

# EAST BOLDON FORUM

## RESPONSE TO ADDITIONAL INFORMATION SUBMISSION - ST/1109/21/FUL – ERECTION OF 202 RESIDENTIAL UNITS AT CLEADON LANE INDUSTRIAL ESTATE - November 2022

East Boldon Neighbourhood Forum (EBNF) set out below their response to the latest amended scheme for the above. This is in effect the third scheme submitted by Lichfield's on behalf of Avent Homes. The application seeks to respond to comments made by a number of consultees' including EBNF in respect to the former planning application for 196 houses.

In Section 1 below we update and add to our previous comments made in respect to the application for 196 houses made in August 2022. Our previous comments are shown in [blue text](#). Many of these are still applicable to the current application. Below each point we have set out an **Additional Comment** which reflects our latest response to the new application for the 202 dwellings made in November 2022.

In Section 2 we have provided a number of additional points that we believe are necessary to address the latest application.

### SECTION 1

#### RESPONSE TO ADDITIONAL INFORMATION SUBMISSION - ST/1109/21/FUL – ERECTION OF 196 RESIDENTIAL UNITS AT CLEADON LANE INDUSTRIAL ESTATE

##### 1. Introduction

- 1.1 The scheme that has now come forward is significantly changed from the previous submission and East Boldon Neighbourhood Forum (EBNF) acknowledge that improvements have been made. The reduction in the number of dwellings has afforded the opportunity for greater open space/landscaping. The landscaped area which now runs from the Suds basin through the center of the site is particularly welcomed, as is the 5m buffer which now abuts the green belt to the North. The layout also responds more positively to Cleadon Lane, and the separation that is now provided between the dwellings and the remaining, noisy, industrial premises is a positive revision. Access to the bridleway (Public Right of Way) which runs parallel to the railway line from the South West corner of the site, allows greater pedestrian connectivity, and is also a positive step forward.
- 1.2 There are, however, many issues that remain problematic. East Boldon Forum hope that these can be addressed in a positive way so that further improvements can be made resulting in an acceptable solution that both reflects NPPF and the policies set out in the East Boldon Neighbourhood Plan. These issues are dealt with in turn below:

## **Additional Comment:**

**In the current planning submission for 202 dwellings, the applicant hardens the argument with regard the Council's current failure of the Housing Delivery Test, referring to a Committee Report on an application for 127 dwellings on employment land at Lukes Lane, Hebburn (ST/0882/221/FUL). Once again, they argue that as a result, weight given to the South Tyneside Local Development Framework (LDF) policies should be reduced. However, they also go on to argue that the East Boldon Neighbourhood Plan should be afforded no weight in the determination of the application, but go on to say that 'Avant Homes has sought to comply with and reflect the policies and principles of the EBNP wherever possible in revising the proposals....'.**

**EBNF acknowledged that further refinements have been introduced, most notably in respect to a more varied palate of materials and detailing. These improve the scheme still further. There are, however, many issues that remain problematic and these are touched upon below. EBNF contend that the Neighbourhood plan (NP) is an up-to-date policy document, entirely consistent with the NPPF, and overwhelmingly supported in a referendum in 2021. We urge the Council to continue to take into account the policies and design guides within the NP when assessing this revised submission.**

**We urge the applicant to engage with the community and provide a housing mix that reflects local need.**

## **2. Community Engagement and clarity of information provided**

2.1 Following a request from Lichfield Consultants, representatives of East Boldon Neighbourhood Forum met Avant Homes in May to discuss the amended scheme that has now come forward. We highlighted a number of issues in relation to the Neighbourhood Plan and asked about Community Engagement. We were told that the public would have the opportunity to comment on the proposal by way of the Planning Application process and no other engagement was planned.

2.2 Great weight is given in the NPPF to collaborative working throughout the evolution of a proposal especially in relation to design. Para 132 calls for early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes and the need for clarifying expectations and reconciling local and commercial interests. It states that 'applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community'.

Policy EB10 seeks to do just that by involving the community in a Masterplan process.

2.3 Many of the issues that continue to adversely affect the amended scheme would have been resolved had this approach been adopted.

2.4 Scrutiny of the scheme is made more difficult by the absence of a number of important documents and drawings, not least a revised Design and Access statement. In many

[respectsthe statutory consultation process seems premature and hurried without this information.](#)

**Additional Comment:**

**The current application again fails to be based on any community engagement as envisaged by the NP or the NPPF. There has been no further discussion with the Neighbourhood Forum or the community since the first scheme was submitted. Although a Design and Access Statement has now been submitted and some street elevations provided, there continues to be issues concerning how the scheme will look when built out. For instance, it is extremely difficult to understand how the area of the SUDS Basin and the Pumping Stations will look.**

**EBNF requests that the Council continues to encourage the Applicant to engage with EBNF and the local community so that the views of local residents are taken into account. In addition to Para 132 of the NPPF, the National Model Design Code part 1 states in point 19: The National Planning Policy Framework is clear that design policies should be developed with local communities, so they reflect local aspirations.**

**3 Loss of Employment land**

- 3.1 The East Boldon Neighbourhood Plan (EBNP) recognised the need to support the continued use of the estate for main employment uses. (Paras 7.11 -7.14) This position was supported by the Independent Examiner, who stated that if a housing scheme was brought forward in advance of the Local Plan, it was reasonable for the EBNP to seek justification for the loss of employment land. Policy EB10 of the approved EBNP states that: “The applicant must also demonstrate that there is no need or demand for the existing employment related uses. Evidence should include details of the comprehensive marketing exercise undertaken.”
- 3.2 As requested, the applicants have provided more information on the need and demand for the existing employment uses on the site. They state that the site has two active short term leases. The first is the sawmill business in the south west corner operated by North East Machinery Services. The second is to Vertu Motors in the south west portion for the storage of motor vehicles. They also state that the phasing of the housing development will allow these businesses to continue operating until their lease comes to an end. It is assumed that the remaining active uses on the site for container storage and aggregate storage are under the control of the site owners.
- 3.3 The applicant also refers to the intention of the Council to de-allocate the site for employment purposes and allocation of the remaining part of the industrial estate for general economic development as part of the emerging Local Plan. It is noted that consultation has only just commenced (June 2022) on the draft plan and no decision has been made, or will be made for some considerable time.
- 3.4 The applicant has also confirmed that the landowner has actively marketed the site for a significant period of time and provided links to the marketing website. They state that no interest has been reported.

[EBNF requests that this statement is verified and checked by the Planning Authority.](#)

#### **Additional Comment:**

**The applicants provide further information about the marketing of the site for employment uses and update on the two current users, Vertu Motors and North East Machine Services. The latter employs 6 people and will leave the site in 3 years and is aware of the need to relocate.**

**EBNF requests that the Council considers Policy EB10 carefully when considering the loss of employment land and jobs.**

#### **4. Housing Position**

- 4.1 The applicants refer to the 2021 Housing Delivery Test results published in January 2022 and argue that the consequences of Government actions place more prominence on releasing the site for housing development. They argue that for short housing supply needs (The Borough only has a housing land supply of 2.05 years) and for avoiding Green Belt release, their site provides a valuable opportunity to the Council. They also compare the site to one south of Argyle Street, Hebburn which the Council has approved as part of its brown field first policy.
- 4.2 The applicants have reduced the number of housing units from 245 to 196 in this revised application. While the Forum welcomes this reduction, it is noted that the proposed numbers will take up the vast majority of the assessed housing need for the village, and this will be in the early part of the Neighbourhood Plan period (the plan was informed by a Housing Needs Assessment which was endorsed by the Examiner. The HNA determined a figure of 12 dwellings per year for East Boldon and this equates to 192 dwellings over the 16-year period 2020-2036.)
- 4.3 Although Policy EB12 supports the delivery of new housing within the plan's settlement boundary (and Cleadon Lane Industrial Estate is within this boundary), the impact on the infrastructure of the village by this proposal remains a strong concern of the Forum and we set out further details later in our response.

