an area and often reflect its vitality and viability. Policy DM21 sets out criteria to be used for development proposals affecting shopfronts and signage.

Policy (full policy):

Policy DM21 - Shopfronts and Signage

1. Development proposals which include shop frontages will be required to:
   i. retain, restore or where appropriate, reinstate historic shopfront features where they would positively contribute to the character of the area;
   ii. incorporate new shopfronts which respect the design, materials, scale and proportions of their host building, and respect the character of the surrounding area;
   iii. design any external signage to reflect the scale and proportions of the shopfront, its host building and setting.

2. Any security measures affecting shopfronts will be required to respect the significance, context and appearance of the building and surrounding streetscene.

Positively Prepared

Newcastle City Council performs the role of the region’s principal shopping destination. Retail and associated local services are important for Newcastle and our future, because they create jobs, attract many visitors to the area, provides services to local residents and ensures that everyone has access to good quality shopping and services. A high proportion of the city’s shopping centres are located in sensitive areas, including conservation areas, where a high standard of design is important. This policy is therefore fundamental in achieving the vision and creating sustainable communities.

DM21 has been prepared in accordance with the Core Strategy and Urban Core Plan (CSUCP) Policy CS7 (Retail and Centres) which supports a network of accessible centres, to act as the key focus for retail and leisure investment and seeks to promote their vitality and viability. It defines the retail hierarchy for Newcastle and Gateshead, recognising the role that different centres play. Policy Cs15 – Place-Making- requires development to contribute to good place making through the delivery of high quality and sustainable design, and the conservation and enhancement of the historic environment. CSUCP Policies UC12 and UC14 relate to Urban Design and Heritage in the Urban Core. Policy DM21 has been prepared to ensure full accordance with the design standards set by these policies.

DM21 has been positively prepared to take account of the city-wide needs for retail and associated local services, and also to ensure shop frontage developments are designed to contribute positively to the surrounding built environment.

Core Strategy Vision and Objectives compliance and delivery:
This policy will contribute to the achievement of the following strategic objectives:

- **SO3** – To increase our competitiveness by improving and expanding the role of the Urban Core as the regional destination for business, shopping, education, leisure, tourism and as a place to live.
- **SO4** - To strengthen Newcastle’s position as the regional retail centre. To ensure the provision of quality District and Local centres with a diverse range of shops and services that are accessible to meet the needs of all local communities.
- **SO9** - Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, making the Urban Core a high-quality exemplar for Gateshead and Newcastle, and ensuring our communities are attractive, safe and sustainable.
- **SO10** – Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

**Statutory Consultation:**

No relevant representations.

**Sustainability Appraisal:**

**Draft DAP**

The policy was judged as having very positive impacts with regard to culture, heritage and diversity, as it aims to retain the local heritage in historic areas. It would have positive impacts with regard to long-term economic factors and promoting strong and inclusive communities via increased footfall and improved safety and security. It would have neutral effects on environmental factors and skills and education. It was judged to have negative impacts with regard to equality, diversity and integration, as well as health and wellbeing, on the basis it did not refer to accessibility standards. However, CS Policy CS15 requires development to create safe and inclusive environments.

The SA suggested linkages to other built heritage policies were required. Use of sustainability materials and building energy efficiency could strengthen policy. However, the decision was taken not to cross-reference policies on the basis the plan should be read as a whole, and no changes to the policy were made for the pre-submission DAP.

**Joint working:**

The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to Policy DM21 during this process.

**Justified Evidence:**

A shopfront evidence paper was prepared which outlines the key reasons for implementing the policy in accordance with the NPPF, Core Strategy Policies and relevant SPDs and Conservation Area Management Plans. The paper makes reference to the importance of shopfront design across the city, particularly in sensitive areas, such as Grainger Town.

**Alternatives:**

The approach taken is consistent with CSUCP and NPPF policy and is considered
necessary as a means of ensuring high quality design of shopfronts across the city. The policy content and wording is considered to be appropriate to capture the key relevant and necessary requirements for shopfront design. As such, it is not considered necessary to consider alternatives.

**Effective**

The policy will be largely delivered through the development management process, for instance refusing development in and outside of designated centres where it does not accord with the policy. It may also be used as part of a regeneration project to restore and improve existing shopfronts.

**Consistent with National Policy**

NPPF paragraph 124 states that 'The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

NPPF paragraph 132 asserts that 'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

NPPF paragraph 91 requires planning policies to aim to achieve places that are ‘safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion’. Paragraph 92 sets out that “to provide the social, recreational and cultural facilities and services the community needs, planning polices, and decision should, inter alia, (d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community”. This policy would allow shops and local centres to develop and adapt to maintain their vibrancy. A key element of this is to retain, restore and where appropriate reinstate historic shop frontages and ensure their signage reflect its setting. The policy recognises there may be a need for external security measures. However, these must reflect the surrounding context and streetscene. Furthermore, detailed guidance on shopfront security is provided in the Council’s “Designing for Community Safety Supplementary Planning Document”.

**Policy DM22 – Temporary Shroud Adverts**

**Policy title and introduction to purpose:**

**Policy DM22 – Temporary Shroud Adverts**

The purpose of this policy is to provide further guidance on how temporary shroud advertisement applications should be assessed, ensuring the display is beneficial in the short term and does not have a negative impact on the appearance of the built environment, especially upon heritage assets and on the natural environments that surrounds the site.

**Policy (full policy):**

**Policy DM22 – Temporary Shroud Adverts**

Advertisement consent will only be granted for temporary shroud advertisements where:

1. The scale and illumination of the temporary shroud advertisement is appropriate to the building and its context.
2. Planning permission and/or listed building consent has been granted for the redevelopment or the refurbishment of the site.
3. The shroud advertisement is commensurate to the scale of the scaffolding relating to
the above works, with a 1:1 image of the proposed or existing building also depicted on the shroud.
4. The shroud advertisement is acceptable in public safety terms.
5. The shroud is for a temporary period of not more than 12 months or the period of the works, whichever is the shorter.

Positively Prepared
This policy provides a positive approach on how temporary shroud advertisements should be assessed. This policy has been positively prepared based on consideration of four appeal decisions against the refusal of consent for a shroud advertisement by the council, the revised NPPF and NPPG. The policy is based around a presumption in favour of shroud advertisements being acceptable for temporary display subject to set criteria.

Policy DM22 has been prepared in accordance with the Core Strategy and Urban Core Plan which sets out the overarching approach to good place-making through the delivery of high quality and sustainable design, and the conservation and enhancement of the historic environment. Policy DM22 will positively contribute towards this approach by setting out detailed criteria for the display of temporary shroud advertisements.

Core Strategy Vision and Objectives compliance and delivery:
This policy will contribute to the achievement of the following strategic objectives:
• SO9 – Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, making the Urban Core a high-quality exemplar for Gateshead and Newcastle, and ensuring our communities are attractive, safe and sustainable.

Policy Preparation:
This policy sets out detailed criteria for the display of temporary shroud advertisements and is to replace the council’s adopted ‘Scaffolding Shroud Advertisement Interim Planning Guidance Note’. Policy DM22 has evolved considering evidence prepared and Sustainability Appraisal comments.

Statutory Consultation:
There have been no comments raised in relation to the approach to the Temporary Shroud Advertisements during the stages of public consultation.

Sustainability Appraisal:
In terms of the social impact, Policy DM22 is considered to have an overall neutral impact as the policy does not deal directly with promoting strong and inclusive communities, improving educational achievement, health and well-being, and ensuring good accessibility. This policy does however, support one of the objectives as it will reduce any unsuitable/unfitting advertising where there is works associated with listed buildings, protecting the integrity of the area.

This policy is judged to have an overall neutral to negative environmental impact as a consequence of cumulative waste resulting from not being able to reuse shroud advertisements. The shroud advertisements may not benefit energy efficiency targets.

In terms of an economic impact, Policy DM22 is judged as having an overall neutral impact as the policy does not deal directly with economy and the employment market and no negative effects are anticipated.

The SA recommended linking the policy to Policy DM21. However, the council considered that the policies in the DAP should be read as a whole and that there is no need to cross refer to other policies.
Joint working:
The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the temporary shroud advertisements during this process.

**Justified**

Evidence:
In 2008 as a response to the growth in the number of advertisement consent applications for shroud advertisements in the city centre the council adopted ‘Scaffolding Shroud Advertisement Interim Planning Guidance Note’. This guidance note has been a material consideration in the assessment of applications and has formed part of the evidence for this policy.

In the period since the introduction of the NPPF in 2012 there have been four appeal decisions against the refusal of consent for a shroud advertisement by the council, three of which have been dismissed and one allowed.

The revised NPPF was published in July 2018 and the broad principles affecting such proposals and general decision-making remain largely unchanged.

Alternatives:
The approach taken towards considering the design of a development is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS15 Place Making which sets out the policy direction in seeking to providing a sustainable and high-quality environment.

An alternative approach would have been to reply on the wording of the NPPF, but this does not provide a detailed criteria-based approach towards assessing shroud advertisements, therefore it would be difficult to assess applications.

**Effective**
The policy will be delivered through the development management process, for instance refusing development where it does not accord with the policy.

Monitoring:
Policy DM22 will be monitored against the following Development and Allocation Plan monitoring indicators:
10 Design – number of applications refused on design grounds

**Consistent with National Policy**
Paragraph 132 of the NPPF (page 39) states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and affective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Planning Practice Guidance (PPG)¹ advises that buildings which are being renovated or are undergoing major structural works and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements or large ‘wrap’ advertisements covering the face, or part of the face, of the building. The PPG also states
that a local plan does not have to contain advertisement policies. If such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based. The policy sets out a clear list of criteria against which applications for shroud advertisements will be assessed.

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</thead>
<tbody>
<tr>
<td><strong>Policy DM21</strong></td>
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<tr>
<td>There were no specific consultation responses received on Policy DM21 at draft stage. Minor amendments were made to the policy following draft consultation to provide clarity that the policy applies to development proposals which include shop frontages. Criteria ii of the policy was amended to highlight that development will be required to incorporate new shopfronts which respect the design of the building and surrounding area. The Sustainability Appraisal suggested that the policy should include linkages to other built heritage policies, and that the use of sustainable materials and building energy efficiency could strengthen the policy. The decision was taken not to cross-reference policies on the basis that the plan should be read as a whole.</td>
<td>No comments on Policy DM21 were received at Pre-Submission stage.</td>
<td>No change</td>
</tr>
<tr>
<td><strong>Policy DM22</strong></td>
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</tr>
<tr>
<td>There were no specific consultation responses received on Policy DM22 at draft stage. Minor amendments were</td>
<td>No comments were received during the Pre-Submission consultation on this policy.</td>
<td>No change.</td>
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made to the policy following draft consultation to stipulate that temporary shroud advertisement consent will 'only' be granted on the basis of the development meeting the criteria set out in the policy.

Policy DM23 Residential Amenity

Policy title and introduction to purpose:

Policy DM23 Residential Amenity
The purpose of this policy is to set out in further detail the range of issues which will be taken into consideration when determining if a proposal would impact upon residential amenity.

Policy (full policy):

Policy DM23 Residential Amenity

1. Development will be required to provide a high-quality environment and a good standard of residential amenity for existing and future occupants of land and dwellings. Development which would have an unacceptable adverse impact on the residential amenity of existing or future occupants of land and dwellings will not be allowed.

2. Impact on residential amenity will be assessed to:
   i. Protect 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);
   ii. Protect trees and other soft landscaping of amenity value, providing replacement planting where necessary;
   iii. Ensure development will maintain a good standard of daylight, sunlight, outlook and privacy for all existing and future occupants of buildings;
   iv. Avoid the introduction of unacceptable additional accesses, traffic or parking resulting in an increase of visual intrusion, noise or disturbance; and
   v. Ensure that noise, disturbances, smells, fumes and other harmful effects from surrounding land uses and/or associated operations will not have an unacceptable adverse impact on residential amenity

Positively Prepared
A key objective of the CSUCP is to provide an opportunity for a high-quality life for everyone and to enhance the wellbeing of people and to reduce inequalities. The CSUCP sets out the overarching strategic approach towards wellbeing, health and equality. Policy CS14 requires development to prevent any negative impacts upon residential amenity by considering the wellbeing and health of communities in development.

DM23 will positively contribute towards this approach by setting out detailed range of issues which will be taken into consideration when determining if a proposal would impact upon residential amenity.

Core Strategy Vision and Objectives compliance and delivery:
This policy will contribute to the achievement of the following strategic objectives:

- SO9 – Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.
- SO10 – Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities
Statutory Consultation:

A summary of the main comments received during the stages of public consultation are set out below.

Draft DAP - Regulation 18 Consultation

- Suggestion that DM23 should consider a further set of policies on standards for residential properties including space standards, comfort standards, energy efficiency, water sensitive design, use of low impact materials, consideration of the environment with regard to habitats and species, refuse storage and cycle parking
- Considers that the policy should be modified to ensure that it has regard to the ‘planning balance’ and includes greater clarity and flexibility for the user

Pre-Submission DAP

- Comments raised that aspects of Policy DM23 are onerous and conflicts with national policy, for example, the NPPF does not require that all trees are protected, instead it allows for mitigation.
- Would like an opportunity to comment on Design Guidance to comment on recommended separation distances
- Comments raised disappointment that details on separation distances have not been made in parallel to the DAP
- Request that the policy wording is amended from ‘protect’ to ‘conserve’

Policy Preparation:

Policy DM23 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent public consultation are:

- Specified that this policy relates to ‘residential’ amenity
- Amended policy wording from ‘adverse’ impact to ‘unacceptable’ adverse impact on the residential amenity will not be allowed

The Policy Development table sets out how the comments raised consultation have been considered and informed the policy.

Sustainability Appraisal:

Draft DAP

The policy has been judged as having an overall neutral to positive impact on the social sustainability objectives as the policy will support resident satisfaction and cumulatively contribute towards improved health as a result of improved air quality and reduced flood risk.

The policy could be more explicit in relation to ensuring that access is maintained for young people, older people and those with disabilities and served by public transport, cycleways and footpaths.

The policy is judged to have an overall positive impact on the environmental sustainability objectives because the policy indirectly supports the cumulative reduction in CO2, flood risk and improved air quality. There is the opportunity to strengthen the policy by requiring the replacement vegetation to support local wildlife. This would support local biodiversity.
and wildlife movement through Newcastle.

The policy is judged as having an overall neutral impact on the economic sustainability objectives as the policy does not deal directly with issues addressed the economic objectives and no negative effects are anticipated.

Pre-Submission DAP

No change to SA comments

**Joint working:**
The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to residential amenity during this process.

**Justified**

**Evidence:**
The policy is based on best practice and established principles used with the council’s development management team. It replaces a saved policy in the Unitary Development Plan, H2 which concerns the protection of residential amenity. This was a policy that has been well used in the Development Management process and has been successful in Planning appeals.

**Alternatives:**
The approach taken towards considering the design of a development is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS14 Wellbeing and Health which sets out the policy direction of wellbeing and health. This is a cross cutting theme and considers the wider determinates of health, wellbeing and equality, this includes requiring development to prevent any negative impacts upon residential amenity.

An alternative approach would have been to reply on the wording of the NPPF, but this does not provide a detailed criteria-based approach towards assessing residential amenity, therefore it would be difficult to assess planning applications.

**Effective**
The policy will be largely delivered through the development management process, for instance refusing development where it does not accord with the policy.

**Monitoring:**
Policy DM23 will be monitored against the following Development and Allocations monitoring indicator

- 11 - Number of planning applications refused on amenity grounds

**Consistent with National Policy**
Paragraph 127 of the NPPF sets out what planning policies and decisions should ensure developments have a high standard of amenity for existing and future users. This forms part of the guidance on achieving well-designed places. Development which could impact upon the daylight, sunlight or shadowing must be supported by an appropriate study demonstrating that good standards are retained for both existing and future residents. Similarly, where residents’ privacy and outlook could be compromised by development
suitable spacing should be retained between buildings.

