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Dear Sir/ Madam

North Tyneside Local Plan – Initial Draft Local Plan (Regulation 18)

1. Thank you for consulting with the Home Builders Federation (HBF) on the Initial Draft of the North Tyneside Local Plan (Regulation 18).
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 multinational 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 in relation to the proposed policies and other key themes and areas. The HBF is keen to ensure that North Tyneside produces a sound Local Plan which provides appropriate policies for the area.

Changes to National Planning Policy and Plan-Making System

4. It is worth highlighting that in December 2025, the Government published a consultation on a new National Planning Policy Framework (NPPF). This followed a Written Ministerial Statement made on 27 November 2025 which outlined the Government's intention to move forward with a new plan-making system (reference: UIN HCWS1104). The move to a new plan-making system includes a series of transitional arrangements.
5. It is understood that currently, the Council is intending to use these transitional arrangements and submit its Local Plan for examination under the current plan-making regime. On this basis, paragraphs 4 and 8 in Annex A of the draft NPPF outline that the Local Plan will then be examined under the current NPPF (December 2024). However, it is also notable that in relation to decision

making, Annex A also states that from the date the new NPPF is published, Local Plan policies that are “...any way inconsistent with national decision-making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework”.

6. Consequently, in preparing the next iteration of this Local Plan, the Council may need to have regard to national policies for decision making, given that any inconsistency may effectively render policies in the Local Plan that are not consistent with the new NPPF redundant as soon as the Local Plan is adopted.

Plan Period

7. It is noted that the Local Plan proposes a plan period from 2025 – 2042 (17 years). The Council will be aware that the NPPF makes clear that local planning authorities should, as a minimum, provide a 15 year plan period from adoption of a Local Plan (paragraph 22).
8. The Council’s most recent Local Development Scheme (LDS, February 2025) envisages adoption of the Local Plan by January 2028. With this being the case, then the Local Plan from adoption will only have a plan period of 14 years. As such, the Council should consider a further extension to the plan period, so as to ensure that upon adoption, the Local Plan is consistent with paragraph 22 of the NPPF.
9. As set out in our previous representations, and in order to build in some degree of contingency, the HBF considers that the plan should look forward to at least 2045. The Council may also wish to consider whether any strategic sites require the Council to plan over a longer period of time.

Vision and Objectives

10. The Vision includes the supply of high-quality affordable homes to rent and buy in order to meet the accommodation needs of all residents. The Objectives then include providing an appropriate range and choice of housing to meet current and future evidence-based needs for social rent and other affordable high-quality homes.
11. The HBF agrees that the Local Plan should ensure that meeting the current and future housing needs should be a key part of the Vision and Objectives for the plan. However, this needs to include the housing needs for market housing, family homes, homes for older people and homes for first-time buyers. The HBF considers that the Vision and Objectives should be amended so as to include all tenures of homes, not just affordable.

Policy S1.1 - Spatial Strategy for Sustainable Development

12. The approach in Policy S1.1 provides a strategy for housing development over the plan period. This comprises a combination of a dispersed pattern in the main urban area of the Borough, strategic allocations, and the release of land from the Green Belt for new homes.
13. Whilst the HBF considers that there is a degree of logic in this approach, the Council will need to demonstrate through its evidence base that the chosen spatial strategy and distribution of housing allow for the delivery of sufficient homes to meet the local housing needs, across a range of housing sites and in a variety of locations.

Policy S1.2 - Green Belt

14. Through the preparation of the Local Plan, the Council has determined that to meet its housing needs over the plan period, that land within the Green Belt should be removed and allocated for new homes. Paragraphs 3.15 and 3.16 explain that the Council considers that exceptional circumstances exist to allow for this (as required in paragraph 145 of the NPPF). To this end, the Council has undertaken a Green Belt Review (2026) as part of its evidence.
15. The HBF agrees with the principles of this and considers that if the Council is going to meet its housing needs in a deliverable and sustainable way, it needs to consider the release of Green Belt land. We therefore agree with the principles established in Policy S1.2.