#### **Additional Comment**

**The applicant has hardened the argument that the Council's Development Plan Policies should be afforded little weight and the NP should be disregarded because of the Authority's failure to meet the Government's targets in terms of housing numbers and an adequate three-year supply of housing land.**

**EBNF contend that the Neighbourhood plan (NP) is an up-to-date policy document, entirely consistent with the NPPF, and overwhelmingly supported in a referendum in 2021. We urge the Council to 1) continue to take into account the policies and design guides within the NP when assessing this revised submission, and 2) encourage the applicant to genuinely engage with the principles of good design as set in the NPPF documents.**

**Policy EB12 does support the delivery of new housing within the plan's settlement area but the impact on the infrastructure of the village remains a strong concern of the Forum. The applicant and the Planning Authority will be aware of the worries of residents expressed in**

the initial feedback information which accompanies the application. Congestion, Road Safety, Air Pollution, Effect on Schools and Services have all been highlighted and continue to cause concern.

## 5 Phasing

- 5.1 The Forum notes the proposed phasing plan. The applicants informed us that their build out rate would be around 40 houses per year. In view of the importance of completion numbers in both meeting the three year housing requirement and the local housing needs, the Forum requests a detailed estimate of the build out rate.

### Additional Comment:

**EBNF is grateful to receive confirmation of phasing and build out rates.**

**Avant Homes confirms that it anticipates that the build out rate for the site is anticipated to be between 30 no. and 35 no. dwellings per annum subject to prevailing market conditions. This would result in an anticipated overall build programme of 6.5 years and 7.5 years allowing for lead in periods for site works before first occupations at the site.**

**EBNF notes that phase one will contain a significant majority of the houses to be built (120 out of the 202), and will rely on one vehicular entrance to the North of the site until phase 3 is completed. Also, the pedestrian route to the bridleway will not be available to residents until phase 2 is complete, perhaps some 5 years into the project. Pedestrian access to the site will, therefore, be limited to a route along Cleadon Lane, entering the site via the access road at the Northern end of the site. Until the very end of the scheme the footpath on the Western side of Cleadon Lane is likely to be affected by site traffic and construction work.**

**EBNF requests that the Council and its Highways Section, in considering this application, gives careful thought to how the scheme would operate for pedestrians and cyclists during the construction phase, and how and when the improvements to Cleadon Lane will be carried out. EBNF has concerns over this issue and how Cleadon Lane will operate for residents. For instance, if pedestrians are required to use the footpath along the Eastern side of Cleadon Lane it may be necessary to provide crossing points in order to achieve an acceptable level of road safety.**

**In addition, there needs to be clarity and agreement on how site traffic will be directed to the site so as to avoid major disruption, noise and pollution to an already congested village which has existing houses, shops and schools built alongside the highway.**

## 6 Implication on weight of the East Boldon Neighbourhood Plan

- 6.1 The National Planning Policy framework (NPPF) sets out a series of conditions that follow the situation of a failure of the Housing Delivery Test. We are currently in a conflicting situation. On the one hand, we have a very up to date Neighbourhood Plan which contains policies to meet its identified housing needs. On the other hand, the local planning authority does not have at least a three year supply of deliverable housing sites. This is an extremely frustrating position for the Forum, as the lack of a three year supply is not in our control.

- 6.2 The applicants argue that a reduced weight needs to be taken account of the policies in the Neighbourhood Plan when considering the merits of the planning application. Indeed, rather than seeking the best outcome, the Applicant seems to rely on this argument.
- 6.3 The Forum would respectfully remind the Council that the East Boldon Neighbourhood Plan was supported at referendum by 95% of those residents who voted and that the turnout was very strong at 42%, and is underpinned by rigorous community involvement, the robustness of which was recognised by the Independent Examiner.
- 6.4 The Forum also would point out that the policies within the Neighbourhood Plan and its Design Code are based on NPPF and National Design Guide documents. The background papers that sit behind the Plan are a testament to this, as is the fact that the plan was scrutinised very recently by an Independent Examiner. In terms of best practice, the plan invokes recognised guidance such as Building for a Healthy Life, The Manual for Streets etc.
- 6.5 In view of this the Forum would urge the Council to continue to take into account the policies and design guides within the Neighbourhood Plan when assessing this revised submission.

**Additional Comment:**

**Although the applicant claims that no weight should be afforded to the NP, the response document which accompanies the application states that notwithstanding this, 'Avant Homes has sought to comply with and reflect the policies and principles of the EBNP wherever possible in revising the proposals for the redevelopment of the site. This aims to demonstrate a willingness to accommodate the provisions of the EBNP where appropriate and feasible given the time and effort that the EBNF has put into its preparation...'. NBNF acknowledges that in part, the current and third application does go some way toward addressing a number, but not all of the policies set out in the NP and its Design Code. We are grateful for this, and for the endeavours of the Planning Authority to engage with Neighbourhood Planning as envisaged in the NPPF and Guidance.**

**7 Housing Mix**

- 7.1 The housing mix does not meet the required mix identified in the East Boldon Housing Needs Assessment (2019) (HNA). This indicated a substantial portion of residents over the age of 65, a lower proportion of one person households compared to South Tyneside as a whole, and that the current provision of specialist accommodation for the elderly was not sufficient to meet the projected need.
- 7.2 The Forum's HNA identified a housing split for new houses as: 26% 1 bedroom; 42% 2 bedroom; 32% 3 bedroom; and, 0% 4 bedroom properties.
- 7.3 The proposed scheme offers 0% 1 bedroom; 18 % 2 bedroom; 43% 3 bedroom; 35 % 4 bedroom; and, 4% 5 bedroom properties, and no provision is made for specialist elderly accommodation.
- 7.4 Once again, the applicants argue that this should be seen in the context of the Council's current housing position and the severe 5-year housing land supply shortfall. They argue that

the policies on housing delivery and housing mix in the East Boldon Neighbourhood Plan should be afforded limited weight.

7.5 [The Forum would point out that the EBNP contains the most up to date assessment of housing needs and has recently been approved by referendum.](#)

**Additional Comment:**

It is noted that the current application has now been amended so that the housing mix proposed is: 14.4% 1 bedroom, 25.2% 2 bedroom, 33.7% 3 bedroom and 26.7% 4 bedroom. Although more smaller properties are now included in the current application, over a quarter of the houses proposed are to be 4-bedroom properties. The housing mix continues to be both out of step with the Neighbourhood Plan (NP) and the needs of people who live in South Tyneside. The housing offer will be unaffordable for many and inappropriate for most local people.

Paragraph 8.7 of the East Boldon Neighbourhood Plan refers to the housing mix and the identified need in the Forum Area and states: A key role for the Neighbourhood Plan is to provide a policy framework to support the provision of a mix of homes to meet local needs. The East Boldon Housing Need Assessment provides evidence to illustrate the required mix of new homes across the plan area and identifies:

- Home ownership is the most common tenure in the plan area, whilst privately rented homes have increased their share significantly between 2001 and 2011 – this suggests a rising demand for rented properties and also that there should be a greater emphasis on delivering homes for private rent and shared ownership;
- There is a lower proportion of one person households compared to South Tyneside as a whole and of these, a substantial proportion are aged 65 and over. The recommended housing split for new dwellings is: o 1 bedroom – 26%; o 2 bedrooms – 42%; o 3 bedrooms – 32%; o 4+ bedrooms – 0%.
- The current provision of specialist accommodation for the elderly is not sufficient to meet the needs of the projected elderly population. There is a need to deliver an additional 64 bed spaces to 2031.

The NP identified a need in terms of an aging population. The emerging local plan has also identified this issue and the particular needs of an aging population across the Borough. Para 2.13 of the draft Local Plan states; *‘Key conclusions of the Strategic Housing Market Assessment (SHMA) (2021) are that there needs to be a broader housing offer for older people across South Tyneside and there is a significant need for more affordable housing’.*

This issue is also highlighted by the Census information issued in June 2022 by The Office for National Statistics. This indicates that In South Tyneside there has been an increase of 15.1% in people aged 65 years and over, a decrease of 5.4% in people aged 15 to 64 years, and an increase of 3.9% in children aged under 15 years.

