

Spatial Planning,  
Development Services,  
Regeneration and Environment,  
South Tyneside Council,  
Town Hall and Civic Offices,  
Westoe Road,  
South Shields,  
Tyne & Wear,  
NE33 2RL

SENT BY EMAIL  
local.plan@southtyneside.gov.uk  
10/08/2022

Dear Planning Policy Team,

### **SOUTH TYNESIDE LOCAL PLAN: REGULATION 18**

1. Thank you for consulting with the Home Builders Federation (HBF) on South Tyneside Draft Local Plan (Regulation 18) consultation.
2. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. The HBF would like to submit the following comments upon selected policies within the consultation document. These responses are provided in order to assist South Tyneside Council in the preparation of the emerging local plan. The HBF is keen to ensure that the Council produces a sound local plan which provides for the housing needs of the area.

#### **Plan Period**

4. The Council are proposing a Plan period from April 1<sup>st</sup> 2021 to 31<sup>st</sup> March 2039. The HBF considers that any update should ensure that the Plan covers a period of 15 years from the adoption of the Plan. This is likely to mean the Plan will need to cover the period until at least 2040.

#### **Policy SP1: Presumption in favour of Sustainable Development**

5. This policy sets out the Council's approach to the presumption in favour of development. The HBF considers that whilst it can be useful for the Council to set out how they will take a positive approach to development, it is not necessary to repeat policies contained within the NPPF.

#### **Policy SP2: Strategy for Sustainable Development to meet identified needs**

6. This policy states that the Plan will deliver 5,778 new homes and a minimum of 18.3 ha of land for economic development and protect 18.3ha of land for specialist port and river-related economic development.



7. The NPPF<sup>1</sup> states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method set out in the PPG. The PPG sets out the method for calculating the minimum annual local housing need figure<sup>2</sup>. The Standard Method identifies a minimum Local Housing Need (LHN) of 333dpa<sup>3</sup>. The PPG<sup>4</sup> also sets out when it might be appropriate to plan for a higher housing need figure than the standard method, these include where there are growth strategies for the area, where there are strategic infrastructure improvements, where an authority is taking unmet need from a neighbouring authority, and where previous levels of housing delivery, or previous assessments of need are significantly greater than the outcome from the standard method.
8. The HBF considers that the Council should review the housing requirement to ensure that it reflects the local housing need identified by the standard method and gives consideration to the circumstances where a higher figure would be appropriate.

### **Policy SP3: Spatial Strategy for sustainable development**

9. This policy sets out the spatial strategy it looks to focus housing in the main urban areas of South Shields, Hebburn, Jarrow and the villages on allocated sites. It also sets out the Green Belt boundary will be amended at Hebburn, Fellgate, Whitburn, Cleadon, East Boldon and West Boldon, to allocate land for housing and safeguard land for future development. The HBF considers that it is important that the spatial distribution of sites follows a logical hierarchy, provides an appropriate development pattern and supports sustainable development within all market areas. The HBF supports the Council in considering the Green Belt boundaries and identifying exceptional circumstances to ensure that the housing need is met and an appropriate spatial strategy is put in place.

### **Policy SP4: Housing Allocations in the Main Urban Area**

10. This policy identifies housing allocations. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period.
11. The Plan's policies and allocations should ensure the availability of a sufficient supply of deliverable and developable land to deliver South Tyneside's housing requirement. This sufficiency of housing land supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS) and achieve Housing Delivery Test (HDT) performance measurements.

### **SP18: Housing Supply and Delivery**

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<sup>1</sup> NPPF 2021 Paragraph 61

<sup>2</sup> PPG ID:2a-004-20201216

<sup>3</sup> MHCLG Household Projections 2014 2022: 70,754, 2032:73,735, average change 298.1. Adjustment factor 2021: 1.115625.

