

# **East Boldon Neighbourhood Plan**

## **Basic Conditions Statement**

**February 2021**

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## 1. Introduction

- 1.1 This statement has been prepared by East Boldon Neighbourhood Forum (EBNF). It accompanies the Submission Draft East Boldon Neighbourhood Plan (EBNP), which has been submitted to South Tyneside Council (STC) under section 15 of the Neighbourhood Planning Regulations General (2012 – ‘the Regulations’).
- 1.2 The EBNP has been prepared by EBNF, the qualifying body for the East Boldon Neighbourhood Area. Both areas were formally designated on by STC in January 2018 (a copy of the designation documents are included at Appendix 1).
- 1.3 The EBNP relates to planning matters (the use and development of land) in the designated neighbourhood area and covers the period from adoption to 2036. It does not contain policies relating to excluded development<sup>1</sup> as laid out in the regulations.
- 1.4 This statement sets out how the EBNP has been prepared in accordance with the regulations and meets the ‘basic conditions’ set out in paragraph 8(2) of Schedule 4B to the 1990 Act, as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The regulations state that a neighbourhood plan will have met the basic conditions if:
  - a. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - b. the making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - c. the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - d. the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations as incorporated into UK law; and
  - e. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans:
    - Regulation 32 of the Neighbourhood Planning (General) Regulations (as amended by the Conservation of Habitats and Species and Planning (various amendments) Regulations (2018) sets out a further basic condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.5 Sections 2 – 5 of this statement provide information to demonstrate how the Submission Draft EBNP meets the basic conditions.

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<sup>1</sup> Such as minerals and waste matters or nationally significant infrastructure projects.

## 2. National policies and advice

- 2.1 National Planning Policy is set out within the National Planning Policy Framework (2019 - NPPF) and guidance is set out within the National Planning Practice Framework (NPPG). The Submission Draft EBNP has been prepared having regard to the NPPF and NPPG.
- 2.2 The EBNP contains 25 policies. The table below provides a summary of how the policies have had regard to national policy and guidance. The paragraphs referred to are considered to be the most relevant to the policy and are not intended to be a comprehensive list of every possible relevant paragraph.

Table 1: Conformity with national policies and guidance

East Boldon NP Policy	National policies and guidance	
	References	Comments on conformity
EB1: Sustainable development	NPPF: 7-14, 16, 29	The NPPF is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development, a golden thread which it advocates should run through both plan-making and decision-taking on planning applications. Policy EB1 requires all new development to be determined in accordance with the presumption in favour of sustainable development. The presumption underpins the vision and objectives of the plan; it also is a cross cutting theme which has informed the preparation of all of the policies in the plan.
EB2: General location of new development	NPPF: 77-79, 83, 84, 133-147.	In accordance with paragraph 77 of the NPPF, the EBNP seeks to promote sustainable development. Policy EB2 defines settlement boundaries around the village of East Boldon. The boundary seeks to ensure the separate character of settlements are maintained, managing the expansion of the village and controlling sporadic development in the countryside. Policy EB2 identifies the types of development that may be supported outside the settlement boundary, reflecting paragraphs 79, 83 and 84 of the NPPF. The policy also acknowledges that land outside the settlement boundary lies within the Green Belt and therefore national Green Belt policy applies.
EB3: Design	NPPF: 124-132 NPPG: Gov.uk/guidance/ Design	Good design is a key aspect of sustainable development. The NPPF attaches great importance to achieving high quality and inclusive design through the planning process. It identifies that neighbourhood plans can play an important role in identifying the special qualities of each area and explain how this should be reflected in development. The NPPF highlights that although the visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. It should address the connections between people and places and the integration of new