The proposed housing mix does not include any bungalows or ‘retirement apartments. However, the applicant states: *‘that the proposals do include a proportion of 1-bedroom properties in the form of houses and flats which would meet the need for one person households, of which a substantial proportion are currently for over 65s in East Boldon, as identified in Table 8.1 of the EBHNA. These will offer the opportunity for older residents who would like to remain in East Boldon to downsize from their larger properties. These will include market and affordable tenures, including some ground floor flats.*



Where the applicant puts forward proposals which offer properties for the elderly, it is essential these are suitable and to an accessible standard. For example, the applicant puts forward the suggestion that Ground Floor Flats of the 3-storey apartment blocks could be used for elderly people. This may not be suitable for many elderly residents where the floors above are occupied by young families and they are required to share a common entrance.

EBNF urges the Council to give particular attention to the housing mix so that it meets the needs of residents. It is important that each phase of the development is representative (in terms of housing mix). Phase 1 contains 120 houses: only 13 of these are linked to an 'affordable' category, and a large proportion seem to be 3- and 4-bedroom dwellings, many of which will have additional 'home work' rooms.

## 8 Affordable Housing

8.1 The applicants are exercising their ability to reduce their affordable housing requirements by using Vacant Buildings Credits, which they calculate reduces their requirement from 25% to 16.4%. This results in proposals for 33 affordable units. These are distributed in small clusters as they say this is a preferred arrangement for Registered Providers for management and maintenance reasons.

8.2 EBNF is particularly concerned that there is a high concentration of affordable dwellings in the South West corner of the site creating a separate enclave. The Forum does not think that this distribution contributes to a varied community arrangement and seems to be contrary to National guidelines.

The Local Authority is requested to give further consideration to this aspect.

8.3 It is noted that in the main, the affordable properties put forward do not seem to comply with Nationally Described Space Standard. This is dealt with below.

### **Additional Comment:**

EBNF note the increase in this provision from the previous application, which is welcomed. We continue to have concerns however, over the distribution of these properties. 17 of the Affordable Rent properties are located in close proximity to one another within the 32 houses that make up phase 2 of the proposal. Of these, 12 are located in two, 3 storey blocks of flats which sit next to one another. Would it be possible to split these blocks up? For instance, could the two bedroom block flats be located in the area occupied by plots 95 to 99? This would give good surveillance to the cycle route without the need to rely on 'rear entry properties' with private space only on one side.

Currently we make the following assessment:

Phase 1: 5 number Affordable Rent, 5 number First Home, 5 number DMV Homes. This equates to 15 out of 120 properties, or 12.5% of the properties in phase 1 being of an affordable category.



**Phase 2: 15 number Affordable Rent and 2 number DMV Homes. This equates to 17 out of 32 properties, or 53%. of the properties in phase 2 being of an affordable category.**

**Phase 3: 6 Affordable Rent, 3 First Home, % DMV Homes. This equates to 14 out of 50 properties, or 28%. of the properties in phase 3 being of an affordable category.**

**As can be seen, the distribution is skewed so that the majority of the affordable properties is provided in the later phases of the project and a significant majority will not be available for 5 or 6 years after commencement at the projected build out rate. EBNF request the Planning Authority to look at this issue in the context of the advice set out in the NPPF and Guidance.**

**See below for comment on NDSS.**

#### **Nationally described space standards (NDSS).**

- 9.1 This requirement seems to be brushed over by the applicant, but has consequences especially for the affordable properties included. As stated, most of the house types put forward for this element do not seem to comply. NDSS state double bedrooms should have a floor area of at least 11.5 sq. m. and single bedroom 7.5 sq. m. A minimum width dimension for bedrooms is set out, as is the minimum gross floor area of a dwelling, depending its height, number of bedrooms and occupancy
- 9.2 For instance, the Eastburn (7 affordable dwellings), is a 2.5 storey dwelling where the second floor area is affected by the constraint of the roof slope. NDSS is area prescriptive in relation how floor areas and heights are assessed and measured where room-in -the-roof areas are put forward as bedrooms. Two double bedrooms are shown indicating a 4 person house type. It has a gross floor area of 74.7 sq. m. To comply this should be 79 sq. m. Its first floor double bedroom also does not comply having a floor area of 11.1 sq. m. (should be 11.5 sq. m.). The first floor live/work room has a floor area of 6.65 sq. m. (against 7.5 sq. m.), for a single bedroom space and its dimensions and layout make it non-compliant as a bedroom. The house type has no effective built-in storage other than a cupboard at second floor level. The vast majority of the under eaves storage at second floor level that is indicated is below 900mm and is not counted as gross floor area.
- 9.3 The Thirsk (8 affordable dwellings), is a two storey, two-bedroom dwelling. One bedroom is shown as a double room the other has no bed room furniture shown. This second bedroom is 8.5 sq. m. and is non-compliant as a double bed room. The bedroom shown with furniture has a floor area of 9.5 sq. m. and is also non-compliant as a bedroom (should be 11.5 sq. m.). The gross floor area of the dwelling is 52 sq. m. If this is put forward as a 4 person property, the floor area should be 79 sq. m., and if it is put forward as a 3 person property then the floor area should be 70 sq. m. In both cases the gross floor area is non-compliant. The bedrooms do not comply with the area required for double sized rooms and the house type does not offer any built in storage.
- 9.4 The remaining affordable properties are provided by two bedroom, 4 person apartments arranged in three storey blocks. Each block has 12 properties and there are three blocks, a total of 18 dwellings. Each floor level has two different house types. a Fairford and a Burford. The Burford has a floor area of 70.3 sq. m. and is compliant in terms of gross floor area. The

Fairford has a gross floor area of 66.8 sq. m. and is non-compliant (should be 70 sq. m.). All bedrooms are compliant. The dwellings, however, do not offer storage or practical space for pushchairs, kiddies' paraphernalia or cycle storage. As apartments, they are inflexible and do not offer practical and well designed accommodation for young families. Nor do the upper apartments offer suitable accommodation for elderly residents, having no lift. Clarification is needed concerning how refuse and bin storage is to be dealt with in connection with the apartment blocks.

**Additional Comment:**

**The applicant states: 'We recognise that there have questions about the compliance of the proposals with NDSS. Whilst it is considered that no weight can be attributed to the EBNP requirement for dwellings to be NDSS compliant under Policy EB12 Avant Homes has committed to providing all the proposed dwellings on the site being NDSS compliant'.**

**EBNF welcome this commitment to comply with NDSS as a minimum standard. EBNF request that this is ratified by the Planning Authority.**

**10 House Types Generally**

- 10.1 The applicant should be required to clarify on the layout drawing schedule, the number of persons each house type is intended for, not just the number of bedrooms, and to highlight the gross floor area of each dwelling (as they have for the Fairford and Burford house types). Bedroom spaces that are counted as such should be clearly indicated with furniture on the house type drawings. If live/work rooms area also counted as bedrooms, this should be made clear. For instance, house types Askern, Fernlee, Ripon, Saltaire and Thornton appear also to count live/work areas as bedrooms (but bedroom furniture is not shown). This is important for several reasons, but especially in relation to NDSS.
- 10.2 The issue of NDSS non compliance is not limited to affordable properties. For instance, the Askern house type (10 properties) has a gross floor area of 65.6 sq. m. This should be 79 sq. m. if it is intended to be a 4 person house, and 70 sq. m. if it is to be a 3 person house. As referred to in the paragraph above, the second room at first floor is called a live/work space but in the layout schedule it is counted as a bedroom. The live/work space, or bedroom is 10.2 sq. m., and is non compliant as a double bedroom. The applicant should be required to state which other house types do not comply with NDSS.
- 10.3 As with the Burford and Fairford house types clarification is needed concerning how refuse and bin storage is to be dealt with in connection with all properties across the site, in particular how bins are to be collected/dealt with where there are private drives.