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<td><strong>Policy DM23</strong></td>
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<tr>
<td>Suggestion raised that DM23 should consider a further set of policies on standards for residential properties including space standards, comfort standards, energy efficiency, water sensitive design, use of low impact materials, refuse storage and cycle parking. Specified that this policy relates to ‘residential’ amenity, other issues are covered in separate DAP policies.</td>
<td>Comments raised that aspects of Policy DM23 are onerous and conflicts with national policy, for example, the NPPF does not require that all trees are protected, instead it allows for mitigation. Considers current policy wording is justified. Requested amendments would make policy too flexible</td>
<td>Recommend removing reference to householder design guidance to clarify that policy relates to all development.</td>
</tr>
<tr>
<td>Comment raised that the policy should be modified to ensure that it has regard to the ‘planning balance’ and includes greater clarity and flexibility for the user. Amended policy wording from ‘adverse’ impact to ‘unacceptable’ adverse impact on the residential amenity will not be allowed.</td>
<td>Commented that they would like an opportunity to comment on Design Guidance to recommend separation distances. Raised disappointment that details on separation distances have not been made in parallel to the DAP. 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</td>
<td></td>
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<tr>
<td>Request that the policy wording is amended from ‘protect’ to ‘conserve’. Consider current policy wording ‘protect’ is justified and is in line with DM28.</td>
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<td>Recommends sub dividing two sentences in para 6.9.4 Design guidance for</td>
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Householders is a separate point. Matters relating to the design of development applies to all development not just householders.
**DM24 Environmental and Health Impacts of Development**

**Policy title and introduction to purpose:**

**Policy DM24 – Environmental and Health Impacts of Development**

The purpose of the policy is to provide further detail on the individual and cumulative impacts of development on health to ensure everyone can enjoy a high quality of life.

**Policy (full policy):**

**Policy DM24 – Environmental and Health Impacts of Development**

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 development must assess and mitigate the following environmental and health impacts:
   i. air quality and the opportunities to improve air quality;
   ii. noise, vibration and overheating arising from the development;
   iii. known or suspected land contamination or instability which would place existing or future occupants and users at risk;
   iv. light pollution levels from artificial light on amenity and biodiversity;
   v. odours which would have an impact on amenity; and
   vi. hazardous installations ensuring they do not place existing or future occupants and users at risk.

2. 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.

**Positively Prepared**

This policy replaces several policies within the UDP, MIN8, POL6, POL7, POL8, POL9 and PO12. These policies considered the impacts of development on pollution and other hazards. Policy DM24 provides the policy direction for assessing the impacts on development on the environment and health.

Policy DM24 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The criteria within the policy and supporting text has been modified to reflect comments received.

**Core Strategy Vision and Objectives compliance and delivery:**

This policy will contribute to the achievement of the following strategic objectives:

- **SO9** – Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.
- **SO10** – Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities
- **SO11** – To reduce CO2 emission from development and future growth while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change

**Statutory Consultation:**

A summary of the main comments received during the stages of public consultation are set out below.
Draft DAP - Regulation 18 Consultation
- Comments that the policy should address climate change, water and land pollution, and air pollution in addition to health impacts
- Suggestion that the policy should specifically refer to climate change
- Suggest that the policy is amended to address ‘any’ environmental impacts as opposed to those only impacting human health
- Objects based on a view that the policy does not reflect the CSUCP Policy CS14 or NPPF requirements
- Considers the policy should ensure that it is proportionate, and that supporting information requested alongside applications are relevant, necessary and material to individual merits of the scheme
- Supports the requirement to consider ground stability issues
- Considers that the noise impact of the Airports current and future air traffic movements and noise contours need to be considered

Pre-Submission DAP
- Suggests referencing impact of development on water environment
- Considers the words ‘known of suspected’ land contamination or instability should be removed as it implies ignorance of land contamination is an acceptable opt-out
- Objects to the criteria that there should be no unreasonable restrictions placed upon an existing noise generating use arising from a development, considers this does not fully reflect NPPF
- Considers the policy is onerous and implies that the assessment referenced are required for any planning applications, requests inclusion of ‘where appropriate’ within the policy
- Suggestion to include ‘emissions resulting in poor’ air quality
- Welcomes amended wording from draft version

Policy Preparation:
Policy DM24 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent public consultation are:

- Clarifying the policy position that development will be required to demonstrate that there is no unacceptable adverse environmental and health impacts
- Included reference that development must assess and mitigate environmental and health impacts
- Included reference that light pollution levels can impact on biodiversity
- Included a point stating that there should be no unreasonable restrictions placed on an existing noise generating use arising from a development
- Further detail included in the supporting text regarding air quality and reference to the Air Quality Management Areas.

The Policy Development table sets out how the comments raised consultation have been considered and informed the policy.

Sustainability Appraisal:
Draft DAP
The policy has been judged as having an overall neutral to positive impact on the social sustainability objectives as the policy will support resident satisfaction and cumulatively
contribute towards improved health as a result of improved air quality and reduced flood risk.

The policy is judged to have an overall positive impact on the environmental sustainability objectives because the policy aims to restricting light pollution to levels below those that would impact nature conservation. Additionally, the policy protects air quality and noise levels which also contribute to the protection of biodiversity. There is the possibility that despite the efforts to minimise impacts to air quality, light pollution and noise levels, that there could be cumulative impacts on air quality, noise levels and light pollution.

The policy is judged as having an overall neutral to impact on the economic sustainability objectives. The policy does not deal directly with issues addressing strengthening the economy and no negative effects are anticipated.

Pre-Submission DAP

No change in comments

Joint working:
The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to Environmental and Health Impacts of Development during this process.

Justified

Evidence:
The NPPF

DM24 replaces several polices in the Unitary Development Plan as set out.

<table>
<thead>
<tr>
<th>MIN8</th>
<th>Unstable Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>POL6</td>
<td>Contaminated land</td>
</tr>
<tr>
<td>POL7</td>
<td>Noise and vibration</td>
</tr>
<tr>
<td>POL8</td>
<td>Noise and vibration</td>
</tr>
<tr>
<td>POL9</td>
<td>Aircraft noise</td>
</tr>
<tr>
<td>POL12</td>
<td>Hazardous development</td>
</tr>
</tbody>
</table>

These UDP policies were included within the Pollution and Other Hazards sections and sought to prevent the occurrence of pollution and other nuisances through considering appropriate measures that could be taken to minimise potential problems arising from development. These policies were used in the Development Management process when assessing planning applications.

Alternatives:
The approach taken towards considering and assessing the environmental and health impacts of development is in accordance with national planning policy.

DM24 builds on the existing CSUCP Policy CS14 Wellbeing and Health which sets out how the wellbeing and health of communities will be protected by preventing negative impacts on residential amenity and wider public safety from environmental hazards such as noise, ground instability, ground and water contamination, vibration and air quality.
An alternative approach would have been to reply on the wording of the NPPF, but this does not provide a detailed criteria-based approach towards assessing the environmental and health impacts of development, therefore it would be difficult to assess planning applications.

**Effective**
The policy will be largely delivered through the development management process, for instance refusing development where it does not accord with the policy.

**Monitoring:**
Policy DM24 will be monitored against the following Development and Allocations Plan monitoring indicator:

- 12 – Number of applications granted contrary to council advise on the grounds of air pollution, noise, contaminated land that cannot be mitigated

**Consistent with National Policy**
Paragraph 170 (e) of the NPPF emphasises that policies and decisions should contribute to and enhance the natural environment by; preventing development being put at unacceptable risk from or by unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 178 indicates that sites where hazardous substances could be present including from former activities such as mining need to be carefully managed. When sites come forward for development the potential health impacts upon future uses of the site and environment must be investigated.

National guidance requires planning decisions to ensure noise does not give rise to unacceptable adverse impacts on health and quality of life. Where adverse impacts on health and quality of life are identified then this will need to be mitigated, as set out in paragraph 180 of the NPPF.

Paragraph 181 highlights that planning policies and decisions should take into account the presence of Air Quality Management Areas and the cumulative impacts from individual sites. Opportunities to improve air quality or mitigate impacts should be sought.

**Planning Practice Guidance (PPG)**
The PPG on Air Quality provides further detail on the role of Local Plans with regard to air quality and that it is important to take into account Air Quality Management Areas and to consider the cumulative impacts on local air quality.

The PPG provides further guidance and clarity on environmental issues such as Noise, Light Pollution, Land stability and Land Contamination. These guidance documents sets out how planning can consider and deal with these impacts and to mitigate against the impacts of development on these environmental and health concerns.
<table>
<thead>
<tr>
<th><strong>Policy DM24</strong></th>
<th><strong>Suggest referencing impact of development on water environment. DM26 relates to water quality issues relating to flood risk and water management.</strong></th>
<th><strong>Consider reference to water environment/ water pollution as the policy currently references</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments that the policy should address climate change, water and land pollution, and air pollution in addition to health impacts.</td>
<td>Suggests that the policy should specifically refer to climate change.</td>
<td></td>
</tr>
<tr>
<td>Suggestion that the policy should specifically refer to climate change.</td>
<td>Suggest that the policy is amended to address ‘any’ environmental impacts as opposed to those only impacting human health. Included reference that development must assess and mitigate environmental and health impacts</td>
<td></td>
</tr>
<tr>
<td>Suggest that the policy is amended to address ‘any’ environmental impacts as opposed to those only impacting human health. Included reference that development must assess and mitigate environmental and health impacts</td>
<td>Objects based on a view that the policy does not reflect the CSUCP Policy CS14 or NPPF requirements. Clarifying the policy position that development will be required to demonstrate that there is no unacceptable adverse environmental and health impacts</td>
<td></td>
</tr>
<tr>
<td>Objects based on a view that the policy does not reflect the CSUCP Policy CS14 or NPPF requirements. Clarifying the policy position that development will be required to demonstrate that there is no unacceptable adverse environmental and health impacts</td>
<td>Considers the policy should ensure that it is proportionate, and that supporting information requested alongside applications are relevant, necessary and material to individual merits of the scheme.</td>
<td></td>
</tr>
<tr>
<td>Considers the policy should ensure that it is proportionate, and that supporting information requested alongside applications are relevant, necessary and material to individual merits of the scheme.</td>
<td>Supports the requirement to consider ground stability issues. Reference is made to development required to assess and mitigate against land contamination or instability.</td>
<td></td>
</tr>
<tr>
<td>Supports the requirement to consider ground stability issues. Reference is made to development required to assess and mitigate against land contamination or instability.</td>
<td>Considers that the noise impact of the Airports current and future air traffic movements and noise contours need to be considered. Included a point</td>
<td></td>
</tr>
<tr>
<td>Considers that the noise impact of the Airports current and future air traffic movements and noise contours need to be considered. Included a point</td>
<td></td>
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</tr>
</tbody>
</table>
DM25 Airport Safety (proposed modification to Aircraft Safety)

Policy title and introduction to purpose:

Policy DM25 – Airport Safety
The purpose of this policy is to address aircraft safety issues related to Newcastle Airport’s location near to an urban area. It refers to aerodrome safeguarding and public safety zones (PSZ).

Policy (full policy):

Policy DM25 – Airport Safety
1. Development that would have an unacceptable impact on the operational integrity or safety of Newcastle International Airport in the aerodrome safeguarded area will not be permitted unless mitigation is secured.
2. Development resulting in an increase in the number of people residing, working or congregating in the public safety zones at each end of the airport runway will not normally be permitted.

Positively Prepared

Newcastle International Airport (NIA) is located on the north east edge of the city. The Airport was consulted and advised on the need to include a policy to align to relevant airport related legislation.

DM25 has been prepared in line with the aerodrome safeguarding process set out in the Town and Country Planning (Safeguarding Aerodrome) Direction 2002. The purpose of which is to ensure that the airports operation and development is not inhibited by buildings, structures, erections, or works that infringe protected surfaces, obscure runway approach lights or could impair the performance of aerodrome navigation aids, radio aids or telecommunication systems. Safeguarding covers a range of issues for example, developments which could increase the risk of bird strikes, such as open water, landscaping and buildings that attract hazardous bird species and provide areas of roosting. The use of lighting could be distracting to pilots due to luminance or the arrangement which could be mistaken for airfield lighting. The use of highly reflective building materials could cause glint/glare for pilots or have radar absorbing or reflective characteristics. Tall structures could cause a collision hazard or interfere with navigation equipment or result in building induced turbulence. Wind farms can also impact on radar and navigation equipment beyond the 13km safeguarding zone and the impact of any proposals would need to be assessed.
DM25 has been prepared in line with Department for Transport Circular 1/2010 (Control of development in airport public safety zones). Public Safety Zones (PSZ) are defined by the Civil Aviation Authority (CAA) reflecting risk of aviation-related accidents. They are areas of land at the end of a runway within which certain planning restrictions apply. They aim to control the number of people on the ground at risk in the unlikely event of an aircraft accident on take-off or landing. Newcastle International Airport has one runway with aircraft taking off and landing in both directions. The current PSZs at each end of the runway are shown on the Policies Map. Within the PSZs there should not be an increase in the number of people, residing, working or congregating within it.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objective:
- **SO7** – Manage and develop our transport system to support growth and provide sustainable access for all to housing, jobs, services and shops
- **SO10** – Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities

Policy Preparation:

Policy DM25 was not included in the draft plan, the need to include this policy was highlighted by the airports representation on the draft DAP. This policy was therefore added into the pre-submission draft to align with the Town and Country Planning (Safeguarding Aerodrome) Direction 2002 and the DfT Circular 1/2010 (Control of development in airport public safety zones).

Policy DM25 replaces the saved UDP Policy POL13 Airport public Safety zone. This policy restricted development resulting in an increase in the number of people residing, working or congregating in the public safety zone at each end of the Newcastle Airport runway. Map 2 in the UDP showing the public safety zones has been incorporated in to the DAP Policies Map.

Statutory Consultation:

A summary of the main comments received during the stages of public consultation are set out below.

Draft DAP – (Regulation 18 Consultation)
- Newcastle International Airport highlighted the need to include policies on Aerodrome safeguarding and public safety zones (PSZ)

Pre-Submission DAP – (Regulation 19 Consultation)
- Newcastle International Airport welcomed a policy dedicated to aerodrome safeguarding. They stated that they are largely happy with the policy but suggest minor amendments to reflect that the policy really concerns aircraft rather than the airport itself and the need for any mitigation strategy to reflect cumulative impact.
**Sustainability Appraisal:**

**Draft DAP**
The draft DAP did not contain a policy aerodrome safeguarding or public safety zones.

**Pre-Submission DAP**
The Sustainability Appraisal prepared for the Plan considers that Policy DM25 has an overall neutral impact on the social sustainability objectives as the policy indirectly supports maintained resident health. The policy is judged to have an overall neutral to positive impact on the environment sustainability objectives because the policy indirectly supports the cumulative reduction in CO2 and flood risk and the protection of wildlife habitat and movement. In terms of economic sustainability objectives, the policy does not deal directly with issues addressed under the economic objectives and no negative effects are anticipated.

**Joint working:**
The council has actively engaged with NIA during the preparation of the plan and the preparation of this policy.

**Justified Evidence:**
The policy is based on the requirements set out in other legislation and recommended by the NIA. There are no specific evidence reports that have informed this policy. Safeguarding zones have been notified to the council by NIA.

**Alternatives:**
The alternative would be to not have a policy; however, the Airport requested a policy be included in line with the legislation. The alternative of having two separate policies, one on aerodrome safeguarding and the other on airport safety zones was considered, it was felt that the issues could be dealt with in a single airport related policy.

**Effective**
The policy will be delivered through the development management process and through consultation with the airport. The airport is a statutory consultee and they will advise the council when a proposal is considered unacceptable.

**Monitoring:**
Policy DM25 will be monitored against the following DAP monitoring indicator:
- Inappropriate development affecting the operational integrity of the airport

**Consistent with National Policy**
This policy is consistent with the principles set out in paragraph 104 f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – considering their economic value in serving business, leisure, training and emergency service needs, and the Governments General Aviation Strategy. (Department for Transport (2015) General Aviation Strategy.

The policy is also in accordance with the Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002 and Department for Transport Circular 01/2010 (Control of development in airport safety zones).
<table>
<thead>
<tr>
<th>Draft Development Allocation Plan (DAP)</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>No Policy</strong></td>
<td><strong>Policy DM25</strong></td>
<td><strong>DM25</strong></td>
</tr>
<tr>
<td>The draft version of the plan did not contain an airport policy. Newcastle International Airport’s raised concern that safeguarding of operations on the airfield and approach and departure paths were not included in the plan. They recommended a policy on aerodrome safeguarding and airport public safety zones should be included in the DAP.</td>
<td>Newcastle International Airport welcome a policy dedicated to aerodrome safeguarding. They have suggested amendments to the policy wording to reflect that the policy really concerns aircraft rather than the airport itself and a minor reference to reflect the need for any mitigation strategy to reflect cumulative impact.</td>
<td>In response to the comments raised by the airport the following minor modifications to the Policy title from Airport Safety to Aircraft Safety and the inclusion of a reference to the need of mitigation strategies to include consideration of cumulative impact are proposed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>6.11 Airport Aircraft Safety</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>DM25 – Airport Aircraft Safety</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>6.11.3</strong> Wind farms can also impact on radar and navigation equipment beyond the 13km safeguarding zone. The impact of any proposals would need to be assessed and any mitigation strategy will need to consider any cumulative impact.</td>
</tr>
</tbody>
</table>
DM26 Flood Risk and Water Management
Policy title and introduction to purpose:

Policy DM26 – Flood Risk and Water Management
Policy DM26 seeks to ensure developments are designed to minimise and mitigate the risk of flooding, ensuring surface water is sustainably and effectively managed on-site to prevent any increase in flooding. The policy also seeks to address wider issues related to water management, ensuring new development helps to protect and improve both ground and surface water quality and enhance river environments where possible.