Policy DM1.3 - Nature Improvement and Green Belt Enhancement

16. This policy states that a wildlife corridor and indicative green link opportunity routes are provided across the Green Belt and that the Green Belt as a whole is defined as a Nature Improvement Area. The policy then continues to map out the requirements for development proposals on land which has been released from the Green Belt through the Local Plan, as well as requirements for other development proposals in the Green Belt.
17. The HBF supports the need to recognise, protect and enhance nature within these areas where appropriate, however it is considered that a blanket approach across the whole Green Belt is unjustified given the variety and type of land which falls in the Green Belt; some of which may be appropriate to classify as part of a wildlife corridor or Nature Improvement Area and some which may not. The HBF's concern is that the blanket approach may hinder the Local Plan's flexibility in being able to accommodate potential future windfall development on Green Belt sites in the event that the Council in the future is not able to demonstrate a five year supply of deliverable housing land.

18. As such, the HBF considers additional analysis is required to establish which specific areas of the Green Belt can be genuinely classified as wildlife corridors and Nature Improvement Areas and those which cannot.
19. In relation to proposals within the Green Belt, the policy outlines that development that is ‘not inappropriate’ will be supported where it preserves the openness of the Green Belt. However, if a development is ‘not inappropriate’ then it is acceptable in principle irrespective of matters of openness. This has recently been confirmed through case law in *Mole Valley DC v Secretary of State for Housing, Communities and Local Government* [2025] EWHC 2127 (Admin). The policy therefore needs to be updated to reflect this.

Policy S1.4 - Safeguarded Land

20. The HBF supports the concept of identifying safeguarded land within Policy S1.4 of the Local Plan, however it is important that the approach to safeguarded land aligns with the NPPF. Paragraph 149(d) of the NPPF states that plans should:

“Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development.”

21. This establishes a simple national position where safeguarded land is not allocated now but should be the first to come forward in a future plan review, such as in a scenario where the Council cannot demonstrate a 5 year supply of deliverable housing land. Currently, Policy S1.4 goes significantly beyond this national benchmark and introduces a series of additional tests that are not required by the NPPF, including a requirement to demonstrate that “no alternative site is reasonably available”. This effectively demands a sequential assessment of all other potential sites before safeguarded land can be considered.
22. The HBF therefore considers that the current criteria in the policy should be removed and the wording of the policy is adjusted to better reflect the NPPF.

Policy S2.1 - Strategic Housing

23. The HBF supports the overall strategic approach contained in this policy. However, for clarity, the HBF considers that it should outline that to meet its full housing needs, the Council will need to deliver sites from a variety of sources (not just those identified on the Policies Map). Where the policy references a variety of deliverable sites, specific reference should also be made for the need to identify, as a minimum, 10% of the Council’s housing requirement on sites of 1 hectare

or smaller (as required by paragraph 73 of the NPPF). The HBF considers that where possible, these should be allocated so as to assist in the delivery for small and medium housebuilders.

Policy S2.2 - The Local Housing Requirement

24. This policy correctly identifies a housing requirement in North Tyneside of 995 dwellings per annum over the plan period. This aligns with the Council's current Local Housing Need (LHN) calculated through the Standard Method. It is noted that the Council is keeping this under review as the figure will be revised in March and May when new housing stock and affordability data will be available. We agree with this approach and note that this is consistent with the Planning Practice Guidance (PPG, Reference ID: 2a-008-20241212).
25. However, the HBF would observe that 995 dwellings per annum is the minimum figure that the Council should plan for and it should be taking every opportunity to further increase this where additional sustainable options for growth are presented. As such, the HBF seeks that the policy is amended so that it is clear that 995 dwellings per annum is the minimum and not a ceiling/cap on the number of homes that can come forward over the plan period.
26. The policy also outlines the pro-active approach that the Council intends to take to seek to ensure housing supply is maintained over the plan period. Whilst these points are generally supported, much of this would be better served in the Council's Monitoring Framework rather than in the policy wording itself.