East Boldon NP Policy	National policies and guidance	
	References	Comments on conformity
	National design guide	development into the natural, built and historic environment. Policy EB3 requires new development to embed high quality and sustainable design and includes policy criteria which reflect the qualities of the plan area.
EB4: Heritage assets	NPPF: 184-202 NPPG: 007/ 18a-007-20140306; 020/ 18a-020-20190723.	Policy EB4 reflects the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act (1990) which requires new development to preserve or enhance the character or appearance of a conservation area and its setting. It includes criteria which reflect the provisions of the NPPF, with regard to preserving and enhancing significance. The policy provides detailed guidance on new development within the East Boldon Conservation Area and the supporting text identifies non-designated heritage assets within the plan area.
EB5: Green and blue infrastructure	NPPF: 91 NPPG: 005/18a-005-20190723	Both the NPPF and NPPG identify the importance of green infrastructure and that it can help to deliver a variety of planning policies. Policy EB5 therefore seeks to protect and where practical improve and extend the green and blue infrastructure network and provides a framework for the assessment of planning applications. The green and blue infrastructure network has been informed by allocations within the adopted development plan and the South Tyneside Green Infrastructure Strategy.
EB6: Landscape	NPPF: 127, 170 NPPG: 036/8-036-20190721	The NPPF requires the planning system to protect and enhance valued landscapes, ensuring new development is sympathetic to the landscape setting of areas. NPPG explains that where landscapes have a particular local value, it is important for policies to identify their special characteristics. Policy EB6 defines the important elements of the landscape within the plan area and seeks to ensure that new development maintains and where appropriate enhances these positive elements.
EB7: Biodiversity	NPPF: 8, 170--171, 174-177 NPPG: 011/8-011-20190721, 013/8-013-20190721	Policy EB7 seeks to protect and enhance biodiversity across the plan area. It requires development proposals to demonstrate how a minimum of 10% biodiversity net gains will be achieved in new development. In addition, it highlights the need to protect water dependent priority species. This accords with the requirements of the NPPF and NPPG which are clear that the conservation and enhancement of the natural environment has a key role in achieving sustainable development. Planning policies and decisions are required to contribute to and enhance the natural and local environment.
EB8: Protecting trees and woodland	NPPF: 170, 175	Policy EB8 seeks to ensure that new development protects trees from damage or loss and identifies that trees of good arboricultural and amenity value will be protected, unless they are replaced with trees which will

East Boldon NP Policy	National policies and guidance	
	References	Comments on conformity
		achieve equal value. This accords with the provisions of the NPPF, which requires planning policies to contribute to and enhance the natural environment, including recognising the benefits of trees and woodland.
EB9: Employment	NPPF: 80-82	The NPPF identifies that the government is committed to ensuring that the planning system supports sustainable economic growth and that planning should operate to encourage and not act as an impediment to sustainable growth. Policy EB9 supports development that would result in the creation and protection of jobs and the sustainable economic growth of the area whilst not having an adverse impact on the natural and built environment or the amenity of occupiers of neighbouring properties.
EB10: Homeworking	NPPF: 80-82	National planning policy and guidance does not specifically refer to homeworking and some elements of home working may not require planning permission. The ability for businesses to operate from home is increasing in importance, particularly since the coronavirus pandemic. Policy EB10 therefore supports development proposals which would allow for homeworking, where they would not have a negative impact on the environment or residential amenity.
EB11: Cleadon Lane Industrial Estate	NPPF: 68-69, 80-82, 118-121	Planning policies should promote an effective use of land in meeting the need for homes and other uses, this includes encouraging the multiple benefits provided by mixed use schemes. The evidence supporting the emerging local plan suggests that there is a need for employment land and premises within the plan area. Policy EB11 supports the continued use of the industrial estate for employment purposes but acknowledges that a proposal for a wider mix of uses, including housing, could come forward. It therefore identifies the key issues for consideration for any future redevelopment.
EB12: Local retail centres	NPPF: 91, 92	Policy EB12 identifies three local retail centres which contain important services and facilities. It supports development that would strengthen the vitality and viability of the areas and seeks to protect local services and convenience retail from loss. This approach accords with the NPPF, which states that planning policies should aim to achieve healthy, inclusive and safe places, including the provision and protection of local shops and other valued services and facilities.
EB13: The delivery of new housing	NPPF: 39-46, 59, 61-64.	The highlights the government’s objective of significantly boosting the supply of homes and that neighbourhood plans have an important role in supporting the delivery of the number, type and mix of homes that are required in an area. National policy also explains the importance of pre-application engagement. Policy EB13 therefore identifies that new housing should be located within the East Boldon settlement boundary and that dwellings must be built in accordance with identified space standards. It includes a

East Boldon NP Policy	National policies and guidance	
	References	Comments on conformity
		requirement that major development should be informed by a comprehensive masterplan and defines the key details to be considered within the masterplan.
EB14: Housing mix	NPPF: 59, 61-64 NPPG: 001/67-001-20190722	The NPPF requires that plans provide for a mix of housing to cater for different groups and identify the size, type, and tenure of housing required. As a result of the findings of the housing needs assessments, policy EB14 encourages a range of house type, size and tenure. However, the policy avoids being too prescriptive to ensure the plan is able to respond to changing needs over its lifetime.
EB15: Affordable housing	NPPF: 62-64	Policy EB15 seeks to increase the provision of affordable homes as required. It also seeks to ensure that new affordable housing is provided on site and that off-site provision, or a financial contribution will only be supported where this can be robustly justified. This approach accords with the provisions of the NPPF which identifies that where an affordable housing need has been identified, plans should acknowledge and provide for it.
EB16: Community services and facilities	NPPF: 28, 91, 92	Policy EB16 reflects the requirements of the NPPF as it seeks to guard against the unnecessary loss of valued facilities and services, as well as plan positively for the provision of new facilities.
EB17: Local green space	NPPF: 99-101 NPPG: 007/ 37-007-20140306 to 022/ 37-022-20140306).	The Local Green Space and Protected Open Space Background Paper sets out how the 10 sites which are proposed to be designated as local green space meet the detailed requirements set out within the NPPF and NPPG. The sites do not have planning permission, nor are they designated for development, or an extensive tract of land. The sites are demonstrably important to the local community and are in close proximity to the community to which they serve.
EB18: Protected open space	NPPF: 96-97 NPPG: 001/37-001-20140306, 002 /37-002-20140306, 003 /37-003-20140306	<p>The NPPF highlights the importance of access to a network of high-quality open spaces for the health and well-being of local communities. In addition, that existing open spaces should not be built on unless key criteria are met. NPPG identifies that open space, which includes all open space of public value, can take many forms.</p> <p>The Local Green Space and Protected Open Space Background Paper describes the methodology for the identification of protected open space and describes the reasons spaces are proposed for designation. Policy EB18 identifies all of the allocated open spaces and includes criteria which will be used for the assessment of development proposals which could result in the loss of protected open space. The criteria accord with the requirements of the NPPF.</p>