Policy (full policy):

Policy DM26 – Flood Risk and Water Management

1. Development will be required to manage and reduce flood risk by:
   i. avoiding the culverting of watercourses, building over culverts, and where possible, remove existing culverts;
   ii. maximising areas of soft landscaping, permeable surfaces, green roofs and walls to reduce surface water run-off within Critical Drainage Areas;
   iii. contributing to reducing or delaying run-off within river catchments through river restoration, creation of upstream storage areas, and tree planting, where appropriate; and
   iv. minimising development on existing green space where it has the potential to manage flood risk at catchment scale.

2. Development will be required to demonstrate that its surface water drainage strategy, site layout and design will:
   i. prevent properties from flooding from surface water, including an allowance for climate change and urban creep;
   ii. not increase the risk of existing flooding elsewhere and that exceedance flows will be managed;
   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 the SuDS management train approach, to manage water quantity and quality throughout the site; vi. provide the most sustainable SuDS techniques from the SuDS Hierarchy;
   vi. where feasible and appropriate, integrate SuDS into public open space and connect to adjacent watercourses or wetlands; and viii. demonstrate the life-time maintenance and management of the SuDS.

3. Development must ensure it takes the opportunity to protect and improve surface and ground water quality and quantity and enhances the river environment by:
i. implementing appropriate water pollution control measures;
ii. including measures to treat surface water run-off pollution within the design of the drainage system;
iii. safeguarding and providing river buffers with appropriate habitat;
iv. naturalising watercourse channels and creation of wetland habitat;
v. improving biodiversity and ecological connectivity of watercourses and its banks; and
vi. mitigating agricultural and urban diffuse pollution, including impacts of the transport network.

**Positively Prepared**

Policy DM26 provides a positive approach towards flood risk management. It sets out how development can approach the management and reduction in flood risk, the detailed criteria on the design of sustainable drainage, how development should address water quality requirements and the wider issues related to the protection and improvement of river environments.

The Core Strategy and Urban Core plan, Policy CS17 sets out the arching approach to flood risk and water management. Policy DM26 provides further detail to ensure developments are designed to manage and mitigate the risk of flooding, ensuring surface water is effectively managed on a site and prevent any increase in flooding elsewhere.

**Core Strategy Vision and Objectives compliance and delivery:**

This policy will contribute to the achievement of the following strategic objectives:

- **SO9**: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, making the Urban Core a high-quality exemplar for NewcastleGateshead, and ensuring our communities are attractive, safe and sustainable.
- **SO11**: To reduce C02 emission from new development and future growth while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change.
- **SO12**: Improve the function, usability and provision of our green infrastructure and public spaces by providing a network of green spaces and features which are connected and accessible for all.

**Policy Preparation:**

Policy DM26 replaces EN4 (Rivers and riverside) which relates to development close to the rivers and renewal and improvements to them. DM26 also builds upon CS17 (Flood risk and water management), which sets the strategic approach.

Policy DM26 has evolved during the preparation of the Plan, considering evidence prepared, comments from the Sustainability Appraisal and in response to representations received during the consultation. The most significant changes to this policy since the draft Plan and subsequent public consultation are:

- Inclusion of wording requiring the removal of existing culverts where
possible
- Additional point under 1 iv minimising of development on existing green space where it has the potential to manage flood risk at catchment scale.
- Inclusion of referenced to mitigating impacts of the transport network in relation to diffuse pollution.

The DM26 Policy Development table sets out how the comments received from consultation have been considered and informed the policy.

### Statutory Consultation:

A summary of the main comments received during the stages of public consultation are set out below.

### Draft DAP (Regulation 18 Consultation)

- Northumbria Water support policy and consider that the policy and supporting text contains useful detail to support the requirements of CSUCP Policy CS17.
- Environment Agency supported policy and suggested some amendments, include removal of culverts, and amendments to supporting text.
- Natural England supports policy.
- Newcastle Green Party suggested additional criteria seeking to resist development on existing greenspace to reduce flood risk.
- Storey Homes consider policy is not effective and unsound, concerns over maximising soft landscaping, permeable surfaces, green roofs and walls and managing attenuation flows using source control is onerous. Lack clarity on when a groundwater assessment is required and contributions to restoration and naturalisation of waterways.
- Taylor Wimpey concern policy additional burden, policy should not apply to CSUCP allocated housing sites.

### Pre-Submission DAP (Regulation 19 Consultation)

- EA welcome inclusion of policy but 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.
- Coal Authority are responsible for controlling mine water levels in and around Newcastle. Information on the potential for mine water level change is available in the North East Minewater Constraints map, which is accessible at. Potential mine water change should be considered as part of any new development. We would welcome references to this within the policy or policy narrative.
- The Environment Agency welcomes the inclusion of the policy but suggest a reference to ensuring that future developments will not have an impact on the water environment.
- They recommend a reference in the policy which directs new housing drains and sewage connections to be connected to the correct drainage
- Recommends including a reference that mine water change should be considered as part of any new development.
• Northumbrian Water support the comprehensive approach taken to sustainable water and flood risk management.
• Taylor Wimpey raises a number of suggest wording changes including; removing requirement to avoiding the culverting of watercourses, that green roof and walls should be subject to viability.
• They consider that aspects of the policy should only be sought if necessary to make a development acceptable in planning terms, this includes river restoration, requirement to minimise development on existing green space where it has the potential to manage flood risk, the need to improve surface and ground water quality and quantity and that SuDs should only be required where ground conditions are appropriate.
• Story Homes consider that the policy lacks flexibility, recommends the inclusion of ‘appropriate’ to the policy.
• They consider that DM26 (2ii) is not consistent with DEFRA guidance, which considers that the design of a site for exceedance should be based on a reasonable and practicable approach to avoid an unviable design solution.

Sustainability Appraisal:

The policy has been judged as having an overall neutral to positive impact on the social sustainability objectives as the reduction in flood risk will reduce risks to health associated with the impacts of flood events. The addition of soft landscape areas, trees, green roofs and walls should also help improve air quality that should also have positive impacts for health.

The policy is judged as having an overall positive impact on the environmental sustainability objectives because it supports the objective through mitigating flood risk and improving water quality. The policy also contributes towards enhancing and protecting biodiversity, habitat and wildlife corridor.

The policy does not deal directly with issues addressing the economic sustainability objective and no negative effects are anticipated so the policy will have a neutral impact.

Joint working:

The council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to flood risk and water management, recommendations from statutory bodies have been included in amendments to the policy and supporting text in the DAP where applicable.

Justified Evidence:

As part of the evidence to support the CSUCP, a level 1 and Level 2 Strategic Flood Risk Assessment (SFRA) were completed. As part of the evidence base for
the DAP, the Level 1 Strategic Flood Risk was revised, to include the new climate change predictions and river remodelling. The SFRA provides an up to date position from all sources of flood risk across the city. The Environment Agency did raise a comment regarding the need for the SFRA to reflect the NPPF, to include new climate change projections and references to the groundwater and mine water, as well as the 10% allowances on sites for recommendations A, B and C. The SFRA is being reviewed and an updated copy will be ready for examination.

The CSUCP was supported by a Water Cycle study (WCS) and Surface Water Management plan (SWMP). These informed Policy CS17 of the CSCUP and provide the background to the more detailed DAP policy in relation to flood risk and water management.

The evidence also includes catchment plans for the Ouseburn and Tyne. The Ouseburn report provides information on catchment restoration, natural flood retention and habitat creation and enhancement, setting out the current position and recommendation for where improvements can be made. For the River Tyne, the Tyne Catchment Flood management Plan (CFMP), provides an over view of flood risk in the Catchment and sets out the EAs plans and actions for sustainable flood risk management. The Tyne catchment plan: a plan to improve the Tyne and its tributaries: the plan identifies ways to concerns and restore river habitat, adapt to and mitigate the impacts of climate change.

Alternatives:

The proposed approach to flood risk and water management is in line with the requirements of national planning guidance. This policy builds on CSUCP Policy CS17 Flood Risk and Water Management and provides the supplementary development management policy criteria.

Effective

The policy will be principally delivered through the development management process and through ensuring development is in accordance with the criteria set out in the policy.

Monitoring:

Policy DM25 will be monitored against the following Core Strategy and Urban Core Plan monitoring indicators

- 39: Number of planning permissions granted contrary to Environment Agency advice on grounds of flood risk or water quality.
- 40: Number and proportion of completed new developments which will be at risk from fluvial, tidal, surface water and sewer flooding indicated by the SFRA.
- 41: Completed new developments which incorporate Suds which discharge surface water to a watercourse and those which discharge to a surface water sewer or combined sewer.
Consistent with National Policy

The policy has been drafted to reflect the requirements of NPPF and Planning Practice Guidance on Flood Risk. Chapter 14 covers planning and flood risk. This sets out that flooding should be avoided to people and property, that land should be safeguarded from development if required for flood management. Paragraph 157 mentions natural flood management techniques and paragraph 170 requires development to help improve water quality. Paragraph 165 requires sustainable drainage systems of appropriate standard, with maintenance arrangements for the lifetime of development and multifunctional benefits. Policy DM26 is in line with the NPPF and provides further explanation of what is required for flood risk and water management.
<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy DM25</strong></td>
<td><strong>Policy DM26</strong></td>
<td><strong>DM26</strong></td>
</tr>
<tr>
<td>NWL, EA and Natural England supported policy with recommendations. Additions to policy included reference to removal of culverts, mitigation of highway runoff pollution and clarification in the supporting text. Newcastle Green Party suggested additional criteria seeking to resist development on existing greenspace to reduce flood risk. Additional criteria was added on section 1. Storey Homes had concerns over maximising soft landscaping, permeable surfaces, green roofs and walls and managing attenuation flows using source control is onerous. Lack clarity on when a groundwater assessment is required and contributions to restoration and naturalisation of waterways. Policy was considered as sound with the right amount of detail. Further information on how the policy is applied is set out in the support text and the flood risk and water management note contains guidance to clarify what assessments are required and when. Taylor Wimpey concern policy additional burden, policy should not apply to</td>
<td>Northumbrian Water and EA are supportive of the policy. The EA welcome inclusions into revised pre-submission policy following comments on draft. They would still 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. This is not an issue for planning policy and development management to address. It’s an issue about misconnections, is this not checked by building regulations. We could put an informative on, but one of many issues to do with correct construction practices. The Coal Authority have commented about the direct discharge of surface water to the ground and as such potential mine water change should be considered as part of any new development. We would welcome references to this within the policy or policy narrative. DM26, paragraph 6.12.3 advises that FRAs will need to assess flood risk from mine water. This information will be included in the updated Flood Risk and Water Management Guidance Note and included on the validation checklist. Taylor Wimpey suggested word changes</td>
<td>A number of minor modifications are proposed for the policy wording and supporting text: 1.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; 2.ii not increase the risk of existing flooding elsewhere and that exceedance flows will be managed 2.iv manage surface water as close to source as possible using and attenuate flows source control measures 3.vi mitigating agricultural and urban diffuse pollution, including impacts from of the transport network 6.12.3 A Flood Risk Assessment (FRA) and drainage strategy will be required to support applications demonstrating how flood risk and water quality will be managed over the lifetime of the development taking into account climate change.</td>
</tr>
</tbody>
</table>
CSUCP allocated housing sites. Policy would not apply to any development that had been granted planning permission, however the policy would be applied in the assessment of new development. It doesn’t conflict with CSUCP site policies.

including; removing requirement to avoiding the culverting of watercourses, that green roof and walls should be subject to viability. A modification has been proposed to remove reference to areas of soft landscaping, green roofs and walls.

Story Homes consider that the policy lacks flexibility, recommends the inclusion of ‘appropriate’ to the policy and They consider that DM26 (2ii) is not consistent with DEFRA guidance, which considers that the design of a site for exceedance should be based on a reasonable and practicable approach to avoid an unviable design solution. The addition of the word appropriate is not considered necessary and the wording of the policy in line with DEFRA guidance

6.12.3 A FRA and drainage strategy must demonstrate that the development is protected safe from flooding, without does not increasing flood risk elsewhere, and how it will contribute to reducing flood risk where possible. Developers will be required to incorporate flood resilient design and construction and improve emergency planning, as part of development schemes where applicable.

6.12.4 Within CDAs, development including minor and householder proposals will need to address surface water runoff, by incorporating green infrastructure.

6.12.5 Development should avoid culverting waterways and where possible remove obsolete structures or encumbrances and “daylight” culverted, piped or covered watercourses.

6.12.6 The assessment drainage strategy should include details on how SuDS will be used to manage and reduce surface water run-off rates and manage volumes, and how the conveyance and storage of surface water will be accommodated within the site layout. The design of SuDS should adopt the management train approach. ‘Soft SuDS’ such as ponds and swales are preferred as the mimic natural drainage
The life time maintenance and management of a SuDS will therefore be secured through a maintenance and management plan. *Where a development is required to provide SuDS on site, developers will be required to maintain the SuDS in perpetuity.*

6.12.7 Drainage that discharges into any watercourse, must incorporate pollution control measures such as SuDS and green infrastructure to allow infiltration and interception of surface water contaminants reducing the potential for diffuse pollution and sedimentation improving water quality and benefiting ecology. Water quality assessments may be required for development which will result in a physical modification to a watercourse or could indirectly adversely affect surface water or groundwater.

DM26, Paragraph 6.12.3 mine water needs amended to mine water.
## DM27 Protecting and Enhancing Green Infrastructure

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<th>Policy title and introduction to purpose:</th>
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### Policy DM27 – Protecting and Enhancing Green Infrastructure

The purpose of this policy is to protect and enhance green infrastructure across the city. Recognising the importance of green infrastructure in providing multi-functional benefits, such as adaptation to climate change, improved resilience to extreme weather events, enhanced biodiversity and ecosystem services, improved visual amenity and landscape quality, sustainable travel opportunities and improved public health and well-being.

### Policy (full policy):

### Policy DM27 – Protecting and Enhancing Green Infrastructure

Development will be required to protect, maintain and enhance existing green infrastructure assets, and contribute towards the delivery of new green infrastructure assets by:

1. Providing on-site green infrastructure, or where it can be demonstrated that this is not possible, contribute to off-site provision.

2. Addressing gaps in the Strategic Green Infrastructure Network corridors and providing improvements within the Opportunity Areas.

3. Ensuring development proposals which could adversely affect green infrastructure assets demonstrate:
   
   i. that alternative provision which maintains or creates new green infrastructure assets is accessible and of equal value to health, climate protection, and biodiversity or
   ii. the proposed development would be ancillary to the main use of the green infrastructure asset and the benefits would outweigh any harm.

4. Requiring proposals for the creation of new green infrastructure assets or enhancements of existing green infrastructure assets to:
   
   i. maximise multi-functionality;
   ii. enhance connectivity and accessibility;
   iii. enhance biodiversity;
   iv. contribute to the areas character and improve visual amenity;
   v. take opportunities to include community involvement and education;
   vi. secure long-term maintenance and management; and
   vii. incorporate climate change mitigation measures
The policy provides a positive approach towards the protection and enhancement of green infrastructure. It recognises the importance of green infrastructure and the multifunctional benefits that can be delivered. The policy builds upon Core Strategy and Urban Core Plan, Policy CS18 Green Infrastructure and Natural Environment. CS18 requires maintaining, protecting and enhancement of the integrity, connectivity, multifunctional and the accessibility of the strategic green infrastructure network and that gaps in the network are addressed and that improvements are made to opportunity areas. DM27 provides more specific criteria how to achieve this. The green infrastructure network has been designated on the Policies Map.

**Policy Preparation:**

Policy DM27 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The most significant changes to the policy since the consultation on the Draft Plan are:

- Removal of the word were appropriate throughout the policy text
- Inclusion of the requirement that alternative green infrastructure is of equal value to health, climate change and biodiversity.
- That a proposed development would be ancillary to the main use of the green infrastructure asset

The Policy Development table provides a summary of comments received from consultation.
Statutory Consultation:

A summary of the main comments received during the stages of public consultation are set out below.

Draft DAP (Regulation 18 Consultation)
- Objections to the policy wording it has too many caveats and loopholes, wording to weak insufficient to protect green infrastructure from new development
- Comments supporting higher standards for green infrastructure, with a request to reword policy to achieve this
- Policy does not set clear on how it assesses impact on green infrastructure network
- The distinction between green infrastructure network and opportunities areas on policies map need to be clearer
- The mutlfunctionality of the policy was supported
- Objection was raised regarding the burdensome to developers to developers
- Policy should be worded to be more consistent with NPPF, para 173 regarding viability and costs in plan making and decision taking.
- Policy needs to be clear how off-site contributions will be applied and secured.

