

## EXAMINATION OF THE SOUTH TYNESIDE LOCAL PLAN 2023-2040

Inspector: David Spencer MRTPI

Programme officer: Annette Feeney

17 April 2025

F.A.O. Mr Andrew Inch  
Senior Manager - Planning  
South Tyneside Council

Dear Mr Inch

**South Tyneside Local Plan Examination - Inspector's Initial Letter**

The South Tyneside Local Plan was submitted to the Inspectorate by 12 March 2025, in accordance with the timeframe set out in the Secretary of State's intervention letter of 4 March 2025. I was appointed on 20 March 2025 to conduct the examination. I hope this initial letter demonstrates that the examination is now moving forward.

I am mindful of the specific background to this examination, which culminated in the Secretary of State's intervention. The Secretary of State's letter sets out the reasons for the intervention against the legislative powers. It is not my remit to hear submissions on the action the Secretary of State has taken. My role is to carry out an independent examination into the Plan submitted on 12 March 2025. I have been appointed on that basis. The examination will be into the same Plan that was published in January 2024. My examination will include an assessment of whether the preparation of the Plan has been legally compliant, including the Duty to Cooperate. Importantly, I will be assessing whether the contents of the Plan are sound, and if not, whether they would be capable of being made sound through a potential main modification.

I trust the Council and those who have made representations on the Plan will be constructive and assist the examination. I am grateful that the Council has engaged Annette Feeney as the independent Programme Officer. Annette works for the examination and is the main point of contact for those with an interest in the Examination. I will be working with Annette to ensure the examination progresses in accordance with the Regulations and having regard to the Plans Examination Procedure Guide.

I have now read the core submission documents, the representations made on the proposed submission plan (Regulation 19) in January-March 2024 and various evidence base documents. I have set out below some early initial points for the Council. My intention is to proceed to hearings on the Plan and accompanying evidence base that has been submitted.

From everything that I have read, the principal soundness matters are inter-related and, in large part, flow from one to the other. They include, but are not limited to:

- the housing and employment needs for the plan area;
- whether the proposed spatial strategy in Policy SP3 and the resultant distribution of development is soundly based;
- whether all reasonable options for meeting the identified need for development have been explored, including all suitable and deliverable sites not in Green Belt, optimising the potential of such suitable sites and whether neighbouring authorities could accommodate some of the need;
- whether exceptional circumstances<sup>1</sup> exist to justify changing Green Belt boundaries at this time;
- if exceptional circumstances do exist whether the proposed changes to Green Belt boundaries would result in sustainable development including any compensatory provisions for Green Belt and the wider impacts on environment and infrastructure associated with the proposed development;
- whether the proposed Green Belt boundaries would be consistent with national planning policy including whether areas should be identified for safeguarding in order to meet longer-term development needs;
- whether the overall approach to identifying and selecting sites is robust; and
- whether there would be a deliverable/developable supply of housing land on plan adoption.

My intention is to hold the hearings in two stages. The first round of hearings will consider the principal soundness issues identified above. My view at this stage is this will require approximately 2 weeks of sitting time. Every effort should be made for this to take place prior to any school summer holiday break (i.e. before 17 July 2025). At this stage, my initial roadmap would be as follows:

- to issue my matters, issues and questions for the Stage 1 hearings by 9 May.
- To receive hearing statements in early June.
- To hold hearings in early July at an appropriate venue in South Tyneside, and for the hearings to be simultaneously live-streamed.

Subject to navigating the first stage of hearings, it would be my aim to hold a separate round of hearings (approximately a further 2 sitting weeks) in early/mid Autumn 2025 for all other parts of the Plan including development management policies, minerals/waste, infrastructure delivery and plan-wide viability more generally.

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<sup>1</sup> This is the test for plan-making, not to be conflated with 'very special circumstances' which is the test when considering whether to permit inappropriate development in the Green Belt.

For the avoidance of any doubt, the submitted Plan will be examined for consistency with national policy against the December 2023 version of the National Planning Policy Framework (NPPF), the December 2023 version of Planning Policy for Traveller Sites and the relevant versions of the Planning Practice Guidance and Written Ministerial Statements applicable at the time of plan submission. It will not be necessary for soundness for the Plan to be modified to be consistent with latest national planning policy (including the December 2024 NPPF). That would be for a subsequent Local Plan to address.

Whilst the Plan remains as published in January 2024, the Council has revisited and updated some parts of the supporting evidence base. That is not necessarily a problem, but I do require further clarity at this initial stage. Some documents, for example, the Infrastructure Delivery Plan [Examination Document INV1] clearly set out the latest publication date and what has been updated since the previous version that accompanied the published Plan in early 2024. I would be grateful if the Council could provide a table setting out what other accompanying documents have been updated since the Plan was published in January 2024, when they were updated (date of publication), and where necessary a brief summary of any key changes or updates in that evidence since the previous version. In relation to the Strategic Housing Land Availability Assessment (SHLAA) please can the Council confirm whether any additional sites presented at Regulation 19 have been considered as part of the latest 2024 SHLAA.

The submitted Plan is accompanied by a Habitats Regulation Assessment (HRA) dated January 2024. The HRA notes that at the time of writing there was ongoing work regarding an updated Mitigation Strategy, informed by further Visitor Survey work undertaken in 2022/23. I understand this is in relation to recreational disturbance impacts for the Durham Coast Special Area of Conservation and the Northumbria Coast Special Protection Area and Ramsar designations. I note the Coastal Mitigation Position Statement (March 2025) [Examination Document NAT27] in which the Council seeks to retain a 7.2km zone of influence. The Duty to Cooperate Statement of Common Ground (SoCG) with Natural England [Examination Document SUB5j] notes their endorsement of the earlier HRA conclusions but also the potential value of a further SoCG reflecting ongoing work on recreational impacts. I would encourage the Council to liaise with Natural England on a further SoCG, if possible, prior to the first stage of hearings in terms of continuing with the 7.2km zone in this Plan and the timeframe for a new mitigation strategy.

On plan wide viability, the most recent viability study is the 2023 report prepared by CPV [Examination Document INV4]. Policy 5 of the Plan seeks to optimally reduce energy consumption and carbon emissions. Supporting text to Policy 5 anticipates the Future Homes Standard through the Building Regulations (expected to be introduced in 2025). The viability study is clear, having accounted for the 2023 changes to Part L of the Building Regulations, that it made no further allowance for the Future Homes Standard based on the then uncertainty on implementation and costs. Additionally, the viability modelling assumed 10% of affordable housing would be First Homes. Whilst for the purposes of this examination, the Plan does not need

to be future proofed against changes in national policy, it is nonetheless a practical situation that First Homes are no longer required. This may provide some headroom for viability. I will raise these as questions as part of my Matters, Issues and Questions for the stage 2 hearings in due course, but I set this out now so that the Council can give some thought to this in advance, including any merit in undertaking some further sensitivity testing regarding Future Homes Standard and/or changes in affordable housing mix.

I appreciate it has been a little while since the Council submitted the Plan into examination. I trust this letter provides some assurance to the Council and to those with an interest in the Plan, that the examination is progressing and how it is likely to now move forward. This letter will need to be placed on the examination website.

If the Council requires any clarifications on the content of this letter or on any other aspects of the examination, please raise it through Annette and I will assist.

Yours sincerely

*David Spencer*

Examining Inspector.