East Boldon NP Policy	National policies and guidance	
	References	Comments on conformity
EB19: Infrastructure	NPPF: 28, 102, 105, 108-111	Policy EB19 accords with the requirements of the NPPF as it requires new developments to provide or contribute to infrastructure requirements that relate to them.
EB20: Sustainable transport and new development	NPPF: 102-104	The NPPF highlights the important role that transport policies have in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Policy EB20 identifies that new development should be accessible by modes other than the private car and that development should be designed to include walking and cycling routes which connect to existing networks.
EB21: Metro parking	NPPF: 102-104	The NPPF requires the planning system to promote opportunities to use public transport and for the environmental impacts of transport infrastructure to be identified and taken into account. Also that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy EB21 supports proposals for the development of additional car parking for users of the metro where they would not have significant adverse effects on the environment, residential amenity or highway safety.
EB22: Cycle storage and parking	NPPF: 102-104	Policy EB22 requires the provision of secure cycle storage within new residential development. It defines the size and amount of space to be provided. This approach accords with the requirements of the NPPF to ensure opportunities to promote cycling are identified and pursued, as well as facilities provided.
EB23: Residential parking standards	NPPF105-106	The NPPF states that if setting local parking standards for residential and non-residential development policies should take into account: the accessibility of the development; type, mix and use; availability of and opportunities for public transport; levels of car ownership; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Maximum parking standards should only be set where there is a clear and compelling justification. Policy EB23 defines minimum standards which have been informed by unacceptable levels of on street parking in the plan area causing serious road safety issues for pedestrians and cyclists.
EB24: Non-residential parking standards	NPPF 105-106	Policy EB24 requires non-residential traffic generating development to provide an adequate amount of off-street parking, with consideration given to: staff numbers and hours of operation; visitor numbers and the likely duration of the visit; and the accessibility of the development by mode other than the private car.
EB25: Walking and cycling network	NPPF: 103, 104	The NPPF highlights the important role that transport policies have in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Policy EB25 accords with the



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<b>East Boldon NP Policy</b>	<b>National policies and guidance</b>	
	<b>References</b>	<b>Comments on conformity</b>
		requirements of paragraphs 103 and 104 by supporting proposals to extend the walking and cycling network across the plan area and seeks to protect existing routes from loss.

### 3. Sustainable development

- 3.1 The NPPF defines the Government’s view of what sustainable development means in practice for the planning system in England. Paragraph 8 explains that there are three overarching objectives to sustainable development: economic, social and environmental.
- 3.2 The economic objective of the planning system is defined as:  
*‘to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.’*
- 3.3 Table 2 illustrates the alignment of the EBNP with the economic objective of sustainable development. In many cases, the objectives and policies of the EBNP are applicable to more than one dimension of sustainable development; in these cases, they have only been places within one dimension.

Table 2: Economic alignment

ENBP Objective/ Policy	Commentary
Objective 4 – Local economy	Objective 4 supports the sustainable creation and protection of employment opportunities in the neighbourhood plan area, and the vitality of the village and local centre, therefore will assist the delivery of the economic objective of sustainable development.
Policy EB9: Employment	Policy EB9 supports development which would result in the creation and protection of jobs, as well as the wider economic growth of the plan area, therefore supporting the delivery of the economic objective of sustainable development. The protection and creation of jobs, also supports the delivery of the social objective and the policy includes criteria to ensure protection of the environment, therefore supporting the environmental objective.
Policy EB10: Homeworking	Policy EB10 provides a positive policy framework to allow businesses to operate from home, therefore supporting the delivery of the economic objective of sustainable development. Supporting people to work from their own home also delivers the social objective and with the inclusion of policy criteria to protect the environment, the policy also supports the delivery of the environmental objective.
Policy EB11: Cleadon Lane Industrial Estate	Whilst policy EB11 acknowledges that mixed use development could take place on Cleadon Lane Industrial Estate, the primary focus of the policy is to allow the continued economic use of the estate. This policy therefore supports the delivery of the economic objective of sustainable development. The protection of jobs and the provision of new homes supports the social objective. With the inclusion of policy criteria to protect the environment, the policy also supports the delivery of the environmental objective.