Pre-Submission DAP (Regulation 19 Consultation)
- Concerns raised the policy is not in accordance with paragraph 141 of the NPPF, considers that a statement is required stating that the strategic GI network is not limited to the areas shown on the proposals map.
- Concern green belt not considered as part of green infrastructure
- Concern that the green infrastructure shown on the policies map and green infrastructure requirements conflicts with sites allocated in the CSUCP and requests that green infrastructure requirements are not applied to sites allocated in the CSUCP
- The policy is covered elsewhere in other policies in the DAP
- Concern designation of green infrastructure on the policy map extends over residential areas

Sustainability Appraisal:

The Sustainability Appraisal prepared for the Plan considers that Policy DM27 has an overall positive impact on the social sustainability objectives, as the policy has positive impacts for community cohesion and health via outside recreation, flood risk and air quality benefits improvements resulting for enhanced / increased green infrastructure. The policy is judged to have a positive to very positive effect on environmental sustainability objectives as it will cumulatively contribute to flood mitigation, improving air quality and reducing CO2, particularly in the medium to long term. The policy also directly supports the enhancement of biodiversity.
The policy has been strengthened through the addition of the requirement for alternate provision being of equal value to health, climate and biodiversity. The policy is judged as having an overall minor positive to impact on the economic sustainability objectives as the policy does support finding the most viable option for new developments, while still requiring developments to contribute to green infrastructure.

**Joint working:**

The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection and enhancement of green infrastructure.

**Justified Evidence:**


The evidence base assessed existing and potential green infrastructure assets and identified strategic corridors which form the strategic green infrastructure network across the city, in addition to this network a number of opportunity areas were identified. The green infrastructure strategic network has been designated on the Policies Map. Further detail on opportunity areas including projects and priorities for improvement will be identified in a green infrastructure delivery plan.

DM26 aligns to the principles of green infrastructure set out in the NPPF.

**Alternatives:**

The requirement to protect and enhance green infrastructure is in accordance with national planning policy. The policy builds upon the existing CSUCP Policy CS18 and includes more explicit details on how planning applications will be assessed in relation to loss of green infrastructure and how development can contribute to green infrastructure and develop the green infrastructure strategic network areas and opportunity areas.

An alternative option would have been to rely on the wording on the NPPF, this sets the principle but does not contain the necessary detail to guide development. A supplementary planning document is being prepared to support the del policy further.

**Effective**

The policy will be delivered through the development management process and a Green Infrastructure Delivery Plan.

**Monitoring:**

Policy DM27 will be monitored against the following:
**DAP indicator:**
- Progress against the objectives set out in the Green Infrastructure Delivery Plan.

**CSUCP indicator:**
- Changes in areas of ecological importance, comprising areas designated for their intrinsic ecological value, including sites of national regional or local significance.

### Consistent with National Policy

Green infrastructure is a theme running through the NPPF referenced in a number of chapters, in promoting healthy and safe communities, meeting the challenge of climate change and flooding and conserving and enhancing the natural environment.

Paragraph 91 outlines how safe and accessible green infrastructure can enable and support healthy lifestyles addressing local health and wellbeing needs. Paragraph 150 requires the planning of green infrastructure to mitigate and adapt to climate change. Paragraph 171 requires plans to take a strategic approach to maintaining enhancing networks of habitats and green infrastructure and planning of and enhancement of natural capital. Paragraph 181 requires identification of opportunities to improve air quality or to mitigate its effects through green infrastructure provision and management. DM27 is consistent with the principles regarding green infrastructure set out in the NPPF.
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<td><strong>Policy DM26</strong></td>
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<td>Comments did include support for the</td>
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<td>needs strengthened and inclusion of</td>
<td>green infrastructure. This has been addressed</td>
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plan should identify more specific policy on Opportunity Areas. Opportunity area boundaries have been removed from the Policies Map, as they form part of the strategic green infrastructure corridor. They are still referred to in both CSCUP and DAP policy and supporting text has been added clarifying that further detail on green infrastructure opportunities areas, including projects and priorities for improvement will be identified in a Green Infrastructure Delivery Framework.

Airport raised concern over green infrastructure developments that would attract birds and risk this may pose to aircraft safety. A policy has been included in the submission draft specifically on the requirement for all development to consider aircraft safety.

policy map extends over residential areas. This is mean to be the case that green infrastructure network washed over residential areas, it is important that residential areas have green infrastructure and are links and integration between these areas are secured. The supporting text of the policy explains how it will be applied.
Policy DM28 - Trees and Landscaping

Policy title and introduction to purpose:

Policy DM28 - Trees and Landscaping
The purpose of this policy is to protect, enhance and manage existing trees and landscape features and require new development to provide new trees and landscaping which achieve multi-functional benefits.

Policy (full policy):

Policy DM28 – Trees and Landscaping
Development will be required to protect, enhance and manage existing trees and landscape features.

1. Development which would unacceptably harm or result in the loss of trees or landscape features, will not be permitted unless it can be demonstrated that:

   i. development cannot be reasonably located elsewhere within the development site;
   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
   iii. appropriate mitigation and enhancement measures are provided.

2. Development will be required to include new trees and landscape features where appropriate, which:

   i. enhance the quality and character of the development and surrounding area;
   ii. provide connectivity and enhancements where possible to the Strategic Green Infrastructure Network Corridors and Wildlife Enhancement Corridors;
   iii. assist in providing multi-functional environmental benefits; and iv. assist in reducing or mitigating run-off and flood risk.

Positively Prepared:

This policy provides a positive approach towards the protection and enhancement of trees and landscape. This policy recognises the importance that trees and landscaping in delivering a wide range of environmental, economic, social, health and climatic benefits. Trees and landscaping contribute to the landscape character of areas, enhancing visual amenity and the appearance of a development, they provide habitats and allow connectivity for wildlife, offer shade and shelter to mitigate the urban heat island effect and address urban cooling. They also assist in reducing surface run off, mitigating flood risk and can mitigate air pollution to improving health and wellbeing.

The Core Strategy and Urban Core Plan, Policy CS18 identifies the need to protect, enhance trees and manage woodland as part of the city’s green infrastructure assets. Policy DM28 requires development to protect trees and landscape features, provide compensation for any loss and provide new trees and
**Core Strategy Vision and Objectives compliance and delivery:**

This policy will contribute to the achievement of the following strategic objectives:

- **SO9:** Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.
- **SO10:** Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.
- **SO11:** To reduce CO2 emission from new development and future growth while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change.
- **SO12:** Improve the function, usability and provision of our green infrastructure and public spaces by providing a network of green spaces and features which are connected and accessible for all.

**Policy Preparation:**

Policy DM28 replaces the saved landscape and trees UDP Policy EN3, which requires the protection of the City’s landscape by protecting areas of greatest value, retaining trees and woodland and increasing the amount of planting and UDP Policy EN3.2 which requires development proposals to retain woodland, trees, hedgerows and shrubs, protect them during construction and mitigate with replacement planting where features are lost.

Policy DM28 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The main changes to the policy since the consultation on the Draft Plan are:

- Reference to ancient woodland and veteran trees and the need to be exceptional public benefits
- Inclusion of additional criteria requiring trees and landscaping assist in providing multifunctional environment benefits and assist in reducing or mitigating run-off and flood risk
- Further guidance will be prepared in an SPD

The DM28 Policy Development table provides a summary of comments received from consultation.

**Statutory Consultation:**

A summary of the main comments received during the stages of public consultation are set out below.

**Draft DAP (Regulation 18 Consultation)**

- Policy wording has too many caveats and loopholes to be of value
- Support for policy and the for requirement for new development to plant new trees
• Policy does not recognise benefit of street trees
• Policy should include more details regarding planting standards
• Policy should provide additional details for the greater protection of important trees
• Policy is not compliant with NPPF

Pre-Submission DAP (Regulation 19 Consultation)
• CPRE consider the criteria regarding the loss of ancient woodland is not strong enough
• The Environment Agency recommends including a reference which encourages tree planting of native species of local provenance
• Taylor Wimpey considers that the policy conflicts with the NPPF, it does not differentiate between high or low value trees
• They consider that the policy goes beyond the NPPF by requiring protection of all trees, and that the NPPF does not require alternative locations for the development need to be first considered before resulting in the loss of trees or landscape features
• Story Homes considers that policy implies a blanket requirement to ‘protect’ existing trees, and considers this may not always been justified or appropriate
• A resident considers that the environment needs to be protected to ensure health benefits
• Save Newcastle Wildlife considers that the need to achieve net gains for biodiversity by the planting of net gain of trees, whenever felling takes place
• Requests the inclusion of tree standards to consider tree compensation and ascertain number of replacement trees needed
• They consider the DAP should encompass reference to community woodlands
• Newcastle Great Park considers the policy conflicts with the NPPF, it does not differentiate between high and low value trees. They consider that the policy goes beyond the NPPF by requiring protection of all trees, and that the NPPF does not require alternative locations for the development need to be first considered before resulting in the loss of trees or landscape features

Sustainability Appraisal:

The Sustainability Appraisal prepared for the Plan considers that Policy DM28 has a neutral to very positive impact on the social sustainability objectives. The neutral assessment is associated with educational achievement and skill levels and access as they are not dealt with by policy. The policy will contribute towards the maintenance / improvement of air quality and directly contributes towards protecting historically significant trees and landscape regardless if the trees have TPOs. The policy is judged to have an overall positive to very positive impact on environmental sustainability objectives as the policy supports protecting carbon storage as a result of protecting trees and will cumulatively contribute to long term improvements in air quality and flood mitigation. The policy will also contribute to protecting and enhancing biodiversity and wildlife movement. In terms of economic sustainability objectives, the policy is judged to have an overall neutral impact as it does not deal directly with issues addressing the economic sustainability objectives and there are no anticipated negative effects.

Joint working:
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection and enhancement trees and landscaping.

**Justified**

**Evidence:**

Policy DM28 is based on best practice and established principles used with the council's development management team. It replaces saved UDP policies EN3 and EN3.2 on trees and landscaping and aligns to advice in the NPPF and PPG.

**Alternatives:**

The requirement to protect and enhance trees and landscape features is in accordance with the principles of national planning policy. The policy builds upon the existing CSUCP Policy CS18 and includes more explicit details on how planning applications will be assessed in relation to trees and landscaping. It sets out where harm would be unacceptable and what needs to be achieved when planting new tree and landscape features.

An alternative option would have been to rely on the wording on the NPPF, this sets the principle but does not contain the necessary detail to guide development. A supplementary planning document is being prepared to support the del policy further.

**Effective**

The policy will be delivered through the development management process for instance refusing development where it does not accord with the policy. The policy will be supported with a supplementary planning document.

**Monitoring:**

Policy DM28 will be monitored against the following:

DAP indicator 15:

- Net change of the number of Tree Preservation Orders (TPO)
- Number of planning approvals contrary to standards set out in the Trees and Landscaping SPD

**Consistent with National Policy:**

Policy DM28 is consistent with the NPPF requiring planning policies and decisions to contribute to and enhance the natural environment, by recognising trees and woodland, protecting and enhancing valued landscapes (para 170). 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 exceptional reasons (para 175).

Trees and landscaping can also help mitigate and adapt to climate change, DM28.
is supportive of the approach to climate change and flooding as set out in Chapter 14 of the NPPF.
Comments ranged from criticism that the wording detailed enough to comment that policy is not in align with NPPF. Policy as worded has too many caveats and loopholes. The policy should include more detail on standards and planting of street trees.

It is considered that the policies are drafted in line with national guidance and are robust.

Minor amendments have been made to both the policy text and supporting text. The policy text was amended to clarify that there needs to be exceptional public benefit to justify the loss of any ancient woodland and veteran trees.

Additional criteria were included related to the multifunctional environmental benefits and ability that trees and landscaping can have in assisting with flood risk. DM28 will also be supported by an SPD which will provide more detailed guidance on this topic.

Similar to the responses at draft consultation stage, these were split between criticism that policy needed to be stronger and criticism no justification for the policy which goes beyond requirements set out in NPPF.

The main modification was in response to CPRE concern that the criteria for ancient woodland was not strong enough. A minor modification has been proposed to align the wording with NPPF and use the words wholly exceptional reasons.

Further guidance will be provided an SPD which can address recommendations such as encouragement of planting of native species as suggested by the Environment Agency.

Comments also requested that the policy be more specific regarding tree standards, compensation, replacement requirements, and ensuring measurable net gains. The forthcoming SPD will explore the opportunities to clarify the position on such matters of tree standards, compensation and number of replacement trees.

Taylor Wimpey considers that the policy conflicts with the NPPF, it does not differentiate between high or low value trees.

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<td>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 1.iii. appropriate mitigation and / or enhancement measures are provided.</td>
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They consider that the policy goes beyond the NPPF by requiring protection of all trees, and that the NPPF doesn’t require alternative locations for the development need to be first considered before resulting in the loss of trees or landscape features.

Story Homes considers that policy implies a blanket requirement to ‘protect’ existing trees, and considers this may not always been justified or appropriate.

Newcastle Great Park considers the policy conflicts with the NPPF, it does not differentiate between high and low value trees. They consider that the policy goes beyond the NPPF by requiring protection of all trees, and that the NPPF doesn’t require alternative locations for the development need to be first considered before resulting in the loss of trees or landscape features.
Policy DM29– Protecting and Enhancing Biodiversity and Habitats

Policy title and introduction to purpose:

The purpose of this policy is to protect and enhance biodiversity and habitats across the city. The policy requires development to maintain, create and enhance the natural environment. It designates the sites of natural importance and wildlife enhancement corridors.

Policy (full policy):

1. Development which may affect any designated site, biodiversity or important habitat, species or geological feature must be supported by an up to date ecological assessment to ensure the likely impact of the proposal can be assessed and mitigated.
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.
3. Development which has a direct or indirect adverse effect on Local Nature Reserves (LNR), Local Wildlife Site (LWS), Site of Local Conservation Interest (SCLCI), as designated on the Policies Map, must be avoided. Where significant harm cannot be avoided, development will be refused unless:
   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;
   ii. in exceptional circumstances where harm cannot be avoided or fully mitigated compensatory measures are secured.
4. Development which would have an adverse effect on priority habitats and priority species will not be permitted unless adequate mitigation can be provided.
5. Development which would have an adverse effect on the biodiversity value or connectivity and function of the Wildlife Enhancement Corridor as designated on the Policies Map, will only be permitted where adequate mitigation is secured.
6. Development will be required to maximise the opportunity to protect and enhance habitats and provide net gains in biodiversity by:
   i. retaining natural features and habitats and protecting them during construction;
   ii. maintaining and improving buffers and ecological connectivity to the wider environment;
   iii. creating and restoring habitat to provide corridors and stepping stones for wildlife; and
   v. securing future management arrangements.

Positively Prepared
This policy provides a positive approach towards the protection and enhancement of biodiversity habitats. This policy will help to ensure that the hierarchy of designated sites are protected, and development has regard to biodiversity. This policy will positively contribute towards health and wellbeing and secure opportunities to improve green infrastructure.

The Core Strategy and Urban Core Plan, Policy CS18 Green Infrastructure and the Natural Environment sets out the overarching approach to the protection and enhancement of the natural environment. Policy DM29 will positively contribute towards the approach by setting out more detailed criteria for the protection, enhancement and management of biodiversity and geodiversity assets, including designated sites, designated wildlife corridors and priority habitats and species.

Policy Preparation:

This policy replaces a number of saved policies within the UDP and the BSAPP relating to the protection of recognised sites (NC1.1, NC1.2 and NC1.3), Local Nature Reserves (NC1.4), Protection of Wildlife Corridors (NC1.4 and NC1.6) and the requirements on development concerning nature conservation (NC1.7).

Policy DM29 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. No major changes were made to the policy, there were some minor changes to wording in the policy and the supporting text was condensed. The most significant changes to the policy since the consultation on the Draft Plan are:

- Change of wording from will to should to align with NPPF in criteria 2.
- Inclusion of reference to provide net gains in biodiversity in line with NPPF in criteria 6.
- Inclusion of a map to clarify location of biodiversity and habitat sites
- Reference to produce biodiversity standards in a Supplementary Planning Document

The Policy Development table summaries comments raised at consultation and how they have been considered and informed the policy.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objectives:

- SO9: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.
- SO10: Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

Statutory Consultation:
A summary of the main comments received during the stages of public consultation are set out below.

Draft DAP (Regulation 18 Consultation)
- Policy is worded with too many loopholes to be of value.
- Policy is too restrictive on development and adds unnecessary policy burden upon development of a site.
- Objection to the inclusion of certain sites within wildlife enhancement corridor.
- Policy should include more detailed biodiversity standards.