Policy S2.3 - Housing Land Supply

27. In order to seek to identify sufficient housing supply to meet its minimum need, Policy S2.3 utilises residual housing allocations in its current Local Plan (adopted in 2017), seeks additional allocations, and has also made an assumption for windfall development over the plan period.
28. Whilst the HBF does not comment on specific site allocations, we would raise the point that where existing residual allocations are used in the supply of this future Local Plan, that the Council undertakes due diligence to ascertain the reason why these sites have not yet come forward so as to be certain that they will come forward in the next Local Plan.
29. We would again also reiterate that there is a need for a variety of sites to come forward including 10% of the Council's housing requirement on sites of 1 hectare or smaller (see paragraph 73 of the NPPF). The HBF's view is that such sites should be allocated to aid in their delivery.
30. The approach to supply in Policy S2.3 also assumes that windfall sites will deliver 1,600 new homes over the plan period. The PPG does allow for the inclusion of windfall sites within the Council's wider land supply, but on the basis that 'compelling evidence' is provided (Reference

ID: 3-023-20190722). The onus is therefore on the Council to demonstrate that windfall will be a reliable source of supply over the plan period and that Local Plan policies are sufficiently flexible so as to enable such windfall to come forward. The Council will also need to explain when windfall will be introduced into the supply, so as to avoid double counting with existing planning permissions.

31. Currently, Policy S2.3 identifies a housing supply which exceeds the Council's minimum LHN. The HBF considers that the Council will need to provide a suitable buffer of sites so as to ensure that there is sufficient flexibility in housing land supply and that if some identified sites have deliverability issues, this does not jeopardise the wider delivery of homes required in the Local Plan.

Policy DM2.5 - Affordable Housing

32. This policy requires the following affordable housing contributions on schemes of over 10 new homes:
 - Up to 25% of the total number of homes as affordable housing.
 - At least 25% of the total number of homes as affordable housing secured on sites released from the Green Belt
33. The HBF supports the need to ensure that as part of a wider mix of new homes, that an appropriate number of affordable homes are offered. The NPPF is clear that when considering an appropriate affordable housing contribution, the Council should also consider viability implications (paragraph 35) to ensure that the requirement does not undermine the deliverability of the plan. As such, the Council will need to commission a local plan viability assessment to justify the approach in Policy DM2.5.
34. In relation to the mix and type of affordable homes, reference is made that this needs to be informed by the latest evidence of housing need. It is noted that reference in the Local Plan is made to a March 2022 Strategic Housing Market Assessment (SHMA). The HBF recommends that this document is updated so as to provide an accurate picture of current need. Nevertheless, the HBF welcomes the flexible approach to the mix and type of affordable homes which may need to vary on a site by site basis. The need for such flexibility may also be a result of specific requirements of Registered Providers.
35. The HBF also considers that the policy needs additional flexibility in the event that providing the level of affordable homes required by the policy would make a scheme unviable. Wording in the policy should be added to this effect.

Policy DM2.6 - Housing Range and Type: Supporting a mix of house size, self-build and specialist housing.

