

The person dealing with this matter is:

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Dear Ms Anderson,

Post-Hearing request for information

I refer to your email received on 22 August 2019 requesting further information for the Inspector on several issues. The Council's response to these issues are set out below:

Sequential assessments of office development on allocated sites

The Council notes the Inspector's concerns regarding the proposed modification as set out in Action 30 PPG Review and would like to withdraw this modification. For clarity the Council's current understanding of the Inspector's view regarding the policy is as follows.

1. As currently worded Policy DM1 seeks to allocate land for uses including those within the B1 Use Class. This use class includes B1(a): Offices, B1(b): Research and development, and B1(c): Light industry appropriate in a residential area.
2. NPPF classifies offices (and therefore B1(a) uses) as a main town centre use. NPPF paragraph 86 requires that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. The office (B1a) requirement is addressed in the Core Strategy principally through Policy CS6.
3. The Council seeks clarification from the Inspector as to whether the allocation of all B1 use classes in DAP Policy DM1 are appropriate given the Council's current evidence base?
4. The Council's earlier response (Action 30 PPG Review) explained that the Council's Office Needs Assessment 2012 (SD11, 25) identified 2,072sq m of

potential for office floorspace available within the Industrial Estate / Business Parks. This represents only a small proportion of the overall 651,4709sq m identified as being available city wide. However, policy DM1 is not specific on the details of where this small proportion should be allocated.

5. The Council could specify through a main modification that the new employment site allocations apply to B1(b) and B1(c) use classes only. Existing employment sites include office provision and the policy could be revised to protect these uses (please see the proposed main modification below). This approach would align with Core Strategy Policy CS6 whereby office floorspace should be focused in the Urban Core and a small proportion at Newcastle International Airport. Proposals over 200sqm outside of these locations would need to undertake a sequential assessment.

Proposed Main Modifications to Policy DM1 – Employment Sites (for consideration by the Inspector)

Policy DM1 – Employment Sites			
New Employment Sites listed in the table below and identified on the Policies Map are allocated for employment uses within Use Classes <u>B1 (Business) B1(b) (Research and development of products and processes)</u> , <u>B1(c)(Light industry appropriate in a residential area)</u> , B2 (General Industrial) and B8 (Storage or Distribution).			
Site Number	Address	Site area (ha)	Site Number
1	Site to the South of Shields Road, Byker	6.41	6.41
2	Site to the North of Shields Road / Adjacent to Depot Road, Byker	1.18	1.18
3	Site to the North of Shields Road, Byker	2.05	1.05
4	Site South of Whitehouse Road, Scotswood	3.04	2.50
5	Site to the West of Shelley Road, Newburn	1.01	0.90
6	Site North of Westway Industrial Park, Ponteland Road, Throckley	1.12	0.40
7	Site West of Ruby Park, Brunswick Industrial Estate, Brunswick	1.12	1.00
8	Site to the East of Riversdale Way, Newburn	1.70	1.00
9	Site to the West of Goldcrest Way, Newburn Riverside Industry Park, Newburn	1.12	1.00
10	Woodside Avenue, Walker Riverside	0.96	0.96
11	Site to the North of Kingfisher Boulevard, Newburn Riverside Industry Park, Newburn	2.54	2.54
12	Site to the South of Shelley Road, Newburn Industrial Estate	2.97	2.97
Existing Employment Sites			
Existing employment sites are allocated for uses within Use Classes <u>B1(a) (office)</u> , <u>B1(b) (Research and development of products and processes)</u> , <u>B1(c) (Light</u>			