**Pre-Submission DAP (Regulation 19 Consultation)**
- Policy is too onerous and conflicts with NPPF, policy does not take into account the exception of where benefit of a development outweigh the impact on features of a SSSI.
- Wording is not clear, policy needs reworded to adhere to mitigation hierarchy as set out in para 175 (a).
- The NPPF does not include a migration hierarchy approach whereby alternatives are first sought.
- The NPPF sets out a different test for protected species.
- Policy implies that SSSIs may be given less protection than other designated sites that are lower in hierarchy.
- Objections raised to Wildlife Enhancement Corridors adjacent or covering certain sites and the use of fixed boundaries.
- Policy should include more detailed standards for ecological improvements (in line with NPPF Para 175 (a) LPAs should secure measurable net gains).
- Disappointing that biodiversity standards have not been made in parallel to the DAP.
- Policy goes beyond NPPF in requiring net gains instead of pursuing opportunities or encouraging net gains.
- ‘Maximise opportunity’ is excessive.
- EA would like to see this policy extended to the water environment, particularly the River Tyne. The Tyne estuarine limit passes through the NCC area and the interaction of the river environment with the international and national coastal and marine designated sites should be acknowledged.

**Sustainability Appraisal:**

The policy has been judged as having an overall neutral to positive impact on the social sustainability objectives. The policy does not directly deal with the social objectives and no negative effects are anticipated. The policy is indirectly protecting residential health through potential air quality improvements and access to outdoor recreation. By protecting designated sites, the policy is indirectly maintaining air quality through protecting the ecosystem provided by habitats.

The policy is judged as having an overall positive effect on the environmental sustainability objectives at it aims to protect and mitigate against any adverse negative impacts. The policy could be strengthened by requiring consideration of cumulative negative effects, in particularly in areas where there are neighbouring developments.

The policy does not directly deal with the economic sustainability criteria and is judged as having an overall neutral effect on these.
Joint working:

The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection and enhancement of biodiversity and habitats.

Justified

Evidence:

Evidence to support this policy includes:

- Local Wildlife Sites Reports: this sets out the detailed reports for the sites identified across the city.
- Sites of Local Conservation Interest: this provides the background assessment of the sites and why they have been put forward for designation.
- Wildlife Enhancement Corridors: this document provides the background to the wildlife corridors and sets out the methodology used to map the wildlife corridors across the city.

Alternatives:

The approach taken is consistent with the CSUCP and the NPPF and is considered necessary as a means of conserving and enhancing the natural environment and protecting and enhancing habitats and biodiversity. This policy builds upon the existing CSUCP Policy CS18 and has been informed the designations on the Policies Map. As such it is not considered necessary to consider alternatives.

Effective

The policy will be delivered through the development management process, for instance refusing development which would have a significant adverse effect on a protected site where it does not accord with the policy.

Monitoring:

Policy DM29 will be monitored against the following:

DAP indicator:
- Amount of habitat secured and improved
- Number of planning approvals contrary to ecology advice

CSUCP indicator:
- Changes in areas of ecological importance, comprising areas designated for their intrinsic ecological value, including sites of national regional or local significance

Consistent with National Policy
Policy DM29 is written in accordance with NPPF, Chapter 15 (Conserving and enhancing the natural environment) which requires policies and decisions to contribute to conserving and enhancing the natural environment.

Paragraph 174 requires plans to protect and enhance biodiversity and geodiversity by identifying, mapping and safeguarding habitats and ecological networks, including hierarchy of designated sites, wildlife corridor and setting stones. Policy DM29 does exactly this its sets out the criteria to protect and enhance the natural environment and designates important sites on the Policies Map.
<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
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<tbody>
<tr>
<td><strong>Policy DM28</strong></td>
<td><strong>Policy DM29</strong></td>
<td><strong>Policy DM29</strong></td>
</tr>
<tr>
<td>Following responses received on the draft DAP only minor changes to wording of DM28 were made and supporting text was made more succinct.</td>
<td>The following are the main comments raised at pre-submission consultation stage:</td>
<td>Proposed minor modifications to the wording of the policy following comments and alignment to NPPF includes:</td>
</tr>
<tr>
<td>Comments, changes and responses are set out below:</td>
<td></td>
<td>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</td>
</tr>
<tr>
<td>Policy is restrictive and places to much burden on development. <em>Policy as written is considered compliant with NPPF.</em></td>
<td>The policy is too onerous and conflicts with NPPF, and that the policy does not take into account the exception of where benefit of a development outweigh the impact on features of a SSSI. Amendments to supporting text have been suggested to clarify this in line with NPPF paragraph 175.</td>
<td>6. Development will be required to maximise the opportunity to protect and enhance habitats and provide net gains in biodiversity by:</td>
</tr>
<tr>
<td>A number of comments objected to specific sites being designated as wildlife enhancement corridor and questioned the need for a boundary to the Wildlife Enhancement Corridor. The methodology used to inform the location and designation of Wildlife Enhancement Corridor is set out in the WEC evidence paper.</td>
<td>Wording is not clear, policy needs reworded to adhere to mitigation hierarchy as set out in para 175 (a). The NPPF does not include a migration hierarchy approach whereby alternatives are first sought. <em>It is considered that the wording for policy DM29 and supporting text is in line with NPPF paragraph 175.</em></td>
<td>3. Development which has a directly or indirectly causes significant harm adverse effect on a Local Nature Reserve (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:</td>
</tr>
<tr>
<td>The policy should contain more details standards on how to enhance biodiversity. <em>A Supplementary Planning Document is being prepared which will</em></td>
<td>The NPPF sets out a different test for protected species. Amendments are proposed to the policy wording, reference to protected species has been removed from part 2 and included in part 3 to align to NPPF paragraph 174.</td>
<td>ii. in exceptional circumstances as a last resort where harm cannot be avoided or fully mitigated compensatory measures are secured.</td>
</tr>
<tr>
<td></td>
<td>Policy implies that SSSIs may be given less protection than other designated sites that are lower in hierarchy. It is considered that the policy wording on SSSI is in line with NPPF paragraph</td>
<td></td>
</tr>
</tbody>
</table>
include further guidance on trees, landscape and biodiversity.

175. Objections raised to Wildlife Enhancement Corridors adjacent or covering certain sites and the use of fixed boundaries. *The Wildlife Enhancement Corridors are based on evidence and a methodology set out in the evidence paper. The supporting policy text explains how the policy will be applied.*

Policy should include more detailed standards for ecological improvements (in line with NPPF Para 175 (a) LPAs should secure measurable net gains). Disappointing that biodiversity standards have not been made in parallel to the DAP. *Further guidance to support this policy will be considered for inclusion in the forthcoming Supplementary Planning Guidance on landscape, biodiversity and landscape currently being drafted.*

Policy goes beyond NPPF in requiring net gains instead of pursuing opportunities or encouraging net gains. Maximise the opportunity is excessive. A modification is *suggested that includes the removal of the wording maximise the opportunity from point 6 of the policy.*

EA would like to see this policy extended to the water environment, particularly the River Tyne. The Tyne estuarine limit passes through the NCC area and the interaction of the river environment with the international and national coastal and marine designated sites should be acknowledged. *A modification for additional wording in supporting text to refer to the raised by the EA has been suggested.*

6. Development will be required to maximise the opportunity to protect and enhance habitats and provide net gains in biodiversity by:

Proposed minor modifications to the supporting text have been suggested, following comments the first from the EA and second form developers:

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 international and national coastal and marine designated sites, which include the Northumbria SPA and Ramsar site and Durham Coast SPA.

They include places with wildlife and geological features that are of special interest locally in terms of wildlife, geology, education and public enjoyment. 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.
DM30 – Protecting Open Space

**Policy title and introduction to purpose:**

**Policy DM30 – Protecting Open Space**

The purpose of this policy is to protect open space to ensure that the city’s population has access to high quality open spaces and opportunities for sport and recreation. Open space which includes parks and gardens, play areas, amenity green spaces, natural and semi-natural environments, outdoor sport space and allotments can make an important contribution to the health and wellbeing of communities and an appreciation of the natural environment.

**Policy (full policy):**

**Policy DM30 – Protecting Open Space**

1. Development of open space, sports, recreational buildings and land, including playing fields, will not be permitted unless an assessment has been undertaken in accordance with the council’s open space standards as set out in Table 1 demonstrating:
   i. there is a proven surplus of such provision and the proposed loss will not result in a current or likely shortfall in the plan period; or
   ii. any loss resulting from development will be replaced by the equivalent or better provision in terms of both quality and quantity in a suitable location; or
   iii. the development proposed is for alternative sports and recreation provision the need of which clearly outweighs the loss of the existing open space.

2. Development which would result in the loss of open space not shown on the Policies Map that contributes to the character and visual amenity of an area will not be permitted unless it can be demonstrated that the benefits of development clearly outweigh the loss.

3. Development of ancillary facilities on open space will be supported where:
   i. it is necessary to or would facilitate the functioning of the open space;
   ii. it would be appropriate in scale and it would not detract from the character of the site or surroundings;
   iii. it would not have an unacceptable negative impact upon residential amenity;
   iv. it would not be detrimental to any other function that the open space performs; and
   v. it would contribute positively to the setting and quality of the open space.

**Positively Prepared:**

This policy provides a positive approach towards the protection of open space. Safeguarding open space is vital in ensuring that there is sufficient quantity and quality to meet the needs of local people.

This policy has been positively prepared based on a thorough assessment of open space across the city recognising the important role open space plays in the lives of local communities. Open space is a key element of green infrastructure and provides opportunities for outdoor recreation and community use and can contribute to aesthetic quality and ecological value.

The Core Strategy and Urban Core Plan sets out the overarching approach to the protection and enhancement of green infrastructure and the natural environment. Policy DM30 will positively contribute towards this approach by setting out detailed criteria for the protection of open space.
Core Strategy Vision and Objectives compliance and delivery:
This policy will contribute to the achievement of the following strategic objectives:

- SO9: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.
- SO10: Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.
- SO12: Improve the function, usability and provision of our green infrastructure and public spaces by providing a network of green spaces and features which are connected and accessible for all.

Statutory Consultation:

Regulation 18 Consultation
- General comments made objecting to the use of standards, the change to open space standards compared to the UDP and the terminology used, stating that open space should not be considered as ‘surplus’
- Objections to the policy, considering development of green space to be unnecessary and that brownfield sites should be prioritised.
- Several organisations objected to the policy. They stated that no final decisions should be made before parks are managed by a charitable trust and objected to the use of the word ‘delete’ to refer to open space.
- Other comments received were about specific open space designations, and that there should be more open space due to its positive health benefits. Others considered that the policy did not go far enough in protecting green infrastructure.
- Comments were also received in support, stating that preserving parks and green space is necessary to support physical and mental health.

Regulation 19 Consultation
- NGP would like Policy DM30 and the supporting text to be revised to provide a more flexible approach to allow for site specific circumstances and additional wording on the re-provision of open space. NGP would also like the policies map to be revised to include the current open space provision at NGP.
- SNW has objected to the wording of DM30.1.iii. stating that it is not in accordance with the NPPF and should apply to replacement sports and recreational facilities only and should be revised accordingly. SNW has objected to the policies map and state that Cell C3 at Newcastle Great Park should be designated open space. SNW consider the open space standards to be too low and that the supporting text should be revised to ensure that open space is not double-counted. Additional text should also be included to explain that the local provision must be assessed by reference to the relevant walking distance.
- Sport England would like the supporting text to be revised to make it clear that decisions as to whether playing field and sports buildings and land are surplus should be taken on the basis of assessments contained within the Plan for Playing Pitches and the Plan for Built Facilities.
- Taylor Wimpey would like Policy DM30 and the supporting text to be revised to provide a more flexible approach to allow for site specific circumstances and additional wording on the re-provision of open space.
- Newcastle University would like their site at Red Hall Drive deallocated as open space in the DAP.
- Comment in support of DM30. Protecting open spaces in the urban area is important for health, supporting sport, leisure, walking and cycling.
Policy Preparation:

This policy replaces a number of saved policies within the UDP (OS1, OS1.2, OS1.4, OS1.5, and OS1.6), the WRAAP (EP2 (in part), EP4) and the BSAAP (SP1) relating to open space.

Policy DM30 provides the policy direction, particularly for open space standards which are not covered elsewhere in guidance such as the NPPF and PPG.

Policy DM30 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The most significant changes to the policy since the consultation on the Draft Plan are:

- Changes to policy wording to make it stronger ‘development’ rather than ‘re-development’ ‘will not be permitted’ rather than ‘will only be allowed where’
- Referencing the open space standards table in the policy.
- Adding residential amenity into the policy criteria for assessing the development of ancillary facilities.

Sustainability Appraisal:

Draft DAP:
The policy was judged as having an overall positive social, environmental and economic effect. The SA recommended linking the policy to others in the Plan. However, the council considered that the policies in the DAP should be read as a whole and that there is no need to cross refer to other policies in the DAP.

Pre-Submission DAP:
The policy has been judged overall as having a positive social, environmental and economic effect. The policy does support the loss of open space not identified on the Policies Map, which could cumulatively result in a reduction in open space. However, with simultaneous application of bullet point 1. negative effects are likely to be relatively neutral.

Joint working:

Newcastle and Gateshead worked jointly on the preparation of Policy CS18 of the CSUCP, and Gateshead were liaised with during the development of DM30.

The Council has also actively engaged with other neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the protection of open space during this process.

Sport England have raised concerns that the reasoned justification for this policy should be revised to make it clear that judgements as to whether playing field and sports buildings (and land) are surplus should be based on the assessments within the Plan for Playing Pitches and Plan for Build Facilities. Ongoing dialogue continues with Sport England and it is hoped that agreement will be reached in advance of the Inquiry.

Evidence:
The NPPF states that existing open space, sports and recreational buildings and land, including playing fields should not be built on unless specific criteria have been met. Policy DM30 aligns with this presumption against building on open spaces and sports and recreational land, including playing fields unless clearly surplus to requirements, or where the loss would be replaced by equivalent or better provision in terms of quantity and quality or where the development is for alternative sports and recreational provision and the need for and benefits clearly outweigh the loss.
To assist with making these decisions, the NPPF requires local planning authorities to have a thorough understanding of the local needs for open space provision. To achieve this, a city-wide open space assessment has been prepared to provide a robust assessment of needs and deficiencies in open spaces to establish local provision standards in the DAP. The Newcastle Open Space Assessment (2018) has been prepared following assessments and audits of open space, sports and recreational facilities in order to establish the needs of the population and to set provision standards for the DAP. The Methodology is set out in pages 8-13 of the Open Space Assessment.

The Newcastle Open Space Assessment also includes an overview of the strategic and local context including existing strategies and policies which recognise the importance and value of open space. The Open Space Assessment also includes important contextual information regarding health and deprivation for Newcastle. Health inequalities and deprivation are key issues for the Council.

Open spaces below 0.15ha have a separate policy criterion as these smaller spaces are considered to have limited recreation function. The loss of these spaces will be assessed based on their character and visual amenity. This approach aligns with the Newcastle Open Space Assessment (section 5.1.8).

Policy DM30 also acknowledges that small-scale ancillary facilities on open space can positively contribute to the value of green and open spaces, enhancing the potential for public use and enjoyment of those spaces. This policy will help to ensure that open space remains functional and well managed for current and future needs.

Alternatives:
The protection of open space and the approach set out to assess development of open space is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS18 and includes standards to be used when assessing existing provision of open space in terms of quantity and access.

An alternative option would have been to rely on the wording of the NPPF, but this does not include standards and it would therefore be difficult to determine surpluses or deficiencies of open space.

In addition, alternative open space standards for assessing existing provision of open space could have been used. However, the open space standards taken forward in the DAP have been locally derived and most importantly, are considered to be achievable.

Effective:
The policy will be largely delivered through the development management process, for instance refusing development on open space where it does not accord with the policy.

Open space above 0.15ha are designated on the policies map and other policies in the DAP will help to protect open space such as protecting and enhancing Green Infrastructure.

Monitoring:
Policy DM30 will be monitored against the following DAP indicator:
- Amount of open space lost to development
Consistent with National Policy:
The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). Achieving sustainable development means that the planning system has three overarching objectives, which includes a social objective – to support strong, vibrant and healthy communities. Open space that reflect current and future needs and support communities' health, social and cultural well-being are included in this objective (paragraph 8).

The NPPF states that planning policies should plan positively for the provision of open space and sets out criteria for assessing proposals which affect open space (paragraphs 96 and 97). The evidence prepared to inform the open space policies in the DAP is in accordance with the approach set out in the NPPF. The open space standards to be used when assessing existing provision of open space are locally derived and are considered to be achievable.