ENBP Objective/ Policy	Commentary
Policy EB12: Local retail centres	Policy EB12 seeks to ensure that the vitality and viability of the local retail centres will be protected and enhanced, therefore supporting the delivery of the economic objective of sustainable development. As the policy seeks to retain essential services it also supports the delivery of the social objective of sustainable development. With the inclusion of policy criteria to protect the environment, the policy also supports the delivery of the environmental objective.
Policy EB24: Non-residential parking standards	Policy EB24 defines a number of criteria to ensure adequate off-street parking is provided for non-residential development. This will help ensure that such development is supported by an appropriate level of parking, helping the business to function effectively, therefore assisting with the delivery of the economic objective of sustainable development.

3.4 The social objective of the planning system is defined as:

*‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’*

3.5 Table 3 illustrates the alignment of the ENBP with the social objective of sustainable development.

Table 3: Social alignment

ENBP Objective/ Policy	Commentary
Objective 5 – Housing	Objective 5 seeks to ensure the creation and maintenance of a balanced and sustainable community by providing a positive framework that recognises the different types of homes that all current and future residents of the neighbourhood plan area need. This is an important element of the social objective of sustainable development.
Objective 6 – Community wellbeing	Objective 6 seeks to ensure the plan contributes to community wellbeing by making sure that the neighbourhood plan area’s community, especially its older and younger people, have access to the services and facilities they need. This is an important element of the social objective of sustainable development.
Objective 8 – Transport and movement	Objective 8 seeks to ensure that the transport network of the neighbourhood plan area is managed to be safer, more efficient and more environmentally friendly for all users, while ensuring adequate parking is available to meet the needs of residents, visitors and businesses. This is an important element of the social objective of sustainable development.

ENBP Objective/ Policy	Commentary
Policy EB13: The delivery of new housing	The provision of new housing that is needed by the local community is a key element of the social objective of sustainable development. With the inclusion of policy criteria to protect the environment, the policy also supports the delivery of the environmental objective. New housing also supports the delivery of the economic objective both through construction and the increased spending of the new residents on services and facilities in the area.
Policy EB14: Housing mix	Ensuring new housing delivered in the area meets the needs of the local community is vital to deliver the social objective of sustainable development.
Policy EB15: Affordable housing	Ensuring new housing delivered in the area meets the affordable housing needs of the local community is vital to deliver the social objective of sustainable development.
Policy EB16: Community services and facilities	Policy EB16 supports proposals which would enhance the provision of community services and facilities and seeks to resist their loss. The provision of services needed by the local community is an important element of the social objective of sustainable development. Services and facilities are also an important element of the economy of the plan area, the policy also supports the delivery of the economic objective of sustainable development. With the inclusion of policy criteria to protect the environment, the policy also supports the delivery of the environmental objective.
Policy EB17: Local green space	Policy EB17 identifies ten areas of local green space which are important to the local community. Their protection will ensure these sites are not lost to development other than in very special circumstances. Their protection will support the delivery of both the social and environmental objectives.
Policy EB18: Protected open space	Policy EB18 identifies a number of areas of open space which are valued for the local amenity value and for informal and informal recreational purposes. Access to high quality open spaces and opportunities for health and recreation are important to the health and well-being of local communities, as well as the environment of the area, therefore supporting the delivery of both the social and environmental objectives.
Policy EB19: Infrastructure	Policy EB19 requires new developments to provide or contribute to infrastructure requirements that are related to them. This will support the social well-being of the local community.
Policy EB23: Residential parking standards	Road safety concerns, linked to insufficient parking, have been expressed by local communities. The policy therefore seeks to ensure that sufficient parking is provided as part of new residential development. This approach will support the delivery of the social element of sustainable development. Providing appropriate levels of parking will also enhance the environment of the local area.

ENBP Objective/ Policy	Commentary
Policy EB25: Walking and cycling network	The network provides recreation and leisure opportunities and promote healthy living. EB25 seeks to protect and enhance the existing network, this therefore supports the social element of sustainable development.