industry appropriate in a residential area), B2 (General Industrial) and, B8 (Storage or Distribution).		
Site Number	Address	Site area (ha)
13	Albion Row Industrial Estate, Byker	1.00
14	Armstrong Industrial Estate, Elswick	3.42
15	Bells Close Industrial Estate, Newburn	4.05
16	Brough Parkway Industrial Estate, Byker	3.00
17	Brunswick Industrial Estate, Brunswick	19.59
18	Fawdon Industrial Area, Fawdon	17.85
19	Hoults Yard, Byker	6.69
20	Industry Road, Heaton	6.08
21	Mill Lane Industrial Estate / Lynwood Development Centre, Elswick	1.52
22	Newburn Haugh Industrial Estate, Newburn	7.49
23	Newburn Industrial Estate, Newburn	16.29
24	Newburn High Street / Walbottle Road, Newburn	3.0
25	Noble Street Industrial Estate, Elswick	3.3
26	Riverside East, Byker	11.87
27	Scotswood Road West, Scotswood	20.42
28	Shields Road / Fossway, Byker	33.10
29	Throckley Industrial Estate, Throckley	20.19
30	Westerhope Industrial Estate, Westerhope	8.35
31	Whitehouse Road, Scotswood	3.21
32	Newcastle Business Park, Elswick	22.65
33	Regent Centre, Gosforth	10.60
34	Benton Park View, Benton	20.51
35	Great Park (Sage site), Castle	11.08
36	Newburn Riverside, Newburn	25.66
37	Site North of Benton Park Road and East of Killingworth Road, South Gosforth	2.03
38	Airport Industrial Estate, Kingston Park	11.95
39	Former Colliery buildings, Havannah	2.57

Wildlife Enhancement Corridors (WEC)

As requested, the Council has prepared a WEC Scoring Map showing the wildlife enhancement corridors and a separate site scoring spreadsheet. (please see the links below)

https://www.newcastle.gov.uk/sites/default/files/planning/policy/DAP%20-%20wildlife%20corridor%20scoring%20A0%20map_web.pdf

https://www.newcastle.gov.uk/sites/default/files/planning/policy/WEC%20scores%20spreadsheet_web.xlsx

A user note, as set out below, is proposed to be included on the Council's webpage (alongside this PDF Map and Spreadsheet) explaining the context and how to use the map together with the scoring system as explained in Appendix 1 of the Wildlife Enhancement Corridors Report (submitted as part of the DAP Evidence Base: SD11, 153).

User note:

Each Wildlife Enhancement Corridor (WEC) has a unique reference number as displayed on the WEC Scoring map. This unique reference number corresponds to the WEC Site Scoring Spreadsheet. This spreadsheet includes the different categories that were used to evaluate the WECs. This should be read in conjunction with the Wildlife Enhancement Corridor Scoring System set out in Appendix 1 in the [Wildlife Enhancement Corridors Report](#) (WEC) (SD11, 153). The total score for each corridor provides a final overall score which has been used to rank a corridor red/amber/green, further explanation of this is in the WEC Report.

Local Geological Sites

Further work is in progress to assess potential local geological sites. This work will be complete by November 2019.

Minerals

The supply of industrial minerals, including brick clay, within Newcastle is set out in Policy CS20 of the Core Strategy and Urban Core Plan, which identifies the whole of Newcastle as a Minerals Safeguarding Area based on the extent of shallow coal and associated clay resources. CS20 (3) requires proposal for non-energy mineral extraction to be assessed individually and cumulatively, in terms of their contribution to national and regional guidelines, and the social environmental and economic impacts arising from its extraction. The criteria in Policy DM33 Minerals Extraction and Reclamation in the DAP sets out a range of impacts against which mineral development will be assessed.

Figure 13.1 of the Core Strategy and Urban Core Plan shows the operational Brenkley Lane opencast site for the extraction of coal and approximately 270,000 tonnes of fireclay. The DAP proposes an Area of Search at Dewley Hill for coal and other secondary minerals, which would include extraction of approximately 200,000 tonnes of fireclay. Dewley Hill was the only site identified as part of the Council's call out for mineral sites for the DAP where the extraction of brick clay and fire clay may be feasible during the plan period.

In preparing the Core Strategy and Urban Core Plan and the DAP the Council has assessed British Geological information which sets out the distribution of shallow coal reserves and brick plants containing fireclay and the distribution of principal brick clay resources across the country. The British Geological Survey advises that brick/fire clay extraction is not normally commercially viable on its own and almost all production is a by-product of open cast coal production. The policies set out in the Core Strategy and Urban Core Plan and the DAP will allow for the supply of fireclay to Throckley brickworks by supporting its extraction and recovery concurrently with coal. Policy DM34 identifies Dewley Hill as an Area of Search. However, given the site constraints identified the acceptability of extracting fire and brick clay will need to be assessed against national and local plan policy, including paragraph 208 of the NPPF.

Given the economics associated with extraction and the dependency on coal extraction and limited site availability within Newcastle's administrative boundaries, it is therefore not possible to identify a 25-year landbank. Newcastle has worked closely with neighbouring authorities and has found that other neighbouring authorities do not have resources which can help meet supply in Newcastle.