The PPG states that open space should be taken into account when considering proposals that may affect existing open space. Open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. Open space can provide health and recreation benefits; have an ecological value and contribute to green infrastructure, as well as being an important feature of the landscape and setting of the built environment, and an important factor in the achievement of sustainable development. The PPG states that it is for local planning authorities to assess the need for open space and opportunities for new provision in their areas.

Para 001 Reference ID: 37-001-29140306
Revision date: 06 03 2014

Policy DM31 – Provision of Open Space, Sports and Recreational Buildings
Policy title and introduction to purpose:
Policy DM31 – Provision of Open Space, Sports and Recreational Buildings
The purpose of this policy is to ensure the provision of sufficient open space as part of new development. New development will be required to provide open space either on-site or make a contribution to improve existing facilities off-site to be determined by local circumstances and evidence.

Policy (full policy):
1. 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.
2. Open space created as part of a development will be required to:
   i. be of an appropriate size and quality;
   ii. be accessible to the public;
   iii. be designed to be safe, useable and integrated into the development;
   iv. maximise its multi-functional benefits;
   v. take opportunities to improve the connectivity and accessibility of the Strategic Green Infrastructure Network; and
   vi. include a suitable long-term management and maintenance programme.
3. Communal food growing opportunities within major residential development will be encouraged.

Positively Prepared:
This policy provides a positive approach towards the provision of new open space resulting from new development. The policy will help ensure there is the right quantum and quality of open space to meet the needs of residents, in a sustainable way. The policy will also positively contribute towards health and well-being and opportunities to improve green infrastructure.

The Core Strategy and Urban Core Plan sets out the overarching approach to the protection and enhancement of green infrastructure and the natural environment. Policy DM31 will positively contribute towards this approach by setting out detailed criteria for enhancing open space either through the creation of new open space or enhancements to existing open space.

Core Strategy Vision and Objectives compliance and delivery:
This policy will contribute to the achievement of the following strategic objectives:
- SO9: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.
- SO10: Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.
- SO12: Improve the function, usability and provision of our green infrastructure and public spaces by providing a network of green spaces and features which are connected and accessible for all.

Statutory Consultation:

Regulation 18 Consultation
- General comments made, suggesting professional maintenance and protection of parks, and expressing concern about the infrastructure and amenities of Throckley.
- Objection to the policy, stating that open space would be developed if it was profitable despite the policy.
- Comments were also received in support, stating that preserving parks and green space is necessary to support physical and mental health.
- Four organisations made objections to the policy. These objections were made on the basis that no final decisions should be made before parks are moved to a charitable trust, that the policy was necessary on specific sites, and that open space requirements should not be reduced from UDP standards.
- Other organisations made general comments on this policy; requesting that the allocation of a specific site as open space be reconsidered, that the policy be amended to be more directly relevant to recreational buildings and that the provision of open space on new developments should be a priority.
- Other comments received recommended that the provision of communal food growing opportunities should be a requirement rather than encouraged, others requested a definition for ‘recreational buildings’ and that they considered the evidence base to be flawed.

Regulation 19 Consultation
- NGP consider the policies to be overly restrictive and that it would not be appropriate for the DAP to retrospectively impose standards on strategic sites that already have outline permissions or with approved masterplans. The policy should be revised to enable a more flexible approach.
- Story Homes would like the supporting text to be revised to allow a flexible approach to landscape and management plans whereby they could be approved through planning conditions rather than legal agreements.
• SNW consider the standards to be too low and that the requirements would be ineffective unless further guidance is given in the DAP on the correct way to apply standards. SNW recommend additional text is added to ensure open space is planned as an integral part of development in order to provide an effective policy framework.
• Taylor Wimpey consider the policies to be overly restrictive and that it would not be appropriate for the DAP to retrospectively impose standards on strategic sites that already have outline permissions or with approved masterplans. The policy should be revised to enable a more flexible approach.
• Sport England consider that the policy and supporting text should provide clarity as to the relationship between it, the Plan for Playing Pitches and Plan for Built Facilities, and the CIL / Planning Obligations SPD. Sport England are supportive of each but consider that the way they relate to each other should and could be clearer.

**Policy Preparation:**
This policy replaces a number of saved policies within the UDP (OS1, OS1.1, OS1.2) and the BSAAP (SP1) relating to open space.

Policy DM31 provides the policy direction for the provision of open space which are not covered elsewhere in guidance such as the NPPF and PPG.

Policy DM31 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The most significant change to the policy since the consultation on the Draft Plan are referencing the standards table in the policy. The supporting text has also been modified to reflect comments received.

**Sustainability Appraisal:**
**Draft DAP:**
The policy was judged as having an overall positive social, environmental and economic effect. The SA recommended merging the open spaces policies and provide further detail on the scope of open space required for new development. However, the council considered that the open space policies would be clearer if they were separate and that decisions on the scope of open space required would need to be assessed on a case by case basis depending on the type and size of development and on the existing quantity and access to open space within the local area.

**Pre-Submission DAP:**
The policy has been judged overall as having a positive social, environmental and economic effect. The SA concludes that the policy has been strengthened by the inclusion of tables 2 & 3 in the supporting text which clarify the typology, quantity and access standards for the provision of new open spaces which are supported by the Open Space Assessment.

**Joint working:**
Newcastle and Gateshead worked jointly on the preparation of Policy CS18 of the CSUCP, and Gateshead were liaised with during the development of policy DM31.

The Council has also actively engaged with other neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the provision of open space, sports and recreational buildings.
Sport England have suggested that the title of this policy is changed to include recreational ‘facilities’ rather than ‘buildings’.

**Evidence:**

The NPPF states that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities and opportunities for new provision. Information gained from the assessments should be used to evaluate what open space, sport and recreational provision is required, which plans should then seek to accommodate.

To assist with making these decisions, the NPPF requires local planning authorities to have a thorough understanding of the local needs for open space and sport and physical activity provision. To achieve this, a city-wide Open Space Assessment (2018), a Plan for Playing Pitches (2015) and a Plan for Built Facilities (2015) were prepared.

The Open Space Assessment provides a robust assessment of needs and deficiencies in open spaces to establish local provision standards as set out in the DAP. The Newcastle Open Space Assessment (2018) has been prepared following assessments and audits of open space, sports and recreational facilities to establish the needs of the population and to set provision standards for the DAP. The Methodology is set out in pages 8-13 of the Open Space Assessment.

The Plan for Playing Pitches builds upon an assessment of playing pitches and provides guidance on the demand for pitches as a result of projected growth as set out in the Core Strategy and Urban Core Plan. The Plan for Playing Pitches provides a strategic approach to playing pitch provision in the city. Sport England and the National Governing Bodies (NGBs) have been involved in the process. Consequently, the Park and Recreation ground standard identified in the DAP forms the starting point for discussions regarding how pitch provision is met. The Council’s Plan for Playing Pitches will be used to help the assessment of planning applications and adequately inform applicants of their requirements to provide or fund playing pitches.

The Plan for Built Facilities builds upon an assessment of built facilities and provides an understanding of the future requirements for provision across the city and the investment required. It identifies the short-term priorities, gaps or over provision in areas and develops an approach to address this. The Plan also provides a strategic view supporting the needs of sport and sports providers and supports the public health agenda of driving improvements in well-being and health.

The Plan for Built Facilities concluded that the impact of housing growth on the provision of built facilities is limited other than qualitative improvements for the outer west and north of the city to serve the major growth planned. This been reflected in the Council’s adopted CIL mechanism and does not need to be addressed further in the DAP.

**Alternatives:**

The requirement for open space and the approach set out to assess the need for new open space is in accordance with national planning policy. This policy builds on the existing CSUCP Policy CS18 and includes standards to be used when assessing new provision in terms of quantity and access.

An alternative option would have been to rely on the wording of the NPPF, but this does not include standards and it would therefore be difficult to determine the provision of new open space as part of new development.
In addition, alternative open space standards for new provision could have been used. However, the open space standards taken forward in the DAP have been locally derived based on an established methodology and most importantly, are considered to be achievable.

**Effective:**
The policy will be largely delivered through the development management process, for instance refusing development where it does not accord with the policy.

**Monitoring:**
Policy DM31 will be monitored against the following DAP indicator:
- Amount of open space and sport facilities created or improved.

**Consistent with National Policy:**
The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). Achieving sustainable development means that the planning system has three overarching objectives, which includes a social objective – to support strong, vibrant and healthy communities. Open space that reflect current and future needs and support communities' health, social and cultural well-being are included in this objective (paragraph 7).

The NPPF states that planning policies should plan positively for the provision of open space (paragraphs 96). The evidence prepared to inform the open space policies in the DAP is in accordance with the approach set out in the NPPF. The open space standards to be used when assessing the requirement for new provision are locally derived and are considered to be achievable.

The PPG states that open space should be considered when planning for new development. Open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. Open space can provide health and recreation benefits; have an ecological value and contribute to green infrastructure, as well as being an important feature of the landscape and setting of the built environment, and an important factor in the achievement of sustainable development. The PPG states that it is for local planning authorities to assess opportunities for new provision in their areas.

Paragraph: 001 Reference ID: 37-001-29140306
Revision date: 06 03 2014
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<td>Comments made objecting to the use of standards, the change to open space standards compared to the UDP and the terminology used, stating that open space should not be considered as ‘surplus’</td>
<td>Comment in support of protecting open spaces in the urban area which is important for health, supporting sport, leisure, walking and cycling.</td>
<td>Proposed modification to the Policy title DM30 to include Sport and Recreational Buildings.</td>
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<td>Objections to the policy, considering development of green space to be unnecessary and that brownfield sites should be prioritised.</td>
<td>Comments on the supporting text to be revised to provide a more flexible approach to allow for site specific circumstances and additional wording on the re-provision of open space.</td>
<td>Proposed modification to DM30 1.iii to align with the NPPF.</td>
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<td>Several organisations objected to the policy. They stated that no final decisions should be made before parks are managed by a charitable trust and objected to the use of the word ‘delete’ to refer to open space.</td>
<td>An objection to the wording of DM30 1.iii. stating that it is not in accordance with the NPPF and should apply to replacement sports and recreational facilities only and should be revised accordingly. The open space standards are considered to be too low and the supporting text should be revised to ensure that open space is not double -counted. Additional text should also be included to explain that the local provision must be assessed by reference to the relevant walking distance.</td>
<td>Proposed modification to paragraph 6.16.11 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.</td>
</tr>
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<td>Other comments received were about specific open space designations, and that there should be more open space due to its positive health benefits. Others considered that the policy did not go far enough in protecting green infrastructure.</td>
<td>Other comments received would like the supporting text to be revised to make it clear that decisions as to whether playing field and sports buildings and land are surplus should be taken on the basis of assessments contained within the Plan for</td>
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| Comments were also received in support, stating that preserving parks and green space is necessary to support physical and mental health. | Following responses received on the draft DAP | }

287
minor changes were made to the policy wording to make it stronger, the open space standards table has been referenced in the policy and residential amenity has been added to the policy criteria for assessing the development of ancillary facilities.

It is considered that the proposed open space standards are sound, based on an up-to-date evidence base prepared in accordance with national planning policy. The NPPF is clear that planning policies should be based on an up to date open space assessment which should include an assessment of deficits or surpluses.

Where open space has been allocated for housing, an open space assessment has been prepared to inform the allocation.

The management of open space is a separate exercise from the preparation of the DAP and would not impact on an open space designation.

Playing Pitches and the Plan for Built Facilities.

Comments were also received on the policies map including the current open space provision at Newcastle Great Park should be mapped, Cell C3 at Newcastle Great Park should be designated as open space and a site at Red Hall Drive should be deallocated as open space.

Following responses received on the Pre-Submission DAP modifications to DM30 have been considered to ensure the Policy title includes Sports and Recreational Buildings and the wording to DM30 1.iii has been revised to align with the NPPF. The supporting text has been amended to reference the Plan for Playing Pitches and the Plan for Built Facilities which should be used to guide decision making.

It is not considered that further revisions are necessary and would make the policy too flexible. The policy wording and proposed open space standards are considered robust. The Policies Map shows open spaces over 0.15ha which are accessible for recreational use and does not show spaces yet to be provided, or amenity roadside.

Policy DM31

General comments made, suggesting professional maintenance and protection of parks, and expressing concern about the

Objections stating the policy is overly restrictive and that it would not be appropriate for the DAP to retrospectively

Proposed modification to the supporting text to include reference to the provision of sports and recreational buildings and to
infrastructure and amenities of Throckley.

Objection to the policy, stating that open space would be developed if it was profitable despite the policy.

Comments were also received in support, stating that preserving parks and green space is necessary to support physical and mental health.

Four organisations made objections to the policy. These objections were made on the basis that no final decisions should be made before parks are moved to a charitable trust, that the policy was necessary on specific sites, and that open space requirements should not be reduced from UDP standards.

Other organisations made general comments on this policy; requesting that the allocation of a specific site as open space be reconsidered, that the policy be amended to be more directly relevant to recreational buildings and that the provision of open space on new developments should be a priority.

Other comments received recommended that the provision of communal food growing opportunities should be a requirement rather than encouraged, others requested a definition for ‘recreational buildings’ and that they considered the evidence base to be flawed.

Following responses received on the draft DAP

| impose standards on strategic sites that already have outline permissions or with approved masterplans. The policy should be revised to enable a more flexible approach. Comments on the supporting text which should be to be revised to allow a flexible approach to landscape and management plans whereby they could be approved through planning conditions rather than legal agreements. Other comments received consider the standards to be too low and that the requirements would be ineffective unless further guidance is given in the DAP on the correct way to apply standards. Additional text is recommended to ensure open space is planned as an integral part of development in order to provide an effective policy framework. Comments on the supporting text which should be revised to provide clarity as to the relationship between the policy, the Plan for Playing Pitches and Plan for Built Facilities, and the CIL / Planning Obligations SPD. Sport England are supportive of each but consider that the way they relate to each other should and could be clearer. Following responses received on the Pre-Submission DAP modifications to DM31 have been considered, including referencing sports and recreational buildings in the supporting text and clarify the relationship between the policy and supporting documents. |
Policy DM31 has been revised to include a reference to the standards table in the policy. The supporting text has also been modified to reflect comments received including referencing site constraints as part of decision making, clarification that a management plan would need to be approved as part of a planning obligation and revisions to text to clarify that the council’s plan for playing pitches will be used to help the assessment of planning applications.

It is considered that the proposed open space standards for new provision are sound, based on an up-to-date evidence base prepared in accordance with national planning policy. The evidence base will be regularly reviewed in order to inform decisions at the time of application. Providing specific details in the DAP on size, quality and nature of open space would be overly restrictive as it is subject to change. The supporting text is clear that 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. Just because an area has a sufficient supply, this does not mean that improvements to open space could not be made in order to accommodate additional use arising from development.

The open space standards have been viability tested.

The management of open space is a separate clarifying the relationship between the policy and supporting documents.

The open space standards and approach to open space are considered to be sound. The supporting text 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.

The PPG (paragraph 34) sets out information which is considered 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. The long-term management of identified areas of open space will be secured through a planning obligation, as a 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.

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 DAP and it is not considered necessary to add this
exercise from the preparation of the DAP and would not impact on the provision of open space.

<table>
<thead>
<tr>
<th>wording.</th>
<th>The open space standards have been viability tested by the council. Open space standards are discussed in section 7.2 of the Viability and Deliverability Report (2018).</th>
</tr>
</thead>
</table>
Chapter 7 – Minerals and Waste
Policy DM33 – Minerals Extraction and Reclamation

Policy title and introduction to purpose:

Policy DM33 – Minerals Extraction and Reclamation

The purpose of this policy is to ensure that any proposals for minerals extraction do not have any unacceptable adverse impacts on the natural and built environment and health. Resources need to be managed in a sustainable manner. It will take into account the cumulative effects of multiple impacts from sites in the locality.

Policy (full policy):

Policy DM33 – Minerals Extraction and Reclamation

1. Development of minerals operations will only be supported where it can be demonstrated that all material social, economic and environmental impacts that would cause demonstrable harm to the natural and historic environment or human health can be eliminated or acceptably mitigated. Proposals will need to demonstrate no unacceptable adverse impact on:
   i. the natural, geological and built environment, including features of archaeological, historic or architectural importance;
   ii. landscape character;
   iii. nationally or locally designated wildlife sites, protected species and their habitats and ecological networks;
   iv. nationally protected landscapes;
   v. best and most versatile agricultural land;
   vi. human health and local amenity, including from noise, vibration, dust, lighting and visual intrusion;
   vii. road safety, traffic and local congestion;
   viii. air quality;
   ix. aviation safety;
   x. mining subsidence and land stability;
   xi. soil resources;
   xii. flood risk;
   xiii. the flow, quality and quantity of surface and groundwater and drainage;
   xiv. risk of contamination from the site; and
   xv. the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.