3.6 The environment objective is:

*‘to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’*

3.7 Table 4 illustrates the alignment of the ENBP with the environmental objective of sustainable development.

Table 4: Environmental alignment

ENBP Objective/ Policy	Commentary
Objective 1 - Sustainable development	Objective 1 seeks to ensure that new development will make a positive contribution to social, environmental or economic needs and that any negative impacts, particularly those contributing to climate change, such as flooding are adequately mitigated. It is therefore relevant to all elements of sustainable development.
Objective 2 - Built and historic environment	Objective 2 seeks to ensure that new development makes a positive contribution to a safe and well-designed built environment and that it respects the historic environment of the neighbourhood plan area. This is an important element of the environmental objective of sustainable development. A good quality built and historic environment is also important to the well-being of local communities, therefore relevant to the social element of sustainable development.
Objective 3 – Natural environment:	Objective 3 is to plan positively for the creation, protection and enhancement of networks of biodiversity and green infrastructure in the neighbourhood plan area including ensuring that there are linkages to wider green infrastructure networks. This is an important element of the environmental objective of sustainable development. The ability to access the natural environment is also important to the well-being of local communities, therefore relevant to the social element of sustainable development.
Objective 7 – Flooding and sustainable drainage	Objective 7 seeks to reduce the causes and risks of flooding in the neighbourhood plan area and build resilience to the effects of climate change. This is an important element of the environmental objective

ENBP Objective/ Policy	Commentary
	of sustainable development. Protection from the effects of flooding and climate change are also relevant to the social and economic elements of sustainable development.
Policy EB1: Sustainable development	Policy EB1 requires that a presumption in favour of sustainable development is exercised in the determination of all development proposals. It is therefore relevant to all elements of sustainable development.
Policy EB2: General location of new development	Policy EB2 defines a settlement boundary around the village East Boldon to ensure the separate character of settlements is maintained, managing their expansion and controlling sporadic development in the open countryside. This approach will contribute to protecting and enhancing the natural, built and historic environment of the plan area, therefore the environmental objective of sustainable development. As the policy supports the location of new housing and economic development within the settlement boundary, it also contributes to the social and economic objectives of sustainable development.
Policy EB3: Design	Policy EB3 provides a positive policy framework to guide and influence the design of all new development. The criteria within the policy seek to ensure that the environment of the plan area is conserved and enhanced, it also includes a number of other environmental criteria. The policy therefore supports the environmental element of sustainable development. As a number of criteria relate to matters such as amenity and community safety the policy also contributes to the social objective of sustainable development.
Policy EB4: Heritage assets	Policy EB4 requires a full consideration of the impact of development on the significance of heritage assets within the plan area. It also includes criteria to aid the assessment of proposals on the East Boldon Conservation Area. The policy therefore contributes to the environmental element of sustainable development. As the historic environment is important to the well-being of local communities, this policy is also relevant to the social element of sustainable development.
Policy EB5: Green and blue infrastructure	The green infrastructure across the plan area is varied and multifunctional, it consists of several different elements. Policy EB5 seeks to ensure that development proposals protect and where practical improve and extend the green and blue infrastructure network. This approach will seek to ensure that new development contributes positively to the environmental element of sustainable development. The ability to access the natural environment is also important to the well-being of local communities, therefore relevant to the social element of sustainable development.
Policy EB6: Landscape	Policy EB6 identified a number of key sensitivities of the landscape within the plan area and requires development proposals to maintain and enhance the positive elements of the landscape character of the area. This approach will seek to ensure that new development contributes positively to the

ENBP Objective/ Policy	Commentary
	environmental element of sustainable development. The landscape setting of the plan area is important to the well-being of local communities, therefore relevant to the social element of sustainable development.
Policy EB7: Biodiversity	Policy EB7 seeks to protect and enhance biodiversity across the plan area. This approach will seek to ensure that new development contributes positively to the environmental element of sustainable development. The quality of the natural environment is also important to the well-being of local communities, therefore relevant to the social element of sustainable development.
Policy EB8: Protecting trees and woodland	Policy E8 seeks to protect trees from damage or loss, therefore contributing to the environmental element of sustainable development.
Policy EB20: Sustainable transport and new development	Policy EB20 supports development where it maximises the use of sustainable modes of transport. This is an important element of the environmental element of sustainable development. The policy also includes a number of other elements that are important to the social objective, such as creating safe and user friendly places.
Policy EB21: Metro parking	The impact of metro parking on the environment of the plan area is significant. However, it is acknowledged that the use of the metro, as an alternative to the private car has important environmental benefits. As policy EB21 support the provision of additional car parking for metro users, providing it will not have significant adverse effects this will contribute to the environmental element of sustainable development.
Policy EB22: Cycle storage and parking	Providing appropriate cycle storage and parking as part of new development, as required by policy EB22 will encourage and assist in providing people with practical alternatives to using the private car, therefore contributing to the environmental objective of sustainable development.