Newcastle City Council, as part of its Duty to Co-operate, works with the seven other North East of England local mineral authorities to monitor the provision of aggregates and identified mineral infrastructure sites associated with mineral supply. The Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear (April 2018) (SD11,155) (LAA) identifies the location of regional mineral infrastructure sites required by paragraph 204 (e) of the Framework. It confirms the following;

- the location of mineral transport and processing infrastructure across the region. Paragraphs C.2 and C.3 and Table C9 of the LAA relates to Tyne and Wear. There are no bulk transport locations and sites for the handling and processing of minerals in Newcastle - existing, planned or potential sites identified.
- Appendix C Table C.10 sets out the location of concrete batching and coating plants in Tyne and Wear. Six are identified in Newcastle (and are identified on the attached plans), namely:
 - Brunswick Plant (Cemex); Brunswick Plant (Tarmac); Newburn (North East Concrete); Newburn Haugh (MGL); Newcastle Plant (Pottery Lane) (Cemex) and Scotswood Plant (Breedon Northern).
- A road stone coating plant is also located at Paradise Works, south of Scotswood Road in Elswick which has also been identified as requiring protection as a mineral infrastructure resource.
- In 2018 the Newcastle Plant Pottery Lane site closed and has changed ownership following a "minded to grant" recommendation to approve housing development on the site. This site is location in the Urban Core between the Forth Yards Opportunity Site and Stephenson Quarter. A residential housing development has recently been completed immediately adjacent to this site. For these reasons, the site is not considered suitable in future for concrete batching.
- There are therefore five operating concrete batching plants and one coating plant which are suitable to be safeguarded. No planned or potential future sites have been identified. Attached to this submission are site location plans setting out the location of the plants.

- The location of recycled and secondary aggregates sites in Tyne and Wear is set out in Appendix B, Table B.3 of the LAA. The only identified site in Newcastle is MGL in Newburn (see attached plan)
- To ensure compliance with paragraph 204 (e) of the Framework the Council could propose a revision to Policy DM33 to add paragraph 3 below which safeguards mineral infrastructure sites, as well as a new supporting text paragraph at 7.1.6:

3 Minerals infrastructure sites for bulk transport, handling and processing of minerals, recycled and secondary aggregate facilities, and the manufacture of concrete and concrete products and coating facilities, including those identified on the Policies Map, will be safeguarded from unnecessary loss to non-mineral related development. Proposals for non-mineral development within a mineral infrastructure site will not be supported, unless it can be demonstrated that:

- a. the proposal will not prejudice the current or future use of the site;**
- b. the site is no longer needed for mineral handling, processing, storage and transport; or**
- c. Alternative minerals related infrastructure and/or capacity can be provided at an alternative site.**

Potential Additional Supporting Text

7.1.6 National planning policy sets out the need for local mineral authorities to safeguard existing, planned and potential sites for a range of mineral infrastructure. Within Newcastle there are no identified existing or identified future sites for bulk transport, handling and processing of minerals. Six sites (set out in the table below and identified on the Policies Map) are identified as being used for the manufacture of concrete and concrete produces and recycled and secondary aggregates material within the city. Policy DM33 (3) safeguards both these existing sites and future mineral infrastructure sites as long as they are operationally required for the supply and manufacture of minerals.

Location of Safeguarded Mineral Infrastructure Sites

<i>Site</i>	<i>Location</i>	<i>Infrastructure Type</i>
<i>Brunswick Plant (Cemex)</i>	Brunswick Industrial Estate, Brunswick,	Concrete batching
<i>Brunswick Plant (Tarmac)</i>	Brunswick Industrial Estate, Brunswick,	Concrete batching
<i>Newburn(North East Concrete)</i>	Riverside Court, Newburn Haugh Industrial Estate,	Concrete batching

Scotswood Plant (Breedon Northern)	Low Yard, Scotswood Road,	Concrete plant/concrete batching
<i>Newburn(MGL)_</i>	<i>Riversdale Way, Newburn Haugh</i>	<i>Recycling and secondary aggregates</i>
<i>Paradise Works (Jobling Purser)</i>	<i>Scotswood Road</i>	<i>Coating Plant</i>

Next Steps

The Council wonders if it is possible for the Inspector to confirm when the post-hearing letter will be issued?

Yours faithfully,



Kath Lawless
Assistant Director Planning