2. Proposals for mineral extraction must include a detailed restoration, aftercare and after-use strategy and a programme of works that provides high quality aftercare and restoration which enhances its landscape, ecological and recreational value.

Positively Prepared:

This policy provides a positive approach to minerals extraction and reclamation. The NPPF recognises the importance of providing for the extraction of mineral resources and in safeguarding suitable sites. It is important to make the best use of them to secure their long-term conservation. The policy is considered to be positively worded as it is 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.

This approach is consistent with ensuring sustainable development with positive social, economic, environmental benefits from mineral extraction. Whilst it is recognised that minerals can only be worked where they can be found, it is also recognised that mineral extraction can have significant impacts upon the local environments in which they are located. This policy ensures that there are measures in place to mitigate negative impacts of such development. This is in line with the NPPF in ensuring that that high-quality restoration and aftercare of mineral sites takes place.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objectives:
SO9: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.

SO10: Provide the opportunity for a high quality of life for everyone and enhance the wellbeing of people to reduce all inequalities.

SO11: To reduce CO2 emission from development and future growth while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change.

This policy should be read in conjunction with CS20 Minerals.

Policy Preparation:
Policy DM33 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The most significant changes to the policy since the consultation on the Draft Plan are:

- Greater clarity regarding what is meant by ‘demonstrable harm’ (addition of ‘to the natural and historic environment or human health’)
- Strengthening of policy wording; ‘flood risk’ rather than ‘increased flood risk’
- Addition of traffic criteria into the policy (‘road safety, traffic and local congestion’)
- Clarification regarding what should be considered as part an aftercare scheme (‘that provides high quality aftercare and restoration which enhances its landscape, ecological and recreational value’)

This policy replaces a number of policies within the UDP relating to mineral extraction (MIN1, MIN2, MIN3, MIN4). It provides the policy direction that is not covered elsewhere in guidance such as the NPPF and NPPG.

Statutory Consultation:
Some organisations consider that DM33 should be re-scaled to reflect the need to protect the best qualities of agricultural land that the North East actually has, and that the policy is not in line with UK Climate Change Act (2008). This approach would be contrary to national policy.

Two organisations supported the policy, requesting that the proposed site be considered based on the need for coal compared to the need for agricultural land, and suggesting minor amendments to the supporting text. Newcastle Green Party objected to the policy and request that it be reworded to permit proposals only where they would not adversely impact climate change mitigation. Concern was expressed about boundary issues, ecology and potential health impacts, and the impact on the Strategic Road Network.

Banks Group consider that policy is not positively worded or prepared. Doesn’t consider the weight that should be given to the benefits of minerals extraction and that in relation to surface mining of coal, there is no means to acknowledge and balance the national, local or community benefits. However, 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.

The Coal Authority supports the inclusion of Policy DM33. Policy criterion vii. was added to recognise that any proposals cannot have an unacceptable adverse impact on traffic, which is supported by Highways England.

Minor changes to the policy were made on consultation with Northumberland County Council, including reference to amenity as well as human health. Criterion 2 was strengthened to include reference to “high quality aftercare and restoration”. Additionally, paragraph 6.18.6 was amended to refer to “a minimum of 15 year’s long-term management” rather than aftercare.
Newcastle Airport raised concerns regarding the potential impact on aircraft safety resulting from the use of land for mineral extraction. Criterion viii. was added to ensure that aviation safety is identified as a key consideration in assessing an application for mineral extraction. Policy supporting text was amended to further clarify this. To address a number of concerns raised by Newcastle Airport a policy was added to the DAP at pre-submission stage to address this (DM25 Airport Safety). This policy ensures development takes account of aviation safety.

**Sustainability Appraisal:**
The policy has been judged overall as having a positive social, environmental and economic effect.

**Joint working:**
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to the management of minerals extraction and reclamation during this process.

**Evidence:**
The Minerals Background Paper (2018) identifies potential areas for minerals extraction and outlines the existing national and local policy context. This paper only identified one site as being potentially suitable for extraction (for coal and fireclay at Dewley Hill). There were no areas identified as suitable for the extraction of sand, gravel and other aggregates, but a policy is still required to ensure any potential proposals do not have any unacceptable adverse impacts on the natural and built environment and health.

The CSUCP sets out the Council’s objectives for minerals with the main priority being to ensure the sustainable supply and management of minerals resources to support development needs and the wider economy. The whole of the plan area is identified as a Mineral Safeguarding Area in the CSUCP. CSCUP Policy CS20 states that worked land will be “subject to high standards of restoration and aftercare to ensure it is returned to the most appropriate and beneficial after use at the earliest opportunity taking into account airport safety, and secure biodiversity, woodland and recreational enhancement”. Within the Mineral Safeguarding Area CS20 specifies that extraction will not be supported when there is an unacceptable impact on the environment, local communities and neighbouring uses.

DM33 replaces saved policies in the Unitary Development Plan; MIN1, which concerns planning applications for minerals extraction being required to consider and mitigate a number of social, environmental and economic impacts, and MIN2, which states that any allowed development should be restored and reclaimed to an appropriate beneficial after-use, including any required after-care to the site. It also replaces policies MIN3 and MIN4 relating to opencast coal mining and brings the principles of these policies in line with the NPPF.

Proposals for energy mineral developments will be determined in accordance with national policy. The NPPF recognises the importance of a sufficient mineral supply to meet local and national requirements (paragraph 203). The NPPF states that local planning authorities should conserve and enhance the natural environment by minimising impacts on and providing net gains for biodiversity, and by remediating despoiled, degraded, derelict, contaminated and unstable land (paragraph 170).

**Alternatives:**
The alternative would be to have no policy and to rely solely on NPPF and NPPG. It is felt this option would reduce potential mitigation of negative impacts of minerals extraction.

**Effective:**
There are infrequent proposals for minerals extraction in Newcastle, however when they do get submitted, this policy will be applied to ensure that permission is only given in
appropriate locations, and that any aftercare and restoration of the site will be of a high quality that enhances its value.

**Monitoring:**
Policy DM33 will be monitored against the following CSUCP indicator:
- Ref 48: Planning applications and approvals for mineral extraction by type, projected quantity and location.

**Consistent with National Policy:**
The NPPF recognises that minerals are essential to economic growth and quality of life, and that it is important that the supply of minerals is sufficient to meet local and national requirements (paragraph 203).

NPPG minerals guidance states that worked land should be restored to make it suitable for beneficial after-uses. The NPPF outlines that local planning authorities should conserve and enhance the natural environment by minimising impacts on and providing net gains for biodiversity, and by remediating despoiled, degraded, derelict, contaminated and unstable land (paragraph 170). NPPF policy affirms that local authorities should provide for restoration and aftercare at the earliest opportunity to high environmental standards (paragraph 205).

Paragraph 204 of the NPPF stipulates that minerals extraction should account for the cumulative effects of multiple impacts from individual sites as well as sites in a locality. The NPPF states that planning authorities should set out criteria to ensure that minerals extraction does not have unacceptable adverse impacts on the natural and historic environment or human health (paragraph 204). Additionally, planning authorities should ensure that high quality restoration and aftercare of mineral sites takes place.

Mineral extraction must be environmentally feasible (paragraph 204). The NPPF states that planning permission should not be granted for the extraction of coal unless the proposal is environmentally acceptable, or provides national, local or community benefits which clearly outweigh its likely impacts (paragraph 211). In considering proposals for mineral extraction, planning authorities should ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety (paragraph 205). Unavoidable noise, dust and particle emissions should be controlled, mitigated or removed at source, and the cumulative effect of multiple impacts from individual sites should also be considered.

**Policy DM34 – Area of Search**

**Policy title and introduction to purpose:**

*Policy DM34 – Area of Search*

National planning policy requires planning authorities to identify specific sites for minerals extraction. Dewley Hill is identified as an Area of Search for the extraction of coal and any secondary minerals, including fireclay.

**Policy (full policy):**

*Policy DM34 – Area of Search*

Dewley Hill site is designated on the Policies Map as an Area of Search for the extraction of coal and other secondary minerals. The acceptability of working this search area will be assessed in line with National and Local Plan Policy.

**Positively Prepared:**
The NPPF states that planning policies should provide for the extraction of locally or nationally important mineral resources (paragraph 204), and NPPG specifies that mineral planning authorities should plan for the steady and adequate supply of minerals (Paragraph: 008 Reference ID: 27-008-20140306). Policy DM34 aligns with this presumption by identifying good quality coal and fireclay reserves that have been identified as having the potential for extraction during the plan period.
**Core Strategy Vision and Objectives compliance and delivery:**
This policy will contribute to the achievement of the following strategic objective:
- **SO9:** Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, making the Urban Core a high-quality exemplar for Gateshead and Newcastle, and ensuring our communities are attractive, safe and sustainable.

This policy should be read in conjunction with CS20 Minerals, which identifies the whole of the plan area as a minerals safeguarding area. CS20 states that “more detailed criteria and Areas of Search will be included within subsequent LDD’s”.

**Policy Preparation:**
Following a call out for sites of known mineral deposits, a site at Dewley Hill was put forward. Policy DM34 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. This policy replaces policy within the UDP relating to opencast coal mining (MIN5).

**Statutory Consultation:**
Following the draft DAP, supporting text to the policy was amended to address concerns about the designation of Dewley Hill as an Area of Search due to environmental concerns raised by the Environment Agency. Reference was added to ensure that any minerals extraction that could potentially have an adverse environmental impact on the tributary of Dewley Burn that runs through the proposed extraction site would need to be mitigated.

At draft DAP stage Natural England stated that it was important to consider the impact that mineral extraction at Dewley Hill may have on Hallow Hill SSSI. Policies DM29 and DM33 requires development to consider impacts on SSSIs and to have no unacceptable adverse impact on nationally designated wildlife sites. Any mineral extraction application at Dewley Hill would therefore need to demonstrate no unacceptable adverse impacts.

Newcastle Airport raised concerns with the potential impact on aircraft safety. However, this is addressed within DAP Policy DM33, and an applicant would need to demonstrate that the mining operation would not adversely affect aviation safety. Supporting text to DM33 was amended, and a new airport safeguarding policy (DM25 – Airport Safety) was included in the pre-submission DAP to cover issues raised during consultation.

In response to the draft DAP Northumberland County Council requested that the supporting text for the policy should be amended to clarify that planning applications concerning the Area of Search should take into account the potential impact on Northumberland. However, this is not considered an issue of policy and will be determined at application stage. Northumberland County Council supported the designation as an Area of Search in their pre-submission DAP response.

Two organisations supported the policy, but request amendments to the policy to remove the requirement to maintain the site for 15 years after cessation of mining, and to amend the reference to the site’s existing use as agricultural land. Other respondents requested mitigation of environmental impacts and recommended that the relevant policy frameworks be taken into account. Save Newcastle Wildlife argued that there is no longer a requirement for coal and that therefore the policy should be removed. Banks Mining support the allocation but requested the site area in Evidence Base document be corrected to 110ha.

**Sustainability Appraisal:**
The policy has been judged overall as having a positive economic effect. Overall, it has been judged as having a negative social and environmental impacts. However, these will only be the case should the Area of Search become operational. Simultaneous application of policy DM33 (Mineral Extraction and Reclamation) should minimise negative impacts
and result in a high-quality site restoration.

**Joint working:**
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to an Area of Search approach during this process.

**Evidence:**
Following a call out in 2015, the Minerals Area of Search evidence paper (2018) includes an assessment of potential minerals sites, to which the Dewley Hill site was received in response.

The evidence submitted as part of the call out for sites states that the coal at Dewley Hill is understood to be of exceptionally high quality, being low in chlorine, sulphur and ash content. It is found close to the surface and approximately 800,000 tonnes of coal and 200,000 tonnes of fireclay is anticipated to be available for extraction. The evidence document includes a site assessment containing a site overview, known constraints and other assessment data.

The paper recognises a number of constraints with the identified site which mean that planning permission cannot reasonably be anticipated (the site is within the Green Belt and is highly visible from a range of sensitive receptors in close proximity to a significant number of residential properties), and as such cannot be allocated as a Specific Site or Preferred Area. The identified mineral reserves on the site mean that it has been allocated as an Area of Search in the plan.

The Minerals Background Paper (2018) proposes designating Dewley Hill as an Area of Search on the basis of submitted evidence and the knowledge of the extent and quality of the mineral reserves that could potentially be won from the site.

**Alternatives:**
Alternative options would have been to designate the site as either a Specific Site or a Preferred Area for mineral extraction, however there are a number of known constraints with the site, such as being located within the Green Belt, that mean that planning permission cannot reasonably be anticipated, and any proposal for the site would have to demonstrate accordance with DAP Policy DM33 as well as other relevant national and local guidance. CSUCP Policy CS20 identifies the whole of the plan area as a Minerals Safeguarding Area.

Another alternative approach would have been to not designate the site as an Area of Search. However, this would not be in accordance with the NPPF and PPG, it would not be positively prepared, as the NPPF states that planning policies should provide for the extraction of locally or nationally important mineral resources, taking into account evidence relevant evidence provided by the minerals industry and other appropriate bodies.

**Effective:**
Proposals for minerals extraction in Newcastle are very infrequent, however this policy will be applied to ensure that any extraction on this site will be assessed in line with local and national policy.

**Monitoring:**
This policy will be monitored through the development management process.

**Consistent with National Policy:**
NPPG encourages planning authorities to plan for minerals extraction using relevant evidence provided by the minerals industry and other appropriate bodies. The identification of the Dewley Hill site as an Area of Search is in accordance with national planning policy, which states that areas where knowledge of mineral resources may be less certain should be designated as such. Minerals planning guidance states that Areas
of Search are “areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply” (Paragraph: 008 Reference ID: 27-008-20140306).

The NPPF states that a sufficient minerals supply is essential to support infrastructure, energy and goods (paragraph 203), and in addition polices should facilitate mineral resource extraction of local or national importance (paragraph 204).

Local authorities should account for the need for provision of brick clay from different sources, so appropriate blends can be made (paragraph 208). The NPPF states that planning permission should not be granted for the extraction of coal unless the proposal is environmentally acceptable, or provides national, local or community benefits which clearly outweigh its likely impacts (paragraph 211).

Policy DM35 – Recycling and Refuse Storage Provision

Policy title and introduction to purpose:

Policy DM35 – Recycling and Refuse Storage Provision

The purpose of this policy is to ensure developments adequately provision suitable recycling and refuse capacity. This should be of adequate quantity and quality, in order to maintain the visual appearance, amenity and safety of areas.

Policy (full policy):

Policy DM35 – Recycling and Refuse Storage Provision

3. The location and appearance of refuse storage and recycling provision will be required to be an integral part of the development and demonstrate the use of innovative design of waste facilities. Refuse storage and recycling provision will be required to provide:
   i. the necessary capacity needed by the development and which can be adequately accessed so that waste can be serviced by refuse collection vehicles;
   ii. for non-residential developments, shared housing and major flatted development, shared recycling facilities and refuse bins of sufficient capacity to serve the proposed development;
   iii. for other residential development, space for the storage of individual recycling and refuse bins to reflect the current collection regime and communal recycling facilities and refuse bins of the required capacity to serve the proposed development as a whole; and
   iv. for residential properties with private gardens provision for the separate storage of garden waste for collection or composting.

Positively Prepared:

The NPPF recognises that the location and appearance of refuse provision can make an important contribution to well-designed places and buildings. The NPPF requires local planning authorities to set out policies to foster a well-designed and safe built environment and to minimise waste and pollution. These create better places in which to live and work and are a key aspect of sustainable development.

Core Strategy Vision and Objectives compliance and delivery:

This policy will contribute to the achievement of the following strategic objectives:

- SO9: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, making the Urban Core a high-quality exemplar for Gateshead and Newcastle, and ensuring our communities are attractive, safe and sustainable.
- SO11: To reduce CO2 emission from development and future growth while adapting to the issues, mitigating adverse impacts and taking advantage of the opportunities presented by climate change.

This policy should be read in conjunction with CSUCP policy CS21 Waste and the ‘Provision of Waste and Recycling Collection Storage Facilities’ Guidance Note (2015).
**Policy Preparation:**
Policy DM35 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The most significant changes to the policy since the consultation on the Draft Plan are:

- Addition of a clause that applications are required to ‘demonstrate the use of innovative design of waste facilities’.
- Additional paragraph (7.3.3) to the supporting text to encourage the exploration of whole street solutions and underground communal waste facilities.
- Amendment to paragraph 7.3.4 of the supporting text to strengthen wording (‘requires all development to include recycling refuse provision of adequate quantity and quality’).

This policy provides the policy direction that is not covered elsewhere in guidance such as the NPPF and NPPG.