## 4. Development Plan – strategic policies

- 4.1 This section considers the extent to which the policy contained within the EBNP is in general conformity with the strategic policies in the development plan for the neighbourhood area, which comprises the South Tyneside Local Development Framework:
- Core Strategy (2007 – CS);
  - Development Policies Document (2011 – DPD); and
  - Site Specific Allocations Document (2012 – SSAD).
- 4.2 Table 5 sets out how the EBNP policies are in general conformity with the relevant strategic development plan policies. The DPD contains a set of generic policies against which planning applications are assessed, as the EBNP is required to be in general conformity with the strategic policies of the development plan, the policies contained within the DPD are not considered to be strategic policies and therefore not applicable. The new South Tyneside Local Plan is currently under preparation (at pre submission draft stage); therefore, reference is made within table 5 to the emerging draft policies (STLP(d)).

Table 5: General conformity with the strategic policies

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	Comments on conformity
EB1: Sustainable development	STLP(d): S4	Policy EB1 requires all new development proposals to be determined in accordance with the presumption in favour of sustainable development. There is no specific policy within the adopted development plan regarding sustainable development. However, the emerging local plan policy S4 identifies that the council will take a positive approach in the determination of development proposals, seeking to ensure that it improves the economic, social and environmental conditions in the borough. Policy EB1 is considered to be in general conformity with policy S4 of the emerging local plan.
EB2: General location of new development	CS: EA1  STLP(d): S1, S2, S6, S7, S8 H3	Settlement boundaries are not included within the adopted development plan policies. However, the expansion of East Boldon is limited by the Green Belt. Core Strategy policy EA1 requires new development to protect and enhance the openness of the Green Belt. It seeks to conserve the best qualities of South Tyneside’s built and natural environment. Including: protecting and enhancing the openness of the Green Belt; and preserving the special and separate characters of the urban fringe villages (including East Boldon). This approach is reflected within policy EB2.



East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
EB3: Design	CS: ST2, SC1  STLP(d): D1, D2	<p>The emerging South Tyneside Local Plan also does not propose settlement boundaries, although reference is made within policy S2, criterion ‘ajvii’ that settlement boundaries should contribute positively to the setting of the urban area and the countryside and reinforce Green Belt boundaries. The emerging local plan proposes amendments to the Green Belt boundary within the East Boldon Neighbourhood Plan Area. Draft policy S1 defines the purposes of the Green Belt (reflecting national planning policy), specific reference is however made to the need to preserve the special and separate characters of the villages of West Boldon, East Boldon, Cleadon and Whitburn. Policy H3 (housing allocations) proposes a number of sites for allocation, including three that lie within the plan area: H3.56 (land at North Farm), H3.61 (land south of St John’s Terrace and Natley Avenue) and H3.65 (land west of Boldon Cemetery).</p> <p>Whilst policy EB2 conforms with the approach to the Green Belt, the proposed settlement boundary is different to that within the emerging local plan. However, significant unresolved objections remain to the proposals within the emerging local plan to amend the Green Belt boundary and housing allocations within the neighbourhood plan area.</p> <p>Policy EB3 is a wide-ranging policy that is in general conformity with policy ST2, which requires high standards of urban design and policy SC1, which seeks to promote high quality design.</p> <p>Policy EB3 has also been informed by emerging local plan policies. Policy D1 identifies that the council are committed to achieving high quality, safe, sustainable and inclusive design in all development. Policy D2 requires new development proposals to: embed sustainable design and construction; convey sensitive consideration of their surroundings; respect building lines and the nature of surrounding development; make provision for soft and hard landscaping; protect trees and replace them where necessary; integrate well with surrounding streets and open spaces; be accessible for all; promote health and well-being; design out crime; and improve townscape. Policy D3 includes a number of design considerations for new residential development including: access to gardens and open space and privacy considerations. This approach is reflected in policy EB3.</p>
EB4: Heritage assets	CS: SC1	Policy EB4 requires consideration of the impact of development proposals on the significance of heritage assets and requires great weight to be given to the conservation of a designated heritage

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
	STLP(d): S1, S2, HE1, HE3	<p>asset. This accords with the provision of core strategy policy SC1, which seeks to strengthen the distinctive historic and cultural qualities and townscape and promote high quality design.</p> <p>Policy EB4 has also been informed by emerging local plan policies: Policy S1 refers to the need to protect and enhance built heritage assets; policy S2 requires new development to contribute to the conservation and/ or enhancement of historic cores and traditional features to retain the special character of the built heritage; policy HE1 states that development proposals will be supported where they protect, preserve and where appropriate enhance the varied historic, architectural character and heritage, visual appearance and contextual importance of heritage assets and settings; and policy HE3 requires development proposals which affect both designated and non-designated heritage assets to include an adequate description of the significance of the assets affected. The level of detail must be appropriate to the assets importance and sufficient to understand the potential impact of the proposal on its significance and/ or setting. This approach is reflected in policy EB4.</p>
EB5: Green and blue infrastructure	<p>CS: EA3 SSDA</p> <p>STLP(d): S3, NE1, NE2, NE3</p>	<p>Policy EB5 seeks to protect and where practical improve the green and blue infrastructure network of the plan area. This is in general conformity with core strategy policy EA3, which requires the council to enhance biodiversity and wildlife corridors and the site specific development allocations document which identifies wildlife corridors.</p> <p>Policy EB5 has also been informed by emerging local plan policies: policy S3 looks to promote strong, vibrant and healthy communities, encouraging healthy lifestyle choices and supporting good physical and mental health. The policy identifies a number of criteria to ensure development contributes to providing healthy communities, including enhancing the quality of the natural environment and green infrastructure; policy NE1 identifies how the protection and enhancement of the natural environment will be delivered through the planning process. Reference is made to providing new and maintaining existing high quality and accessible open space and green infrastructure; policy NE2 requires appropriate avoidance, protection and enhancement measures to be incorporated into the design and development of proposals to minimise impacts on and provide measurable net gains for biodiversity. The policy states that detrimental direct and indirect impacts of development on biodiversity should be avoided. Where this is not possible, the policy requires mitigation or lastly compensation to be provided; and policy NE3 aims to deliver a good</p>

