

**Newcastle upon Tyne Development and Allocations Plan Examination in Public
Response to the Inspector's Matters, Issues and Questions
Made on Behalf of Ashdale Land and Property Company Ltd**

Matter 5 – People and Place

Preamble

- 5.1 This Hearing Statement is made on behalf of Ashdale Land and Property Company Ltd (our 'Client'), in advance of making verbal representations at the Examination in Public of the Newcastle upon Tyne Development and Allocations Plan (DAP). Our Client has made comments throughout the DAP consultation process, including at the Pre-Submission Draft stage in November 2018.
- 5.2 This Hearing Statement is specifically in reference to our Client's land interests that lie south of Rotary Way, North Gosforth (the 'Site'), which was removed from the Green Belt following the adoption of the Core Strategy and Urban Core Plan (CSUCP) in 2015. The Site is proposed to be left as white land in the DAP but would be washed over by a Wildlife Enhancement Corridor via draft policy DM29: Protecting and Enhancing Biodiversity and Habitats, and is referenced in draft policy DM28: Trees and Landscaping.
- 5.3 Our Client's land was specifically removed from the Green Belt in the CSUCP in order to facilitate development of the Site during the plan period. It was anticipated that the land would therefore be allocated as part of a subsequent allocations document, however the emerging DAP in its current form does not propose to allocate the land for any specific purpose.
- 5.4 Our response to the relevant questions in Matter 5: People and Place are found below. We have had specific regard to the tests of soundness outlined in the National Planning Policy Framework (the 'Framework'); namely that the policies in the DAP must be justified, effective, positively planned and consistent with national policy in order to be found sound. As the DAP was submitted to the Secretary of State by Newcastle City Council (the 'Council') after the transition deadline set in Annex 1 of the February 2019 Framework, we refer to the most up to date version of the Framework where appropriate within this Hearing Statement.

Issue: Whether the approach to the historic, built and natural environment is positively prepared, justified, effective and consistent with national policy and in general conformity with the CSUCP

5.5 Our Client does not wish to make written representations on Questions 5.1 – 5.20

Question 5.21 Is Policy DM28 justified, effective and consistent with national policy?

5.6 Policy DM28 is not justified, effective or consistent with national policy. Part 2(ii) of the policy seeks to ensure that new developments provide connectivity to Wildlife Enhancement Corridors. The policy is not justified or effective as the policy is not based on evidence as is required by paragraph 35 of the Framework.

5.7 Our Client's land interests at Rotary Way provides no connectivity to the wider area for biodiversity. The Site is surrounded by development or roads on all sides. An ecological appraisal of the Site has also set out that the Site is of low ecological value. The policy is not supported by evidence and therefore not consistent with national policy.

Question 5.23 Is Policy DM29 justified, effective and consistent with national policy?

5.8 Policy DM29 is not justified, effective or consistent with national policy. The policy is not justified as the policy is not based on evidence as is required by paragraph 35 of the Framework. The main piece of evidence is the Newcastle Wildlife Enhancement Corridors report which only outlines the methodology used rather than outlining the actual assessment of sites/ locations. This is considered in more detail in our Client's response to question 5.26 below.

5.9 Furthermore, the policy is not considered to be flexible enough. Firstly, the policy does not take into account sites or locations which are of low ecological value and which offer little in terms of biodiversity. Rather it includes large parts of land which have not been assessed for any ecological value. Secondly, the policy does not take into account the impact that the policy could have upon viability of sites within a Wildlife Enhancement Corridor. The policy does not also permit for example suitable offsetting, or similar flexible mitigation measures, where appropriate. In some scenario's, these can be more beneficial than providing on site mitigation.

5.10 Although paragraph 174 of the Framework does promote the use of wildlife corridors, these are to be used as "*stepping stones*" to connect designated sites. The proposed Wildlife Corridors are not consistent with national policy as it is not a stepping stone between designated sites, as set out in paragraph 5.7 above.

5.11 Although the racecourse to the east is designated as a Local Wildlife Site, our Client's Site does not provide connectivity to any other designated site to the west or any other direction.

The Council have stated in their response to our Client's previous representation that the position of wildlife corridors is important and not just the actual quality. Our Client considers that their Site south of Rotary Way provides neither the quality nor the right location/ position to provide any benefit to wildlife.

- 5.12 The policy is therefore not consistent with national policy. Along with the lack of justification, it does not pass the tests of soundness.

Question 5.24 and 5.25

- 5.13 Our Client does not wish to make written representations on Questions 5.24 and 5.25

Question 5.26: Are the Wildlife Enhancement Corridors in Policy DM29 and identified on the policies map justified and consistent with national policy?

- 5.14 No, the Wildlife Enhancement Corridors identified on the policies map are not justified and are not consistent with national policy.
- 5.15 The DAP proposes to wash over our Client's land at Rotary Way. The Site was formerly designated in the UDP as Green Belt but did not form part of a wildlife corridor. The Site is now not designated as Green Belt. However, the evidence used by the Council to justify the Site's inclusion as part of a Wildlife Enhancement Corridor is not justified based on the evidence, or consistent with national policy, and therefore does not pass the tests of soundness.
- 5.16 The evidence used to assist in the proposed DAP environmental designations does not show any clear or justified way why, having not been designated as a Wildlife Corridor in 1998, the Site now falls within and Wildlife Enhancement Corridor. This is despite the further intensification of the surrounding area since the UDP was adopted.
- 5.17 The main piece of evidence which the council are relying on is the Newcastle Wildlife Enhancement Corridors report. This is an 8-page report which outlines the aims and policy context of corridors before outlining the methodology used to determine corridors. The report does not outline any evidence on how individual Sites, or corridors have been assessed. Our Client's ecological work for the Site has found that there is no evidence of protected species being present. Furthermore, the Site is of low ecological value which lack any significant species diversity and has been, and still is, heavily managed agricultural land.
- 5.18 Furthermore, there are significant barriers to ecology/biodiversity connectivity when considering the Site, as set out in paragraph 5.7 above. The strategic highway of the A1 runs directly adjacent to the west, and Rotary Way (north) and the B1318 (east) are busy Primary and Secondary Distributary Roads respectively.

- 5.19 As mentioned above, the surrounding area has undergone further intensification over the past few years. This includes the land immediately to the north of Rotary Way has been fully developed for roadside commercial and employment uses.
- 5.20 This poses a further barrier to ecological connectivity. These significant barriers will restrict the ability of the Site to assist in providing any interconnected habitat, and they currently contribute to the existing poor level of ecological benefit the Site currently possesses.
- 5.21 Our Client is promoting the Site for roadside services to complement those to the north of Rotary Way. In the right location, and offering the right facilities, these facilities can offer sustainable jobs and services to the local community as well as road users. The City Council have not considered the need for roadside services in the DAP (or the adopted Core Strategy). This is in light of the A1, the primary motorway in the North East connecting the region to both north and south of the country, running through the city, and adjacent to our Client's land.

Question 5.27 – 5.28

- 5.22 Our Client does not wish to make written representations on Questions 5.27 – 5.38