**Additional Comment:**

**The applicant puts forward eight house types/properties that include a Live/Work (LW) area. A total of 87 dwellings are now provided with a L/W area. The applicant puts forward the case that L/W areas should not be classified as bedrooms and therefore not counted in order to identify the parking requirement for each house. EBNF is not unsympathetic to this approach as to some extent it reflects EB9, which in part states: 'Where planning permission is required**

*development proposals that support homeworking, such as the creation of workspace for home-run businesses will be supported where it can be achieved without significant impact on the built and natural environment and residential amenity'. Most of the rooms put forward for L/A spaces fall well below the area required for a bedroom space in terms of National Described Space Standards (NDSS) and therefore should not be classified as a bedroom. However, Denborough (3 number) and Askham (14 number) house types include L/W spaces that are sized 9.3 sq. m. and 10.1 sq. m. respectively. It is difficult to see how a case can be made that these rooms will not be used as bedrooms and EBNF believes they should be counted as such. This does not only affect the car parking provision required, but also amends the 'housing mix' that is put forward.*

**EBNF requests that the Planning Authority seek clarity over this issue and agree with the applicant a proposal which reflects our concerns over this aspect.**

**We would also point out our continuing concerns over the practicalities of apartments for both young families and older people. Storage and practical space for pushchairs and kiddies' paraphernalia such as bikes and scooters are essential. Ground floor provision for these things should be made where there is no lift. The apartments seem inflexible and do not offer practical and well-designed accommodation for young families. In the absence of a lift, the upper apartments do not offer suitable accommodation for elderly residents, while the ground floor flats could also be problematic for reasons touched upon above**

## **11 Flood Risk and Drainage**

11.1 The applicants have submitted a new version of the Flood Risk Assessment prepared by RWO. This assessment includes a Flood Zone Review report prepared by Envireau Water. This proposes to re-zone the site as Flood Zone 1.

This requires agreement by the Environment Agency and so the Forum requests confirmation of this as soon as possible.

**Additional Comment: Please see section 26 below**

## **12 Transport**

12.1 The applicants have made available the response from their consultants, SAJ to a response commissioned by the Council from SYSTRA. The Forum welcomes the clarifications sought by SYSTRA on behalf of the Council relating to vehicle trip generation, the impact on current traffic queues at East Boldon metro station. It is noted that there is reference to reducing the speed limit on Cleadon Lane to 30 MPH. It is also noted that the applicant's consultants refer to a lower build out rate of 30-35 houses per year, making it a six year development. We would refer to our earlier request for clarity on this.

12.2 It is also noted that the impact of IAMP 2 on the local road network has been raised and that dialogue between both sets of consultants could continue. The Forum requests that it receives an update from the Council on the issues raised in these responses as soon as possible.

- 12.3 [The issue of traffic, its impact on air quality and queuing at the Tiledsheds and East Boldon rail crossings remains a major concern to our members and the wider community. The volume of traffic on the B1299 is already excessive at peak times and the addition of significant numbers of additional cars will only exacerbate that.](#)

**Additional Comment:**

**EBNF remain extremely concerned over this issue. We are sceptical of the number of vehicles identified that will use the site, and the number of trips generated. The Ward has one of the highest car ownerships in the North East and with over 26% of properties proposed being 4 bedroom, we believe the trend of high car ownership will be replicated on this site.**

**The original scheme seemed to be assessed on one vehicle per dwelling; however, the applicants have not presented a definitive figure on the number of vehicles which this revised scheme will generate. The issue of car ownership and a realistic assessment of numbers generated by the site and the housing mix must be the basis for understanding the impact of motor vehicles on the road infrastructure and the community. As stated, East Boldon has developed alongside, and in many places hard up against the road network. Houses, shops, churches and schools are located next to the highway. Additional cars will have a significant effect on people, including noise and air pollution. A realistic assessment of this aspect is essential to the well being of residents.**

**We are also concerned over the issue of queuing and remain unconvinced that the analysis set out in the application is accurate or representative. We believe that the Local Authority needs to look more closely at this issue.**

**13 South West corner of the Site:**

- 13.1 A key feature of the revised layout is the introduction of a pedestrian connection in the southwest of the site to the existing Public Right of Way (PROW) which runs parallel to the railway line. The current change in level between the PROW and the site suggests that an access ramp will be necessary at the transition. There is no doubt that this will become a major pedestrian route into the site at all times of the day, leading as it does to the shops, metro railway and bus stop for the No 30 service. Surface treatment and street lighting from the site up to the point of the highway must be given due consideration as part of the proposal. These aspects should form part of any planning permission.
- 13.2 The houses that are located in the South West corner of the site are extremely close to the railway line that carries the Metro Railway, the diesel-powered Northern Trains passenger service from and to Middlesbrough, and heavy freight trains. The verification by the Local Authority of the information provided by the applicant in respect to noise attenuation etc. is of critical importance, as is the need to understand the impact of vibrations on the dwellings from these separate sources. The visual impact of the 3.m and 2.5 m high acoustic fences in this area of the site is important to understand in assessing the suitability of the proposal. Sections and elevations that show the fences in relation to the houses should be required. This is especially important in relation to the properties that are adjacent to the railway line where there is a difference in level between the PROW and the site. For instance, is the 2.5 m fence to be placed at the higher level in order for it to be an effective barrier?

#### **Additional Comment:**

**EBNF welcomes the improvements to provide street lighting and re-surfacing to the major pedestrian and cycle route in the South West corner the site. There is poor surveillance of the route as it enters the site and users may feel vulnerable and be at risk, especially late at night. It is not overlooked by dwellings for a stretch of 35m from the boundary of the site. Each of the three storey blocks present gable ends to the footpath in this zone. It would be beneficial if one, or both of the three storey blocks could be re-orientated and turned through 90 degrees so that a frontage overlooks the pedestrian route. An additional benefit would be that the gables of the blocks would then be presented to the railway line, helping to mitigate the problem of noise.**

**We ask the Planning Authority to check again the noise aspect in respect of the three-storey block in this location. We believe the blocks in the previous scheme did present their gable to the railway line. The current scheme changes this relationship, and the height of the three storey blocks may render any sound barrier less effective compared to a two storey dwelling.**

#### **14 Road and Footpath Design: Cul-de-Sacs**

- 14.1 The revised scheme now incorporates footpaths for significant areas of the development, is less reliant on cul-de-sacs and has a better-connected road network. This is an improvement on the original scheme. However, two of the remaining cul-de-sacs offer poor access for pedestrians. Firstly, the cul-de-sac in the North West Corner that abuts the Suds Basin: This seems to deny pedestrians a direct route to Cleadon Lane and requires them to walk in the opposite direction along a much longer route that follows the road network. A footpath connection from the end of the cul-de sac to the adjacent hammer-head (next to the pumping station) would alleviate this. Secondly, the central cul-de-sac in the Eastern half of the site adjacent to Cleadon Lane: Similarly, pedestrians requiring access to Cleadon Lane are required to walk in the opposite direction along a much longer route that follows the road network. This could be overcome by providing footpath connection from the cul-de-sac across the landscape area into Cleadon Lane. In both of these instances, if the footpath connections are not provided, in all probability some people will follow a desire line and create their own unauthorised access, creating damage and conflict.

#### **Additional Comment:**

**EBNF welcomes the improvements giving greater accessibility to pedestrians and cyclists and notes the new access points onto Cleadon Lane.**

**We welcome in particular the 3m wide footpath/cycleway that gives the opportunity for pedestrians and cyclists to leave the highway and enjoy some 'open space' free from vehicles for a short section of the site. For the area around the SUDS basin to work as Public Space it requires access, and extending the 3m footpath/cycleway into this area would have been a very good way of doing just that. At the same time the cul-de-sac in the North West corner could have been given a direct pedestrian route toward Cleadon Lane (see 14.1 above). However, the detail layout showing the extent of the basin and the levels involved reveal that none of these things are possible (see also section 20 below).**

## 15 Pedestrian Connectivity adjacent to the site

- 15.1 As touched upon in our response to the original scheme, consideration and clarity is needed in relation to a number of issues outside of the site boundary that affect movement. Crossing Station Road, east of the rail level crossing is problematic for pedestrians, especially for those in wheelchairs. The new pedestrian route for the South West corner of the site increases the need for this to be addressed. The proposed treatment of the footpath along Cleadon Lane is not made clear. This path will need to be extended and possibly resurfaced. Is this to be included? In order to address the need of pedestrians who wish to cross the busy Cleadon Lane, for example to reach the bus stop, it seems necessary to provide a crossing point/island between the footpath on either side. Is this addressed or included?