36. The HBF supports the need to ensure the homes that are built over the plan period meet the needs of North Tyneside's communities, however a policy which is overly prescriptive in the house type and sizes required will likely frustrate delivery rather than facilitate it. This is because whilst need is an important factor, the type and mix of homes also depends on the location and character of an area, plus commercial, market and viability considerations. Consequently, the HBF would seek sufficient flexibility is applied to this policy so as to better enable housing delivery over the plan period.
37. We also seek clarity on the approach to self and custom build homes. The HBF agrees with the Council that where there is such demand, identifying specific sites for such development is logical, however the wording of the policy is unclear with respect of provision on strategic and other large major sites. The HBF would not support a requirement for a certain proportion of plots on such sites to be given over to self and custom-build properties, especially as it has not been demonstrated that there is sufficient demand for such products in the Borough. Furthermore, such a policy ignores the fact that it is unlikely that the provision of such plots on new housing developments can be co-ordinated with the development of a wider site. At any one time, there are often multiple contractors and large machinery operating on-site and therefore from both a practical and health and safety perspective, it is difficult to envisage the development of single plots by individuals operating alongside this construction activity. Therefore, a policy which encourages rather than requires an allowance for self and custom build plots is more appropriate and justifiable.
38. It is also noted that through this policy, the Council seeks to support proposals for specialist housing, including extra care and supported housing, as part of dedicated proposals and as part of the overall mix of larger developments. The HBF is generally supportive of providing homes that are suitable to meet the needs of older and vulnerable people, however we would seek assurances that such developments do not become a general requirement of larger housing developments. Often such developments have their own specific locational requirements and needs which are different to general needs housing. Such developments also often have their own viability considerations which should be reflected in the local plan viability assessment, with then separate policy requirements to reflect these differences.
39. In this regard, the HBF would recommend that the Council should be more proactive in working with providers of this type of development. This approach would provide far more certainty to the Council that the need for such accommodation will be met in full. The HBF considers that the Council should note the difference between homes suitable for older people and specialist housing for older people, and the difference in need and demand for these types of homes.

Policy DM2.8 - Housing Standards

40. This policy outlines the following standards that will apply to housing proposals:
- 50% of market housing and 90% of affordable housing to meet building regulation M4(2) standard (Accessible and Adaptable Dwellings).
 - 10% of new homes to meet building regulation M4(3) standard, either wheelchair accessible (b), or where no specific need is identified, then wheelchair adaptable (a).
 - All new dwellings to meet Nationally Described Space Standards (NDSS).
41. The accompanying policy text (paragraph 3.68) outlines that these requirements have been replicated from the existing Local Plan (in Policy DM4.9). Whilst the HBF is supportive of such standards and notwithstanding their presence in the Council's existing Local Plan, the HBF considers that the evidence used previously to justify these requirements needs updating so as to ascertain whether the standards are still acceptable. This is because these all remain optional technical standards that require to be justified by reference to the policy tests outlined in the PPG. The Council will therefore need to explore any changes in circumstances since the last Local Plan to establish if it is still relevant to require these standards.
42. For example, for M4(2) and M4(3) standards, the Council will need to examine 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 (Reference ID: 56-007-20150327).
43. For NDSS, the Council will need to establish if there is still a need to apply this standard across the Borough and whether it still remains viable and doesn't undermine the deliverability of the Local Plan (Reference ID: 56-020-20150327).

Policy S5.1 - Climate Change Strategic Mitigation, Adaptation and Resilience

44. The HBF supports the overall principle of this policy which seeks to promote development which is more resilient to the impacts of climate change through mitigation and adaptation. However, the requirement for all major development to provide a Sustainability Statement is unjustified. Major development can take many forms such as Section 73 planning applications to amend planning conditions, change of use applications, or applications for supporting infrastructure. It is clear that a Sustainability Statement would not be appropriate in all these instances yet currently the policy has no flexibility to deal with these circumstances.

45. The HBF considers that a more appropriate response would be to put such a requirement in the Council's Local Planning Application Validation List, where the Council can be more specific about the instances of when a Sustainability Statement is required.