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
		<p>quality and accessible network of green spaces by protecting and enhancing existing networks, safeguarding assets and ensuring new developments incorporate green infrastructure into their design. This approach is reflected in policy EB5.</p>
EB6: Landscape	<p>CS: EA1 SSDA</p> <p>STLP(d): S1, S2</p>	<p>Policy EB6 seeks to ensure that new development will maintain and where appropriate enhance important elements of the landscape of the plan area. This is in general conformity with core strategy policy EA1, which seeks to conserve the best qualities of South Tyneside’s built and natural environment. Including: protecting and enhancing the openness of the Green Belt; and preserving the special and separate characters of the urban fringe villages (including East Boldon). Furthermore, SSDA, identifies area of high landscape value which are also referred to within the plan.</p> <p>Policy EB6 has also been informed by policies within the emerging local plan: policy S1 which seeks to protect the openness and permanence of the Green Belt, in order, amongst other matters to preserve the special and separate characters of the villages of West Boldon, East Boldon, Cleadon and Whitburn; and policy S2 identifies a number of design and landscape principles in order to maintain and enhance the special and distinct character of the built and natural environment. This approach is reflected in policy EB6.</p>
EB7: Biodiversity	<p>CS: EA3 SSDA</p> <p>STLP(d): S1, S3, NE1, NE2</p>	<p>Policy EB7 seeks to protect and enhance biodiversity across the plan area. This approach is in general conformity with the requirements of core strategy policy EA3 which requires the council to: secure and enhance the integrity of designated sites; maintain, enhance, restore and add to biodiversity and geological conservation interests; ensure that new development would result in no net loss of biodiversity value of any of the priority habitats; reduce the fragmentation of, improve or extend exiting priority habitats; create new priority habitats in identified areas; protect and strengthen populations of priority and other protected species; enhance biodiversity and wildlife corridors; and where appropriate restrict access and usage to conserve and areas biodiversity value. Furthermore, it accords with the provisions of the SSDA which identifies: Green Belt; Great North Forest; area of high landscape value; sites of special scientific interest and wildlife corridors.</p> <p>Policy EB7 has also been informed by the policies within the emerging local plan: policy S1 seeks to secure the sustainability of the villages in the borough, including East Boldon and encourages</p>

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
EB8: Protecting trees and woodland	STLP(d): S2, NE1	<p>the use of brownfield land. In addition, the policy seeks to protect and enhance the network of environmental assets, including green spaces and sites of biodiversity and geodiversity importance; policy S3 looks to promote strong, vibrant and healthy communities, encouraging healthy lifestyle choices and supporting good physical and mental health; policy NE1 identifies how the protection and enhancement of the natural environment will be delivered through the planning process; and policy NE2 which requires appropriate avoidance, protection and enhancement measures to be incorporated into the design and development of proposals to minimise impacts on and provide measurable net gains for biodiversity. This approach is reflected in policy EB7.</p> <p>Policy EB8 seeks to protect trees from damage or loss. There is no specific policy on trees within the adopted development plan.</p> <p>Emerging local plan policy S2 identifies a number of design and landscape principles for proposals to have regard to, including protection of hedgerows and trees. Furthermore, policy NE1 identifies how the protection and enhancement of the natural environment will be delivered through the planning process. Reference is made to: protecting against the loss of trees, woodlands and hedgerows. This approach is reflected in policy EB8.</p>
EB9: Employment	CS: E1 STLP(d): S1, ED1	<p>Policy EB9 seeks to support development proposals that result in the creation or protection of jobs and the sustainable economic growth of the plan area whilst not having an adverse impact on the built and natural environment and the amenity of occupiers of neighbouring properties. This accords with core strategy policy E1 which seeks to safeguard viable employment sites for employment uses only. Encourages economic development outside priority locations. Supports investment in education and training.</p> <p>Policy EB9 has also been informed by policies within the emerging local plan: policy S1 seeks to focus on those employment areas which are viable and marketable and accessible; and policy ED1 identifies the need to maintain a portfolio of 194.23ha of land for economic development. The policy seeks to support development at the Port of Tyne and along the river corridor, as well as supporting advanced manufacturing, engineering, digital technologies, skills, new business development and the visitor economy. This approach is reflected in policy EB9.</p>