### Additional Comment:

**EBNF welcome the additional measures now proposed for Cleadon Lane, including a 3m shared pedestrian footway/cycleway to be provided along the West side of Cleadon Lane, and raised junction tables provided at both proposed junctions with Cleadon Lane to reduce vehicle speeds.**

**Although it is proposed to reduce the speed limit, EBNF continue to have concerns over the safety of pedestrians crossing from one side of Cleadon Lane to the other. As touched upon above, it would seem that for most of the construction phase pedestrians will be obliged to use the East side of Cleadon Lane. For most of that time, which could be 6 or 7 years, access to the site will be confined to the entrance at the North end of Cleadon Lane. It would seem sensible, therefore, to provide a pedestrian island near to the Northern site entrance. This issue is of particular concern to residents with disabilities, the elderly who might have mobility problems, and younger children.**

**The issue of how residents are able to cross Station Road, East of the Railway line is highlighted in the blue text above.**

**EBNF requests that the Council and its Highways Section, in considering this application, gives careful thought to how the scheme would operate for pedestrians and cyclists during the construction phase and beyond, and how and when the improvements to Cleadon Lane will be carried out.**

## 16 Shared surface area and private drives without footpaths

- 16.1 The incorporation of footpaths generally is welcomed. There remains however a section of shared surface centre/west of the site. Could this be looked at so at least an uninterrupted footpath on the West side of the street is provided? The Manual for Roads in Section 7.2.12 states: Consultation with the community and users, particularly with disability groups and access officers, is essential when any shared surface scheme is developed. Early indications are that, in many instances, a protected space, with appropriate physical demarcation, will need to be provided, so that those pedestrians who may be unable or unwilling to negotiate priority with vehicles can use the street safely and comfortably. The other concern is that the shortage

of visitor parking space may mean that these areas (including private drives) will facilitate indiscriminate parking causing a hazard.

- 16.2 There seem to be a considerable number of private drives. How will maintenance and street lighting be addressed? If lighting is not provided by the Authority will this cause a security issue ('secured by design') and be a risk to pedestrians?

**Additional Comment:**

**EBNF welcomes the provision of designated footpath throughout the latest submission. It also welcomes the statement that the applicant will work with the Authority to ensure that the needs of those with disabilities are met in full.**

**EBNF continue to be concerned over the potential for indiscriminate parking and how this may impact pedestrians and cyclists.**

**Re. 16.2 above, will private drives be lit?**

## **17 Landscaping and Open Space**

- 17.1 The Forum welcomes the Council's recommendations to the applicants to make improvements in line with the East Boldon Design Code. The 5 m buffer zone to the northern boundary is an improvement to the original scheme and will provide a soft transition into the Green Belt. The Forum also welcomes a further landscape buffer to Cleadon Lane.
- 17.2 A landscape strategy is submitted to show the species of trees, shrubs and other plants to be planted in the different areas. The Forum requests the views of the Council on their suitability for the site.
- 17.3 The site adjoins the Tiledsheds Burn Local Wildlife Site to the North West and is within the Green Infrastructure Corridor under Development Plan Supplementary Planning Document SPD 3. The applicants state that a Local Wildlife Site Assessment, dated, February 2022, prepared by OS Ecology is to follow. The Forum requests a copy of this report as soon as it is available.

**Additional Comment**

**The Council commented on the lack of POS on the original layout and the applicant claims that a '*linear open space area/corridor through the site*' is now provided. The detailed plan of the SUDS area, which makes up most of the open space area, has now come forward and indicates the true extent of the basin. This casts doubt on the amount of useable public open space being provided. The response document explains that a footpath connection from the North West cul-de-sac can't be provided because of the levels involved in the SUDS basin area. It would seem that falls into the SUDS basin start almost immediately from the near-by highway and reach a depth of around 2.75 m. This means that there is no useable area around the basin for public enjoyment or robust tree planting/landscape. There are no sections/elevations provided to illustrate this aspect of the proposal, or the adjacent**



pumping station, but in effect most of the areas is taken up with a large hole and mechanical plant. This is discussed further in section 20 below.

The landscape proposals that have come forward seem to offer little to respond positively to the point made in 17.3 above. The ecology report seems not to take account of a number of factors. This aspect is discussed in the Ecology section.

We have concerns over the detail of the fence design proposed for the Northern boundary (described as a stock proof fence). The detail appears to use a small square mesh, possibly plastic. This seems at odds with the recommendations elsewhere in the submission which identifies the provision of 130mm holes to give permeability for small mammals etc. The detail and the material used should be scrutinised by the Planning Authority.

## 18 Trees

18.1 The revised layout still requires the removal of 10 mature trees, two tree groups and a section of another group. The area of tree group 4 to be removed has been clarified, however the remaining part of this group remains outside the application site. The Forum considers that our request to reconsider the impact on mature trees within the site has not been acted upon.

18.2 Tree lined streets - The Forum notes that no attempt has been made to create tree lined streets or incorporate grass verges. The reliance of trees planted within curtilage as a substitute is unsatisfactory. The suggested legal arrangement to safeguard the trees is not considered a sustainable alternative and will undoubtedly result in conflict between the Local Authority and house owners in the future.

### Additional Comments:

The applicant confirms that tree lined streets and grass verges will not be provided, arguing the need for *'balancing the efficient use of land with securing well-designed, attractive and healthy places, as set out in the NPPF (paragraph 124)'*. This argument flies in the face of design advice contained in the NPPF, Guidance and National Codes which recognises the importance of creating beautiful places and the part that can be played by incorporates trees and planting as part of a well-designed highway.

Avant Homes proposes to utilise a combination of trees planted in public areas adjacent to roads and trees planted in the front gardens of plots to create green frontages through the redevelopment. The trees in public areas would be maintained by a private management company and the trees in front gardens would be covenanted for retention in sales documents for the relevant plots.

EBNF believe a greater level of tree planting is necessary throughout the site and considers that the proposal put forward needs to be improved for it to reach an acceptable standard in terms of visual amenity, and for it to contribute effectively to the habitat and ecology gain. For instance the tree planting around the SUDS basin lacks any ambition and seems a missed opportunity.

## 19 Green Belt Boundary to the North of the Site

- 19.1 With regard to the 5m landscaped area has been introduced along the whole of the Northern boundary: For the Western section of this, a back-to-back arrangement of dwellings has been utilised allowing the properties to front onto the Green Belt and the landscaped area. This arrangement works very well as it allows the landscape area to contribute positively to the open space within the site as well as providing a transition between the site and the green belt. The landscape area also allows the opportunity for some visitor parking and facilitates view from within the site toward the green belt and beyond.
- 19.2 The applicant states that for the Eastern section of the Northern boundary this arrangement is considered to be a problematic in design terms. Properties along this section are placed between the landscape area and the access road, turning their frontages away from the green belt. As a consequence, the landscaped strip is concealed and isolated by the properties that back onto this section of the Northern boundary. The landscape area therefore makes no contribution to the amenity of the site as a whole and runs the risk of being poorly maintained or subsumed into the rear gardens of the dwelling at a future date. In addition, views toward the green belt from inside the site are obstructed.
- 19.3 The potential of the landscape area to make a significant contribution to design of what is a major gateway into the site is also lost. Currently, the design of the site entrance at this point is considered to be poorly designed. The inclusion of the landscape area immediately behind the entrance road would give every opportunity for a more acceptable solution.
- 19.4 Whilst acknowledging that also adopting a back-to-back arrangement along the whole of the Northern boundary and allowing all dwellings to present a frontage to the green belt may result in the need for some compromises elsewhere, the Forum requests that this issue is given further consideration by the Planning Authority.