<sup>4</sup> PPG ID: 2a-010-20201216

12. This policy states that the Council will work with Partners and landowners to deliver South Tyneside's overall housing requirement of 5,778 net additional dwellings (321 per year) and maintain a rolling five-year land supply. It suggests that this will be done by allocating sites, making provision for homes in the East Boldon Neighbourhood Forum Area, windfall development, small sites, conversion and change of use.
13. The Council's housing land supply should include a short and long-term supply of sites with both strategic and non-strategic allocations for residential development. Housing delivery is optimised where a wide mix of sites is provided, with a range of sites by both size and market location. A wide mix of sites provides choice for consumers, allows places to grow in sustainable ways, creates opportunities to diversify the construction sector, responds to changing circumstances, treats the housing requirement as a minimum rather than a maximum and provides choice and competition in the land market.
14. The Council should identify at least 10% of its housing requirement on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target in line with the NPPF requirements.
15. The Council should also provide some headroom between its minimum housing requirement and overall housing land supply. Whilst there is no numerical formula to determine the appropriate quantum of headroom, if the Local Plan is highly dependent upon one or relatively few sites and geographical locations then greater numerical flexibility is necessary than where supply is based on a more diversified portfolio of sites.

#### **Policy 14: Housing Density**

16. This policy provides the expected density for developments they range from 60 dwellings per hectare (dph) within 400m of Jarrow and Inner South Shields Character Areas, to 55dph within 400m of the Borough's defined town, district and local centres or Metro stations, 45dph between 400-800m and 35dph beyond 800m.
17. The HBF considers that the Council should include a level of flexibility within this policy, the HBF would recommend amendments to create greater flexibility to allow developers to take account of individual site characteristics and evidence in relation to demand, market aspirations and viability.
18. The HBF considers that it is important to ensure that the density requirements do not compromise the delivery of homes in sustainable locations to meet local needs. The Council will need to ensure that consideration is given to the full range of policy requirements as well as the density of development, this will include the provision of M4(2) and M4(3) standards, the NDSS, the provision of cycle and bin storage, the mix of homes provided, the availability of EV Charging and parking, any implications of design coding and the provision of tree-lined streets, highways requirements, and the potential requirements in relation to Biodiversity Net Gain, changes to the Building Regulations requirements in relation to heating and energy and the Future Homes Standard.

#### **Policy 18: Affordable Housing**

19. This policy states that 10 or more dwellings or development with a gross internal area of more than 1,000m<sup>2</sup> will be required to deliver affordable housing where appropriate and viable. It goes on to set the affordable housing requirements for areas across the borough, ranging from 10% in South Shields and Jarrow, 20% in Hebburn, West Bolden and Bolden Colliery and 30% in Cleadon, East Boldon and Whitburn. It also sets out how the 10% affordable home ownership and First Homes requirements will be met in each area. In relation to First Homes the Council are looking to set two rates of discount 40% in Cleadon, East Boldon and Whitburn and 30% elsewhere. The policy does allow for viability evidence to be submitted where the affordable housing requirements would make a scheme unviable and for alternative provision to be made.
20. The justification text for the policy states that the SHMA (2021) identified a need for an additional 209 affordable units per year, including social / affordable units or intermediate tenure.
21. The HBF has significant concerns how the Council intend to deliver the 209 affordable dwellings needed each year to meet local need if the housing requirement is only 321dpa. The affordable need equates to 65% of the housing requirement. It is noted that the PPG<sup>5</sup> states that an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes. Therefore, the HBF considers that the Council should also be taking this affordable housing requirement into consideration as part of their housing requirement.
22. The HBF supports the need to address the affordable housing requirements of the borough. The NPPF<sup>6</sup> is, however, clear that the derivation of affordable housing policies must not only take account of need but also viability and deliverability. The Council should be mindful that it is unrealistic to negotiate every site on a one-by-one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery.

### **Policy 19: Housing Mix**

23. This policy looks for housing development to provide an appropriate mix of housing types sizes and tenures. Additionally, it looks to increase the supply of detached homes in the Borough; looks to increase the choice of suitable accommodation for the elderly; encourage the inclusion of self-build and custom build homes as part of larger housing developments; and ensures new homes meet the needs of our aging population and are accessible to all.
24. The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. It is, however, important that any policy is workable and ensures that housing delivery will not be compromised or stalled due to overly prescriptive requirements, requiring a mix that does not consider the scale of the site or the need to provide significant amounts of additional evidence.

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<sup>5</sup> PPG ID: 2a-024-20190220

<sup>6</sup> 4 NPPF Paragraph 34

25. The HBF recommends a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location. The HBF also recommends that the evidence required to support the housing mix is proportionate to the development and is not overly onerous.