**Statutory Consultation:**
One comment supported the policy, however expressed general dissatisfaction with current waste provision. Others requested more fines for littering, covered bins, and increased collections, which aren’t relevant to this plan. The Elders’ Council supported the policy, stating that existing recycling and refuse storage was inadequate in places, and recommending an increase in convictions for misuse of bins. Residents’ groups expressed support for recycling, and proposed that new developments could incorporate mechanical waste disposal units. Newcastle Airport suggested that waste facilities may need safeguarding in some locations. One developer stated that, though they support the aims of the policy, they did not consider the policy justified or sound as it lacks proportionality and flexibility.

**Sustainability Appraisal:**
The policy has been judged overall as having a positive social and economic effect and a neutral environmental effect.

**Joint working:**
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to recycling and refuse storage provision during this process.

**Evidence:**
Under Section 46 (Receptacles for Household Waste) of the Environmental Protection Act 1990 a Local Authority may require:

- a) Waste of certain types to be stored separately so that it can be recycled.
- b) Developers to provide containers of a specific type for the storage of waste.
- c) Additional containers to be provided for the separate storage of recyclable waste.
- d) Locations where containers should be placed for emptying to be agreed prior to completion.

The ‘Provision of Waste and Recycling Collection Storage Facilities’ Guidance Note (2015) sets out standards for storage accommodation for waste and recyclable material and is currently used by the Council to assess planning applications. The Council requires a waste management plan for residential and/or commercial developments which should include size and location of waste equipment, estimated volumes, proposed collection points, and the ability of refuse collection vehicles to access development sites. The guidance ensures that appropriate waste management facilities are provided in new developments to ensure adequate storage for waste and recyclables. These principles are aligned with the NPPF, NPPG and Environmental Protection Act 1990.

The emerging Newcastle Waste Strategy (2018) promotes an innovative approach to waste management and provision, and includes principles encouraging the exploration of
whole street solutions and underground communal waste facilities. This has been taken into consideration alongside the evidence base used in the preparation and development of the DAP.

**Alternatives:**
This policy sets out a clear design vision, in accordance with the NPPF. The alternative would be to have no policy and to rely solely on NPPF and NPPG. This option would be less effective at maintaining the visual appearance, amenity and safety of areas.

**Effective:**
The policy will be largely delivered through the development management process, for instance refusing development where it does not accord with the policy.

**Monitoring:**
This policy will be monitored through the development management process.

**Consistent with National Policy:**
Local authorities in England are under a legal obligation under the Environmental Protection Act 1990 to provide waste collections to households. Under Section 46 (Receptacles for Household Waste) of the Environmental Protection Act 1990 a Local Authority may require:

a) Waste of certain types to be stored separately so that it can be recycled.
b) Developers to provide containers of a specific type for the storage of waste.
c) Additional containers to be provided for the separate storage of recyclable waste.
d) Locations where containers should be placed for emptying to be agreed prior to completion.

Part of the overarching objectives of the NPPF is to foster a well-designed and safe built environment (paragraph 8), and waste and pollution should be minimised. The National Waste Strategy 2000 sets out a framework for sustainable waste management emphasising waste minimisation, recovery, recycling, composting targets and substantial reductions to the amounts of biodegradable wastes deposited in landfill sites. Through the Waste Management Plan for England (2013) the Government supports local authorities in improving quality and quantity of recycling, with separate collection of waste and recyclables.

Paragraph 122 of the NPPF emphasises the importance of securing well-designed, attractive and healthy places, making efficient use of land. Paragraph 124 states that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”, of which location and appearance of refuse storage and recycling provision is part. Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and layout, will add to the overall quality of the area over the development’s lifespan, and are sympathetic to local character and history (paragraph 127).

The NPPF recognises that housing developments should be “well located and designed and supported by the necessary infrastructure and facilities” (paragraph 72). Local Plans should set out a clear design vision and expectations (paragraph 125), in order to achieve well designed places and buildings. Applications should create safe, secure and attractive places (paragraph 110). The NPPF recognises that this should be done by avoiding unnecessary street clutter and by responding to local character and design standards. This policy ensures that the visual appearance, amenity and safety of areas is maintained.

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**Policy DM36 – Telecommunications and Digital Infrastructure**

**Policy title and introduction to purpose:**

*Policy DM36 – Telecommunications and Digital Infrastructure*

The development of telecommunications and digital infrastructure is recognised as an important driver for both the local and national economies. A speedy and reliable network
of digital infrastructure is considered essential for connecting Newcastle into the global market place.

The purpose of this policy is to guide development of new or upgraded telecommunications infrastructure and to ensure that any proposals do not have any unacceptable adverse impacts on the visual and residential amenity, electrical equipment, air traffic services or instrumentation in the national interest.

**Policy (full policy):**

*Policy DM36 – Telecommunications and Digital Infrastructure*

4. Development for new or upgraded telecommunications infrastructure will be required to demonstrate that:
   i. the installation(s) will be kept to a minimum, consistent with the efficient operation of the network;
   ii. the site is the most sustainable option with all alternatives explored (including opportunities for the sharing or clustering of facilities and siting masts on existing buildings);
   iii. there will be no significant impact on visual and residential amenity, and the character of any building, structure or wider area; and
   iv. there will be no significant and irremediable interference with electrical equipment, air traffic services or instrumentation in the national interest.

5. Major development will be required to demonstrate how it supplies digital infrastructure to access electronic communications networks.

**Positively Prepared:**

Digital infrastructure and connectivity is considered a pre-requisite for economic competitiveness and can help create inward investment and new job opportunities. The NPPF requires local planning authorities to support the expansion of electronic communications networks and broadband connections, recognising the importance of high-quality communications infrastructure for economic growth and social well-being. The NPPF states that planning policies should support high speed broadband provision within new development sites, prioritising fibre connections.

**Core Strategy Vision and Objectives compliance and delivery:**

This policy will contribute to the achievement of the following strategic objectives:

- SO9: Ensure the development and use of land protects, sustains and enhances the quality of the natural, built and historic environment, and ensuring our communities are attractive, safe and sustainable.

Policy CS5 Employment and Economic Growth Priorities recognises that to remain competitive in a changing economy and to support knowledge and creative industries, access to high-speed broadband and digital infrastructure will be essential. This policy should also be read in conjunction with CS9 Existing Communities and CS11 Providing a Range and Choice of Housing.

**Policy Preparation:**

Policy DM36 has evolved considering evidence prepared, Sustainability Appraisal comments and responses to consultation. The most significant changes to the policy since the consultation on the Draft Plan are:

- Criterion 2 of the policy strengthened from ‘encouraged to supply’ to ‘required to demonstrate how it supplies’.
- Amendment to paragraph 8.1.5 of the supporting text to remove requirement to submit annual development roll-out plans.

This policy replaces a policy ED6 within the UDP relating to telecommunications development. This policy provides the policy direction that is not covered elsewhere in guidance such as the NPPF and NPPG.

**Statutory Consultation:**
No concerns were raised by statutory consultees as part of the consultation process.

One resident expressed concern about the potential for increased telecommunications and digital infrastructure to result in more roadworks, one considered underground fibre cabling preferable to providing internet to homes using telegraph poles, and one was concerned about provision for those with no access to computers or smartphones. It was argued that internet is not accessible to all members of the community and so other communications infrastructure should be maintained. However, these aren't within the scope of planning policy.

Several commenters argue that inclusion of digital infrastructure such as high-speed broadband and fibre optic cables is not under direct control of the development industry, could cause deliverability issues and obstruct housing delivery, and it is not appropriate to seek standards over and above Building Regulations. The policy does not seek to prevent development that does not have access to such networks. A minor amendment was made to supporting text to explain that developers should provide digital infrastructure within their site, and the Glossary was amended to clarify what is meant by ‘Telecommunications Infrastructure’ and ‘Digital Infrastructure’.

**Sustainability Appraisal:**
The policy has been judged overall as having a positive social, economic and environmental effect.

**Joint working:**
The Council has actively engaged with neighbouring planning authorities and prescribed bodies during the plan preparation process and no significant cross-boundary or strategic issues have been raised in relation to the approach to telecommunications and digital infrastructure during this process.

**Evidence:**
Policy DM36 builds upon the principles of ED6 in the UDP (1998) and brings these principles in line with the NPPF. ED6 encourages the sharing of existing telecommunications facilities, states that satisfactory alternative sites should be explored, and that development should be sited and designed to minimise its visual impact.

The Office of Communications (Ofcom) outlines that telecommunications development applications must be supported by detailed information, including certification that the operational exposure for new masts or base stations will not exceed International Commission on non-ionising radiation protection guidelines.

The ‘Telecommunications and Digital Infrastructure Policy for the emerging Development and Allocations Plan’ Topic Paper (August 2018) states that the preferred policy option sets out that development for new or upgraded telecommunications infrastructure will be required to demonstrate it meets a number of criteria’s. It also states that major development will be required to supply digital infrastructure to access electronic communications networks.

It recognises that the development of telecommunications and digital infrastructure is an important driver for both local and national economies, with digital technology playing a vital role in the provision of local community facilities and services.

**Alternatives:**
The alternative would be to have no policy and to rely solely on NPPF and NPPG. It is felt this option would not actively encourage the expansion of electronic communications networks and high-speed broadband.

There is the additional option to prepare additional planning guidance on digital infrastructure to further support this policy, which could reflect any national policy changes.
and/or advances in digital infrastructure technology.

**Effective:**

This policy approach requires telecommunications and digital infrastructure as part of new development to allow flexibility, responding to market changes during the plan period. The policy will be largely delivered through the development management process, for instance refusing development where it does not accord with the policy.

**Monitoring:**

Policy DM36 will be monitored against the following DAP indicator:
- 20: Number of homes (units) with superfast and ultrafast broadband access.

**Consistent with National Policy:**

The NPPF recognises the importance of high-quality communications infrastructure for economic growth and social well-being and encourages local authorities to support high speed broadband provision within new development sites. Paragraph 112 states that “planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections”.

The NPPF stipulates that access to services should be provided by a range of providers and that fibre connections to existing and new developments should be prioritised (paragraph 112). Policies should set out how high-quality digital infrastructure is expected to be delivered and upgraded over time. Additionally, paragraph 112 states that planning policies “should prioritise full fibre connections to existing and new developments”.

The NPPF states that strategic policies should make sufficient provision for telecommunications infrastructure (paragraph 20). Paragraph 114 specifies that local planning authorities should not impose bans on telecommunications development in certain areas or impose blanket Article 4 directions over a wide area. Electronic communications infrastructure should not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation in the national interest. The NPPF stipulates that the number of sites for radio and electronic communications masts, as well as the overall number of masts, should be kept to a minimum (paragraph 113).
### Policy Development Table

<table>
<thead>
<tr>
<th>Draft Development and Allocations Plan</th>
<th>Pre-Submission Development and Allocations Plan</th>
<th>Submission Development and Allocations Plan</th>
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<tbody>
<tr>
<td><strong>Policy DM33</strong></td>
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<tr>
<td>Comments were raised regarding new mineral extraction adversely affect housing or health, and that this should be controlled and monitored. It is considered that this is already addressed by the policy.</td>
<td>It is considered that the policy should be amended to reflect the need to protect the best qualities of agricultural land that the North East has. Despite this, the NPPF only states that policies should contribute to and enhance the best and most versatile agricultural land, and any approach that goes above and beyond the NPPF would need to be justified.</td>
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<td>Policy criterion vii. was added to recognise that any proposals cannot have an unacceptable adverse impact on traffic, which is supported by Highways England.</td>
<td>It is argued that the policy is not in line with UK Climate Change Act (2008) and should be amended to state EIA requirement and that applications should have no net detrimental effect on climate change. Minerals extraction proposals 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. Requiring applicants to demonstrate that an application will 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</td>
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<tr>
<td>Minor changes to the policy were made, including reference to amenity as well as human health. Criterion 2 was strengthened to include reference to “high quality aftercare and restoration”. Additionally, paragraph 6.18.6 was amended to refer to “a minimum of 15 year’s long-term management” rather than aftercare.</td>
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<td>Concerns were raised regarding the potential impact on aircraft safety resulting from the use of land for mineral extraction. Criterion viii. was added to ensure that aviation safety is identified as a key consideration in assessing an application for mineral extraction. Policy supporting text was amended to further clarify</td>
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To address a number of concerns raised by Newcastle Airport a policy was added to the DAP at pre-submission stage to address this (DM25 Airport Safety). This policy ensures development takes account of aviation safety.

Objections to fossil fuel extraction were raised as it should not be allowed due to the unacceptable adverse impacts on national greenhouse gas emissions and the ability of the UK to meet its climate change obligations. However, requiring applicants to demonstrate that an application will 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.

Concerns were raised around the policy not being positively worded or prepared and not considering the weight that should be given to the benefits of minerals extraction. There is no means to acknowledge and balance the national, local or community benefits of surface coal mining. 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. It is considered that policy CS20 in the CSUCP gives weight to social, economic and environmental impacts of non-energy mineral development. Coal extraction will be assessed in accordance with paragraph 211 of the NPPF.

**Policy DM34**

Supporting text to the policy was amended to address concerns about the designation of Dewley Hill as an Area of Search due to environmental concerns. Reference was added to ensure that any minerals extraction that could potentially have an adverse environmental impact on the tributary of Dewley Burn that runs through the proposed extraction site would need to be mitigated.

The impact that mineral extraction at Dewley Hill may have on Hallow Hill SSSI should be considered. Policies DM29 and DM33 require development to consider impacts on SSSIs.

Responses supported the designation as an Area of Search.

It was requested that the evidence base for DM34 should be updated from a site area of 50ha to 100ha, to bring it in line with the figure in the plan.
and to have no unacceptable adverse impact on nationally designated wildlife sites. Any mineral extraction application at Dewley Hill would therefore need to demonstrate no unacceptable adverse impacts.

Concerns were raised regarding the potential impact on aircraft safety. However, this is addressed within DAP Policy DM33, and an applicant would need to demonstrate that the mining operation would not adversely affect aviation safety. Supporting text to DM33 was amended, and a new airport safeguarding policy (DM25 – Airport Safety) was included in the pre-submission DAP to cover issues raised during consultation.

Correspondence stated that the supporting text for the policy should be amended to clarify that planning applications concerning the Area of Search should take into account the potential impact on Northumberland, but this is not considered an issue of policy and will be determined at application stage.

Comments were raised regarding the Covenant of Mayors pledge on sustainable energy, arguing that the allocation of an Area of Search would contravene this. However, the NPPF requires local planning authorities to plan positively for the extraction of minerals and PPG on Minerals requires Mineral Planning Authorities to plan for the steady and adequate supply of minerals through designating Areas of Search where there is
Some comments expressed general dissatisfaction with current waste provision and requested more fines for littering, covered bins, and increased collections. Policies must be related to the development of land and as part of the Waste Commission review a comprehensive review of our Waste Strategy is currently being undertaken and this will inform the next stage of the DAP. Policies DM12 and DM20 require development to provide adequate space for refuse storage and to ensure it is of a high-quality design to ensure they are easily accessible for refuse collection and easily accessible to occupants of the development.

Support was expressed for recycling, and it was proposed that new developments could incorporate mechanical waste disposal units. This would be controlled through building regulations, and so would fall beyond the scope of this document as planning policies must be related to the development of land.

<table>
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<tr>
<td>Some comments expressed general dissatisfaction with current waste provision and requested more fines for littering, covered bins, and increased collections. Policies must be related to the development of land and as part of the Waste Commission review a comprehensive review of our Waste Strategy is currently being undertaken and this will inform the next stage of the DAP. Policies DM12 and DM20 require development to provide adequate space for refuse storage and to ensure it is of a high-quality design to ensure they are easily accessible for refuse collection and easily accessible to occupants of the development.</td>
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<td>No comments received.</td>
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<th>Policy DM36</th>
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<tr>
<td>Concerns were raised regarding an increase in telegraph poles and above-ground caballing and infrastructure. Shielded fibre cable should go to premises below ground. To conserve the visual and residential amenity and the character of any building, structure or locality, operators will be required to develop innovative solutions to address any impacts.</td>
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<td>Concerns raised consider Clause 2 as ineffective, however the policy wording is considered justified. Several comments argue that digital infrastructure (e.g. high-speed broadband &amp; fibre) is not under direct control of development industry, could cause deliverability issues, and obstruct housing</td>
</tr>
<tr>
<td>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).</td>
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</table>
Comments received stated that the policy does not provide adequate consideration of non-broadband communication types. However, the policy does not preclude other forms of communication, but is a policy specifically aimed at telecommunications and digital infrastructure.

| | delivery. It is not appropriate to seek standards over and above Building Regulations, However, the policy does not seek any local technical standards for electronic communication networks, and Part R of Building Regulations 2010 refers to in-building physical infrastructure. A response stated that infrastructure should be installed with the knowledge and agreement of the public. |