### **Additional Comment:**

**The latest scheme does not address this issue.**

## 20 Central Open Space

- 20.1 EBNF welcomes the increased open space within the centre of the site. The area around the SUDS basin has potential to provide space which the community could enjoy. The current proposal does not seem exploit this opportunity and it is impossible to appreciate how this area will work. Simplistically, it would benefit from a circular footpath around its perimeter with connections to the footpath network. This would allow improved pedestrian connectivity from the North West cul-de-sac. It is recognised, however, that there may be a safety issue with the SUDS basin itself which requires it to be isolated from the landscape area around it.
- 20.2 As part of this area, the plan indicates an area of 14m x 14m for a pumping station, including a hardstanding for a tanker. The arrangement for the pumping station could be obtrusive and unsightly if not sympathetically designed and detailed. The applicant should be required to provide further information and details of how this area will be designed, including a

[proposal which allows the area to be enjoyed by the public, prior to planning permission being granted.](#)

## **Additional Comments**

**The applicant has now provided further details of the SUDS basin which gives an indication of the extent of the basin and the levels involved. No sectional or elevational information is provided, though an explanation is now given concerning how the SUDS basin will operate (all surface water will be discharged to a water course via a pumping station and the SUDS basin).**

**The landscape strategy drawing needs to be scrutinised against the true extent of the basin as there may be a discrepancy between it and the SUDS basin layout drawing that might prevent the tree planting, limited though that is.**

**EBNF have serious concerns about this aspect of the design. It would seem that because of the extent and the levels involved with the SUDS basin, there is little opportunity for it to be used for public amenity. Indeed, it would seem that there may be serious Health and Safety issues associated with the proposal. The depth indicated appears to be in the order of 2.75-3.00 meters, with sloping sides that terminate close to the road network and footpaths. We also believe that the basin will retain water for some or all of the time. At times of prolonged and excessive heavy rain, we assume the SUDS basin may be full or near to capacity as there is a limitation to the proposed discharge rate. See section 26 Sewage below.**

**The fact that the so-called 'open space' can't be used or effectively enjoyed by the public, and may indeed represent a health and safety risk, undermines the credibility of the scheme put forward. The extensive area of the basin is to be planted with meadow mix and there will be little visual attraction, especially as there is insufficient space for adequate tree planting. Useable public space which can be enjoyed by those who live there is not provided by this area. Instead, we are presented with a hole in the ground that is devoid of trees, that does not offer any visual amenity, containing a little or a lot of water in it, representing a possible risk to young children.**

**EBNF ask that the Planning Authority 1) require further information in connection with the SUDS basin and how it will operate in different conditions, 2) require the applicant to provide sections/elevations through the SUDS and pumping station areas to show how they relate to public areas and houses, and 3) investigates the potential of any Health and Safety issues that might cause harm to the public.**

### **21** [Gateways into the site](#)

- 21.1** [The site entrance from the South East has been afforded more generous landscaping and there is good potential to create an inviting gate way into the site at this point by the inclusion of well-designed signage, semi mature trees and shrub planting. Within this area, perhaps on the northern corner of the entrance, there is scope to incorporate some seating for the community use \(a place where people could rest, sit and chat\). Details of this gateway, including how it responds to people's needs, should be required as part of the planning permission.](#)

- 21.2 The North East entrance to the site is afforded less landscaping. Views to the green belt area obstructed by the dwelling that are located along the Northern boundary (see 2.2 above). The entrance is dominated by the proximity of the dwellings and their (unadopted?) driveways on either side. No opportunity has been taken to create 'a sense of place' or an area that offers something to the community. Pedestrians are given little consideration and 'desire lines', which will cut across the landscape along Cleadon Lane, will, no doubt, accrue. EBNF request that further thought should be given to this area.
- 21.3 The Gateway entrances to the site are fundamental feature to achieve 'good design'. Planning permission should be subject to further refinement of these areas.

**Additional Comment:**

**EBNF recognises that the applicant has responded to comments concerning the two gateways into the site, and a curved planted hedge with a tree at each side of the entrance road is now provided. However, the hedge itself does little to emphasis or signpost either entrance as it merely replicates an extensive use of hedging elsewhere on the site, and may well look unkempt unless it is maintained to a very high standard. EBNF request that instead of hedging, the curved feature is executed in a limestone boundary wall detail and a seat is provided at each gateway. We are unsure of the tree specification (an ornamental street tree EHSTD) specified, but it is important that the trees in question are of a size and species that will contribute to the visual amenity from the outset. We ask that the Planning Authority discuss these requests with the Applicant.**

**22 Ecology**

- 22.1 Once again, the applicants state that an Ecological Assessment, dated May 2022, prepared by OS Ecology will follow. The Forum requests a copy of this report as soon as it is available. This also applies to the Habitats Regulations Assessment and the Biodiversity Net Gain Calculation also prepared by OS Ecology. We will submit a full response to these aspects as soon as more information is made available.

**Additional Comment:**

**EBNF is concerned that the Ecological Impact Assessment: 1) fails to take account of wider picture and admits that *'further work is required to assess the impact of development on the nearby sites'*, and 2) fails to demonstrates an understanding of the effect of development of Wildlife Corridors. For instance, there is no reference to the Wildlife Corridors Review produced by Burton Reid Associates for the Local Authorities of Gateshead, South Tyneside and Sunderland released on 11 December 2020 which names Boldon Flats LWS, Tiledsheds LNR and all waterways including the waterway on site as 'Core Sites'. The report emphasises the railway embankment's importance as a Secondary Feature within the wider landscape, highlighting the importance of providing connectivity and permeability between core sites of Boldon Flats and Tiledsheds LNR. Nor does it refer the Ornithological Desk-Based Assessment 2016 which highlights the status of Boldon Flats as one of the best birding sites in the entire region.**

**Permanent human occupancy will have a major impact on the wildlife corridors and there must be a meaningful attempt to address this that goes beyond token ecological gain. The**

**Biodiversity Net Gain Assessment itself states: *The trading rules have not been met in this instance as there are losses in woodland habitats of 0.32 units. Within the proposals, there are a number of urban trees proposed, as well as woodland edge planting equating to a total of 16.55 units. Given the nature of the habitats being lost, which are largely thin belts of woodland rather than habitats of significant size, complexity or diversity, it is considered that the extent of replacement trees and scrub on site addresses the small loss of woodland to the proposals.* Hardly an ambitious statement which aims to address a very complex picture!**

**The railway embankment currently plays a major part in connectivity and this will be weakened with permanent 24/7 human occupancy of the site. To compensate, the new landscape provided must be planned in a way that maximises connectivity, and be of a sufficient standard so that it works asap, not in fifteen years hence, when it has matured to some extent. It is extremely disappointing that the applicant refuses to provide tree lined streets interspersed with grass verges.**

**The Ecological Impact Assessment also fails to discuss 1) the impact of all surface water from the site being discharged into the water course, either in terms of benefits or risk from pollutants affecting Tiled Nature reserve or entering the river Don, further down-stream, or 2) Foul sewage entering the water course in the event of the pumping station ceasing to function.**

**With regard to the Neighbourhood Plan, a vast amount of up-to-date local detail and environmental information sit behind its policies. The Ecological Impact Assessment also fails to demonstrate that it has reviewed any of this information. It is difficult not to conclude from the above that the Ecological Impact Assessment may not be fit for purpose.**

## **23 Architecture and Materials**

- 23.1 The amended scheme fails to respond to the points made by EBNF in relation to the repetitive, bland architecture of the previous scheme. The failure to provide a revised Design and Access statement that explains how the current proposal responds to NPPF and the EBNP, and the comments made in respect of the original scheme, indicates an unacceptable lack of ambition to achieve good architecture and create a beautiful place where people are put first.
- 23.2 The explanation in the applicants covering letter, that hipped roofs are provided in response to the Council's concerns; while the justification for unvarying materials and monotonous detailing is the referencing of the properties immediately on the West side of the railway line, noting that they have grey tiles and are predominantly red brick. This is an inadequate response. In reality only 9 properties are provided with hipped roofs in the amended scheme, and for clarity, the properties to the west of the Railway line have grey slated roofs, not tiles. The properties to the west of the railway line, although the closest, do certainly do not represent the extent of the built environment in East Boldon.
- 23.3 The use of standard house types employing the same detailing and the same materials across the whole of the site is at odds with the East Boldon Neighbourhood Plan. Policy EB3: Design, calls for development to conserve local distinctiveness by demonstrating high quality design which both respects the existing character of the area and responds to the distinctive character of the village. Development will be supported where it 'Reflects the incremental and

phased development of the village including its diverse range of architectural styles and avoids repetitive development proposals'. This amended scheme does not achieve any of these requirements.