#### **Policy 20: Technical Design Standards for New Homes**

26. This policy looks for up to 12% of new build housing in developments of 50 homes or more to be wheelchair accessible or easily adaptable for residents who are wheelchair users (M4(3) Category 3 Wheelchair User dwellings). It goes on to state that all residential dwellings should be designed to be accessible and adaptable (M4(2)).
27. The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. However, if the Council wishes to adopt the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so by applying the criteria set out in the PPG. The PPG<sup>7</sup> identifies the type of evidence required to introduce a policy requiring the M4 standards, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. It is incumbent on the Council to provide a local assessment evidencing the specific case for South Tyneside which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy. If the Council can provide the appropriate evidence and this policy is to be included, then the HBF recommends that an appropriate transition period is included within the policy.
28. The PPG also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, and the ability to provide step-free access.
29. The Council should also note that the Government response to the Raising accessibility standards for new homes<sup>8</sup> states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. M4(3) would continue to apply as now where there is a local planning policy in place and where a need has been identified and evidenced.

#### **Policy 35: Delivering Biodiversity Net Gain**

30. This policy states that development will only be permitted where a biodiversity net gain of at least 10% can be demonstrated and secured in perpetuity. Part 3 of the policy states that biodiversity net gains should be secured through planning conditions or obligations for at least 30 years.

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<sup>7</sup> ID: 56-007-20150327

<sup>8</sup> <https://www.gov.uk/government/consultations/raising-accessibility-standards-for-new-homes/outcome/raising-accessibility-standards-for-new-homes-summary-of-consultation-responses-and-government-response#government-response>

31. The HBF considers that this policy is not necessary as the Government's proposals as set out in the Environment Act include a mandatory national requirement for biodiversity gain and transitional arrangements. The HBF also notes that there are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment.

**Policy 48: Promoting Good Design with New Residential Developments**

32. This policy states that major residential developments should orientate buildings to maximise sunlight and daylight, and to incorporate electric vehicle (EV) charging points.
33. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. Part S of the Building Regulations 'Infrastructure for the charging of electric vehicles' has now been published and took effect from 15th June 2022. This regulations document provides guidance on the installation and location of electric vehicle charge points (EVCPs). It states that a new residential building with associated parking must have access to EVCPs. It states that the total number of EVCPs must be equal to the number of parking spaces if there are fewer parking spaces than dwellings, or the equal to the number of dwellings where there are more parking spaces. The Regulations also set technical requirements for the charging points these include having a nominal output of 7kW and being fitted with a universal socket. The Government has estimated installation of such charging points add on an additional cost of approximately £976.
34. The Council may also wish to ensure that they are appropriately flexible in relation to the orientation of dwellings to ensure that the most sustainable dwellings are provided.

**Policy SP26: New Development**

35. This policy looks for all major developments to incorporate charging infrastructure for ultra-low emission vehicles and for minor developments to incorporate charging infrastructure for ultra-low emission vehicles where it is practicable to do so.
36. As set out above, the HBF does not consider that this policy requirement is needed.

**Policy 60: Implementation and Monitoring**

37. This policy suggests that the plan will be monitored against performance indicators set out in the Monitoring Framework and should the AMR or other evidence suggest the policies are not on track the Council will initiate certain contingency measures, these include a review of the delivery of site-specific allocations, a review of financial mechanisms, a review of the DM processes and the preparation of SPDs and masterplans to provide clearer guidance, addressing cross-boundary issues, seeking financial support and engaging with partners across the public, private and voluntary sectors.
38. The HBF supports the Council in including a policy highlighting the actions to be taken if housing is not delivered. However, it is considered that the Council may also want to consider alternate measures such as the granting of planning permission for unallocated

sites in sustainable locations. The Council may also want to consider how this policy sits with the Housing Delivery Test and the presumption in favour of sustainable development as set out in the NPPF.

### **Future Engagement**

39. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

40. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



**Joanne Harding**  
**Planning Manager – Local Plan (North)**

Email: [joanne.harding@hbf.co.uk](mailto:joanne.harding@hbf.co.uk)

Phone: 07972 774 229