Policy DM5.2 - Climate Change Strategic Mitigation

46. This policy provides a series of criteria which development proposals need to consider in order to demonstrate how greenhouse gas emissions will be reduced. Whilst these are all clearly laudable, Part L of the Building Regulations (and the forthcoming Future Homes Standard) already provides the basis for how developers should construct more energy efficient homes to reduce greenhouse gas emissions. The Government, through the Written Ministerial Statement (WMS) of 13 December 2023 (reference: UIN HCWS123) confirmed that these are the standards to use and consequently, it actively discourages local planning authorities from introducing its own local standards. The draft 2025 NPPF also confirms this direction of travel.
47. The HBF is therefore concerned that introducing this policy makes this situation unclear. Furthermore, the policy then goes further in relation to seeking reductions in embodied carbon. Again, whilst the concept of this clearly has its merits, there is currently no agreed national standard for measuring (and therefore reducing) embodied carbon. The danger of including this is the Council will get an inconsistent approach in how this is measured between different developers and it will therefore be unclear whether this policy criterion is addressed and whether the wider policy is successful. The supply chains in development are often complicated and it may also be the case that the ability to reduce embodied carbon in some areas of the supply chain are simply out of the control of the development industry.
48. As such, whilst well intentioned, the HBF would query the necessity of this policy.

Policy DM5.3 - Adaptation and Resilience

49. This policy requires development to show adaptability to the current and future impacts of climate change. In particular, the policy references flood risk, overheating and water shortages.
50. In line with our comments that we have made in relation to Policy DM5.2, the HBF considers these matters are already addressed through national policy and standards. For instance, matters relating to overheating are addressed through the need to comply with Part O of the building regulations, water efficiency standards are addressed through compliance with Part G of the building regulations, and matters of flood risk are dealt with through national policy which requires modelling to take into account the effects of climate change (plus an additional buffer).
51. As this is the case, we consider that whilst well intentioned, this policy is superfluous.

Policy DM5.4 - Energy Efficiency of Homes

52. The explanatory text which accompanies Policy DM5.4 confirms that the Council intends to align with the 13 December 2023 WMS and not introduce local energy efficiency standards. This is welcomed and supported by the HBF.
53. However, with that being the case, the HBF queries the need for Policy DM5.4. In fact, its inclusion could confuse matters, as the wording of the policy currently requires accordance with Future Homes Standards which has not yet been published. If the policy were to go forward, it will need to reference the current Part L standards for now and the Future Homes Standards for when this comes into force (plus acknowledging that there will likely be a transition period between the two).

Policy DM9.1 - Design of Development

54. The HBF considers incorporating good design into developments is important and plays a crucial role in ensuring development is sustainable. The HBF therefore supports the overall principle of this policy. Nevertheless, the wording could benefit from further clarification.
55. Currently, the policy requires new development to comply with a series of criteria. However, not all the criteria will apply in all cases. As such, the policy wording needs to be amended from 'Proposals must demonstrate...' to 'Proposals must demonstrate, *where applicable*.....'

Policy S9.4 - Design Code

56. Through this policy, the Council is committed to undertaking a Borough wide Design Code to set out detailed design requirements for new development, with the intention of providing a clear framework to guide applicants and decision-makers.
57. Whilst the HBF generally supports this, it is vital that the Design Code is appropriately balanced so that it provides that guidance, but at the same time is not overly prescriptive in nature and acknowledges the different design characteristics across the Borough. The Design Code needs to avoid a 'one size fits all' approach to development that could stifle innovation in design and frustrate housing delivery.
58. In this respect, we would strongly advocate that the Design Code is worked up alongside the Local Plan, so as to provide certainty to our Members on the future design expectations of development and also that our Members are involved in helping to shape the Design Code to ensure that it is deliverable. Its requirements can then also be costed and incorporated into the local plan viability assessment.

59. In relation to the wording of the policy itself, reference is made to the Design Code being adopted as a Supplementary Planning Document (SPD) and that it will therefore act as a material consideration in the determination of future planning applications. The Council however will be aware that under the forthcoming new plan-making regulations, the final date for an SPD to be adopted is 30 June 2026. The Council will therefore need to consider how it will apply a Design Code if it is to be prepared and adopted after this date.