- 23.4 The phasing of the development gives an ideal opportunity to reflect different architectural interpretations and materials, and in so doing would allow a more distinctive and incremental design solution. A more imaginative approach to the use of different materials in order to create small areas of interest, or recognisable reference points to aid navigation, would also be easy to achieve and help enhance the proposal.
- 23.5 EBNF believes that currently this aspect is a major obstacle in achieving an acceptable solution. The proposal does not respond to the distinctiveness of the village and offers architecture that is uninteresting and monotonous.

**Additional Comment:**

**EBNF recognise that the applicant has rethought the architectural solution and the scheme that is now put forward is a significant improvement. Three separate zones are proposed: A Rural Edge, Village Green, and Urban Edge. These will have different elevational features and material treatments to house types. EBNF welcomes these changes but consider that with regard to elevation treatment, additional variation should be provided in two of these character areas. In the Rural Edge and Urban Edge character areas, only one colour of brick and one type & colour of roof tile is specified (reference drawing SL07 Rev A).**

**There is also a greater use of hipped roofs which will add further interest. Although there are some concerns about where the zones start and finish, EBNF welcome these changes which are more in keeping with the NP and its design code.**

**We continue to have concerns, however over the street scene and how this will be adversely affected by inappropriate parking and the absence well planned visitor parking interspersed with trees and grass verges. This is dealt with in the next section.**

**The relentless proliferation and sole use of hedge planting as a boundary treatment also gives cause for concern. The maintenance of this feature will be costly. Is the specification suitable? Who is responsible for the hedging and is it covered by the maintenance agreement referred to in the application? How long will the maintenance agreement last and what happens when it ends? From a design view point, the appearance of the scheme would be vastly improved by the use of low height limestone boundary walls in some strategic locations such as the intersections of streets, especially given the heights and limited maturity of the hedge planting specified, and its inability to prevent pedestrians may 'cutting corner'.**

**We ask the Planning Authority to give further consideration to this aspect.**

**24 Vehicular Parking**

- 24.1 The applicant states that the parking levels across the site broadly meets requirements for on plot parking but fails to deliver the 1 visitor parking space per 2 dwellings as set out in the NP.

The applicant also acknowledges that the visitor parking standard do not accord with the Council's SPD6 Parking Standards which require 1 space per 3 dwellings.

- 24.2 Only 35 visitor parking spaces are provided. This equates to just more than one space for every 6 dwellings. For clarity the Council's own standard would require 65 visitor spaces and the NP would require 98 spaces. The main justification put forward by the applicant for the under provision of visitor parking is the imperative to deliver housing numbers. EBNF have explained the rationale behind their policy, and the need for adequate parking is set out in guidance referred to in the NPPF and the Manual for Streets. Without a sensible provision the proposal will undoubtedly be adversely affected by unplanned parking, the street scene will be blighted and may become unsafe for cyclists and pedestrians alike. The point made by the applicant that if the requirement for visitor parking was to be met, then the streetscape would be unattractive ('have significant and detrimental impacts on visual amenity'), is a moot one. The inclusion of visitor parking within a grass verge interspersed with trees is a recognised solution to this very issue. The Manual for Streets in Section 8.3.12 refers to this approach: 'An arrangement of discrete parking bays adjacent to the running lanes is often the preferred way of providing on-street parking. It has little effect on passing traffic and minimises obstructions to the view of pedestrians crossing the street', and is referred to in the NP and design guide.

**Additional Comment:**

**The applicant states: '*...the Applicant has sought to provide all plots with parking that is consistent with the standards set out in Policy EB23 of the EBNP to demonstrate a willingness to provide an appropriate level of car parking for residents. This approach discounts integral garages counting as parking spaces due to their internal dimensions being below those specified in Policy EB23, although detached garages are included*'.**

EBNF welcomes this commitment. However, it seems nonsensical to discount garages because of their, as yet, un-fixed size. The effect of this seems to push garages deeper into the plot using up valuable garden space. Is it not possible merely to increase the depth of the garage so that it can accommodate a car and a bike?

**The applicant also states: '*The on-plot parking proposed for dwellings will be a mix of side, rear, and front parking, with some grouped parking in courtyards for the apartments. Electric vehicle charging will be provided for dwellings as part of the redevelopment in accordance with Part L of the relevant Building Regulations*'.**

EBNF notes that rear parking, for example plot 134 and others, results in the parking remote from the dwelling and the main entrance to the house. This is inconsistent with EBNP and results in an inconvenient and poorly overlooked parking provision.

**Visitor parking:** We note the number now proposed. This does not comply with the Council's standard or the NP. As previously stated, without a sensible provision the proposal will undoubtedly be adversely affected by unplanned parking, the street scene will be blighted and may become unsafe for cyclists and pedestrians alike. The point made by the applicant that if the requirement for visitor parking was to be met, then the streetscape would be unattractive, is a moot one. The inclusion of visitor parking within a grass verge interspersed



with trees is a recognised solution to this very issue. The Manual for Streets in Section 8.3.12 refers to this approach: 'An arrangement of discrete parking bays adjacent to the running lanes is often the preferred way of providing on-street parking. It has little effect on passing traffic and minimises obstructions to the view of pedestrians crossing the street', and is referred to in the NP and design guide.

The main justification put forward by the applicant for the under provision of visitor parking is the imperative to deliver housing numbers. This should not be done at the expense of road safety and good design.

There is also a concern that Metro users may park within the development, when the station car park is at capacity. This already happens in the parking bays on Cleadon Lane which serves the industrial estate.

## 25 Cycle Storage

- 25.1 The requirements for this are clearly set out in the Neighbourhood Plan. It is difficult to understand how this is to be met. Will garages, where they are provided, be used. If so, will the size comply in each case with the NP? What is to be provided where garages are not provided? [The Forum requests confirmation of this aspect.](#)

### Additional Comment:

*The applicant states: 'With regards to cycle parking provision, integral garages which have been discounted as car parking spaces provide cycle storage and therefore external sheds are not required for these plots'. EBNF acknowledge that the security afforded by a garage structure and the ability to charge E bikes is welcomed. However, as stated in our comment above, it seems nonsensical to discount garages because of their, as yet, un-fixed size and a better solution would be to increase the depth of the garage so that it can accommodate both a car and a bike?*

*The applicant goes on to state: 'Where plots would have detached garages or no garages, they will be provided with external secure 2.5m x 1.5m sheds in the rear garden. The size of these sheds has been discussed with the Council's Highways team and ....the size of the sheds to be an acceptable form of secure cycle storage provision as part of the redevelopment. If the sheds were increased in size they would become overly dominant within the rear gardens of the proposed dwellings'. Where detached garages are provided EBNF suggest that the best solution would be for the garages to be increased in size so they can accommodate both bikes and a car, thereby providing secure storage and the charging facility for E bikes.*

Transport assessment now relies on the assumption that people will, and should, use cycles as a means of transport. Without adequate and secure provision for bike storage this is unlikely to happen. The NP provides an up-to-date policy in this matter and we request that the Planning Authority reflect Government Policy in considering this aspect.