Policy DM10.2 - Managing effects on Biodiversity and Geodiversity

60. This policy in criterion (c) requires measurable net gains to biodiversity to be provided, unless otherwise shown to be inappropriate.
61. The HBF considers that it is important to recognise the difference between development which falls under mandatory biodiversity net gain (BNG) and that which is non-mandatory, where as the policy suggests, it may not be appropriate to provide net gain (or indeed it may not be viable).
62. Alongside this, it is critical that the Council fully explores the cost of mandatory BNG in its local plan viability work. This can vary significantly across development sites and so the HBF would be seeking a degree of sensitivity testing is undertaken on each site typology to ensure the costs of BNG are fairly represented in the viability assessments.

Policy DM10.4 - Management of International Sites

63. This policy covers sites which are likely to have significant effects on features of internationally designated sites, either alone or in-combination with other plans or projects.
64. The Council has already produced a Coastal Mitigation SPD to assist in determining the mitigation/compensation that may be required for such sites. Whilst this is noted by the HBF, the wording of Policy DM10.4 currently requires that such development complies with the SPD and whilst in reality this is most likely to be the case, the SPD is not part of the development plan and so requiring compliance with it is not acceptable (as the SPD is a material consideration only). Indeed, by referencing it in Policy DM10.4 itself, it elevates the SPD to development plan status even though it has not been scrutinised and examined in the same way as a development plan document.
65. The policy wording should therefore change to ensure that applicants 'have regard to' the SPD when examining development which is likely to have significant effects on features of internationally designated sites.

Policy DM10.6 - Trees, Woodland and Hedgerows

66. Policy DM10.6 includes requirements for tree planting for new development, as well as setting out policy criteria for instances of tree loss.
67. In relation to tree planting, the HBF broadly supports the approach in the policy, however where the requirement for street trees is referenced (criterion (b)), reference should also be made to footnote 52 of the NPPF which makes it clear that although there is a requirement for tree lined streets, there may be specific cases where there are clear and justifiable reasons why they may not be able to be provided.
68. In relation to tree loss, the policy allows for instances where tree loss is unavoidable and where this takes place, it requires replacement planting or financial compensation. The HBF considers that the nature of any replacement tree planting/compensation needs to be informed by the condition of the original tree as in some cases, if the tree is diseased or in a particularly poor condition, then its removal may be beneficial for safety reasons or to help stop the spread of diseases to other nearby trees.
69. The HBF also considers that when replacement tree planting is being considered, the Council will also need to take into account the effect this may have on site efficiency and providing an appropriate gross to net ratio that does not undermine the overall viability of a scheme.

Policy S17.1 - General Infrastructure and Funding

70. This policy seeks to ensure that new development is able to mitigate its impact on existing infrastructure through the use of planning conditions and/or planning obligations.
71. Whilst the HBF agrees that such a policy is needed in the Local Plan, the policy should clarify that it is not the role of new development to improve existing infrastructure deficiencies, but rather to mitigate its own impact only, and that planning obligations need to meet the statutory tests found in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 in that they should be:
 - a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
72. Being able to negotiate planning obligations where their inclusion would undermine the viability of a development is included in Policy S17.1 and is welcomed by the HBF. Nevertheless, it is important that this is seen as the exception rather than the rule and that the local plan viability assessment is sufficiently robust so as to provide certainty that development is deliverable. It is

unreasonable for every development to have to negotiate viability because the assumptions in the local plan viability assessment are incorrect or overly optimistic.

Monitoring Framework

73. The HBF recommends that the Council includes an appropriate monitoring framework which sets out the monitoring indicators along with the relevant policies, the data source and where they will be reported. This should also include the targets that the plan is hoping to achieve and actions to be taken if the targets are not met. The HBF recommends that the Council provides details as to how the plan will actually be monitored, and identifies when, why and how actions will be taken to address any issues identified.

Future Engagement

74. The HBF trusts that the Council will find these comments useful as it continues to progress its Local Plan. We would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.
75. 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 faithfully,

Chris Martin

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