## 26 Sewage

- 26.1 We have been informed by the Planning Authority that Northumbria Water has confirmed that capacity is available for foul sewage. However, a storage tank, pumping station and parking arrangements for tankers to visit the site is deemed necessary. In addition, a SUDS Basin is provided which will see surface water diverted to a local water course.
- 26.2 Forum members and the wider community are concerned about this aspect and seek clarity on how the system will work and what will happen if the pumping station fails. They want to know who will maintain it and who will be responsible for its going forward. We are concerned over how any additional sewage may contribute to the problems of discharge elsewhere in the Borough. We are also concerned if there is a chance that foul sewage may be discharge into the stream (watercourse) if there is a mechanical or electrical failure.

The applicant must be required to give assurances to the community in respect of these.

### Additional Comment:

**We note the applicant's response to community concerns over this issue and their statement that '*...NWL has commented that there is sufficient capacity within their network for the proposal to connect to in terms of foul water drainage*', and '*...In terms of potential discharges into the sea and watercourse from the wider sewer network outwith the site, NWL is satisfied with the proposals*. Assurances from NWL will not be sufficient to satisfy the concerns of many people over this issue while there continues to be sewage discharges at the coast.**

**The issue of untreated sewage discharge into the sea at times of prolonged heavy rainfall, when the drainage system as a whole cannot cope, is self-evident and it is an inevitable conclusion that further development without commensurate investment in new infrastructure can only make matters worse. The applicant claims that there will be '*betterment*' because all future surface water from the site will be discharged into the watercourse, and not into the combined sewer, which is the present arrangement. The case is made that this will compensate for the additional foul sewage produced by the 202 new houses and which will enter the existing combined sewer. EBNF believe that this claim must be scrutinised and substantiated based on actual site survey information and not desk top analysis.**

**The applicant also states: *The site will have a foul pumping station located in the central area of open space. The foul pumping station is being provided solely to ensure that foul sewerage can reach the connection point to the wider foul sewerage network that has been agreed with NWL. It does not affect the flows of foul sewerage entering the network. Once the pumping station is complete this will be adopted and operated by NWL which will also maintain it.***

**It follows from this statement that the foul sewage system is not gravity fed at the connection point into the combined sewer and relies on the operation of the pumping station to achieve this for approximately half of the proposed dwellings.**

**We note that the revised Flood Risk Assessment and Drainage Strategy is still being finalised but residents will be concerned to understand the consequences of a mechanical or electrical failure. To what extent is there storage for foul drainage on site and if there is a catastrophic event, what happens if the system can't cope.**

As stated above, we note that surface water will discharge to the watercourse onsite, via a SuDS network, and then surface water pumping station. The surface water pumping station is only proposed due to levels on the site. It will limit the discharge rate into the watercourse, and will not treat or affect water quality before it is discharged into the water course. Is this the case? If it is, could contaminants from the site leak into the water-way? The basin is extensive, there is little space around it and appears to have a depth of 2.75 m. Whilst we understand that there will be underground tanks, will there be constant standing water in the basin? Has a risk assessment been carried out? Is there a danger to young children? Will the basin be fenced in? EBNF seeks confirmation and clarification on the operation of this. For instance, how many times will the basin be flooded and to what depth? What will be the consequences of a mechanical or electrical failure? We note the highways are designed to hold flood water, when will this happens. What are the consequences if the highways reach capacity? How will the inclusion of filter drains on private drives and provided elsewhere operate, what is their purpose and who will be responsible for maintenance.

As stated elsewhere, the supporting documents do not provide sections through the SUDS basin or elevations of the pumping station. It is almost impossible to visualise the appearance of these elements and how they relate to the surrounding area or houses. EBNF believe that further information should be requested before the proposal can be properly evaluated.

EBNF continue to have major concerns over this aspect and while we accept that there may be issues beyond its control, we believe the Local Authority has a duty on behalf of current and future residents to consider this application in a wider context and look closely at the issues raised above. The absence of a revised Flood Risk Assessment and Drainage Strategy does little to reassure us.

**Postscript: We are grateful now to receive a revised Flood Risk Assessment (received 7/12/2022). Unfortunately, this has come too late to allow consultation with members of the Forum and a response will be sent separately asap.**

## 27 Ground Conditions

27.1 [We understand that further information has just come forward giving a clearer picture of the whole of the site. We hope that this can be made available asap. We continue to be troubled by the fact that contaminants will be retained on the site, especially given that the SUDS basin is now included, and the open watercourse is adopted.](#)

### Additional Comments:

EBNF welcomes the fact that the Council's Environmental Health team has asked for application of planning conditions requiring further investigative survey work, the submission a detailed Remediation Strategy based on this updated survey work, and a verification report to demonstrate the effectiveness of the remediation, and a requirement to notify the Council of any contamination found during redevelopment and plan to deal with it. Given that contaminants will remain on the site, we welcome this requirement and the Applicants agreement to it.

We remain concerned however, over the risks identified to the Tiledsheds Nature Reserve, and to wildlife, from pollutants entering the water course from the site. While we note the

**applicant's statement that these can be mitigated, we ask South Tyneside Council to require that the testing of the water entering the stream is commenced immediately at the start of the construction phase and not delayed until any permanent facility is commissioned.**

## **28 Conclusion**

- 28.1 Although improvements have been made, the proposal still requires further work in order for it to become acceptable, even in terms of NPPF and the best practice design guides it contains. In addition, we content that the proposal should reflect the Neighbourhood Plan and demonstrate how it does that (a Design and Access Statement is necessary). The imperative to address the Council's Housing Delivery Test failure should not be at the expense of good design. The Neighbourhood Plan is an up to date document, well supported by the community, and should not be overlooked.
- 28.2 Paragraph 134 of the NPPF states: 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'
- 28.3 Paragraph 134 goes on to state: 'Conversely significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

### **Additional Comment:**

**As stated above, EBNF acknowledged that further refinements have been introduced, most notably in respect to a more varied palate of materials and detailing. These improve the scheme still further. There are, however, many issues that remain problematic, not least is the impact of the SUDS basin and how this diminishes useable Public Space, or the concern we have over the housing mix.**

**EBNF contend that the Neighbourhood plan (NP) is an up-to-date policy document, entirely consistent with the NPPF, and overwhelmingly supported in a referendum in 2021. We urge the Council to continue to take into account the policies and design guides within the NP when assessing this revised submission, and we urge the applicant to work constructively with the Planning Authority to achieve the best design outcome for the site and the residents of East Boldon.**

## **SECTION 2: Further Comments**

### **29.0 The Built Environment and Energy**

- 29.1 **EBNF acknowledge that, in accordance with STC planning policy, Avant Homes will achieve a further 10% reduction in CO2 emissions on this development, over & above statutory requirements. This will be achieved by enhancements to the building fabric & services, & by**

the addition of photovoltaic panels to a portion of the development. We request that further information is provided about the number, size & location / distribution of the photovoltaic panels, throughout the site."

- 29.2 We note that the changes to the Building Regulations introduced in June 2022 will affect the development, but these are interim measures moving toward the government's Future Homes Standard planned for 2025. A key part of this is that all new builds are capable of being net zero in terms of operational carbon when the grid decarbonises. The Future Home Standard will have a significant effect on the development and the design of the dwellings proposed. Does the current proposal anticipate these further changes and are the current house future proofed so that they could achieve net zero?

### **30.0 LOSS OF THE GREEN BELT**

- 30.1 Para 4.29 of the Response document indicates that the SUDS work will take place within the Green Belt. We seek clarity over this as we are unsure of what this refers to. There appears to be no change to the original boundary that identified the site as 'brown field'.

### **31.0 UTILITIES**

- 31.1 Applicant states that the telecommunications mast which is to be removed has technology which is now redundant and so its removal will not impact on reception in the local area. Has this been verified by the Local Authority?

**END**

**9 December 2022**