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
EB10: Homeworking		There are no specific policies within the adopted or emerging development plan regarding homeworking.
EB11: Cleadon Lane Industrial Estate	CS: E1  STLP(d): S5, RG5	<p>Policy EB11 supports the continued use of the industrial estate for main employment uses. Should proposals come forward for the redevelopment of the site as a whole, or in part for a wider mix of uses, policy EB11 requires the proposal to be informed by a masterplan which has been prepared in full consultation with the forum and the local community. There are no specific policies within the adopted development plan on Cleadon Lane Industrial Estate, although it is allocated as employment land and policy E1 seeks to safeguard viable employment sites for employment uses only. It is considered that the proposed policy approach of policy EB11 is in general conformity with the provisions of the adopted development plan.</p> <p>Policy EB11 has been informed by the emerging local plan: policy S5 states that wherever viable, the council will prioritise the re use of brownfield land provided the proposals are appropriate in scale, size and role of the settlement; and policy RG5 proposes to allocate the land currently occupied by the industrial estate for mixed use development (245 homes and 2.1ha of B1 and B8 employment land. It is considered that policy EB11 provides local detail to the proposed allocation.</p>
EB12: Local retail centres	CS: SC2  STLP(d): S1, R1, R2	<p>Policy EB12 supports new development within the three local retail centres where it protects the vitality and viability of the area, protects residential amenity, does not exacerbate current parking issues and is an appropriate design. The policy also seeks to resist the loss of important local services and convenience retail within these areas. This approach is in general conformity with the provisions of core strategy policy SC2 which supports developments within local neighbourhood centres.</p> <p>Policy EB11 has also been informed by the emerging local plan: policy S1 seeks to secure the sustainability of East Boldon and the other villages in the borough. In addition, the policy looks to enhance the vitality and viability of the East Boldon local centre; policy R1 defines a small part of East Boldon as a local centre - the role and function of which would be to serve the everyday needs of local communities and be the focus for small scale shops and services; and policy R2 supports proposals that maintain the vitality and viability of the local centre, providing guidance on how</p>

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
		proposals would be assessed against vitality and viability factors. This approach is reflected in policy EB12.
EB13: The delivery of new housing	CS: SC1  STLP(d): S1, H4	<p>Policy EB13 supports new housing development on land within the settlement boundary, which are not allocated for other uses. The policy highlights that new housing development should meet the needs of local residents by providing the type and mix of housing that is actually needed to support sustainable communities. Also, that new housing development should be accompanied by the infrastructure necessary to support it. Furthermore, the policy requires new housing development to make efficient use of land and buildings, prioritising the use of previously developed land where this is available and to be of an appropriate density, scale and design. This approach is in general conformity with core strategy policy SC1 which seeks to focus new development within built up areas.</p> <p>Whilst the neighbourhood plan does not allocate specific housing sites, it has been informed by the emerging local plan: policy S1 seeks to secure the sustainability of the villages of Cleadon, West Boldon, East Boldon and Whitburn by supporting growth which respects the distinctive character of each village; and policy H4, which identifies a number of criteria against which housing proposals for development on unallocated sites will be assessed.</p>
EB14: Housing mix	CS: SC4	<p>Policy EB14 seeks to ensure that a range and choice of housing is available by requiring a mix of house sizes, types and tenures to be provided through new development. This approach is in general conformity with core strategy policy SC4 which requires a range and choice of good quality, energy efficient and affordable homes to be provided. It also identifies that proposals will be assessed according to how well they meet identified needs and aspirations.</p> <p>There are no strategic policies on housing mix within the emerging local plan.</p>
EB15: Affordable housing	CS: SC4	<p>Policy EB15 seeks to support the delivery of affordable housing where there is an identified need. This approach accords with the requirements of core strategy policy SC4 which requires a range and choice of good quality, energy efficient and affordable homes to be provided. It also identifies that proposals will be assessed according to how well they meet identified needs and aspirations.</p> <p>There are no strategic policies on affordable housing within the emerging local plan.</p>

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
EB16: Community services and facilities		There are no specific strategic policies within the adopted or emerging development plan regarding community services and facilities.
EB17: Local green space	STLP(d): S3, NE1	<p>Policy EB17 identifies 10 sites to be protected as local green space. There are no policies within the adopted development plan on local green space.</p> <p>EB17 has been informed by policies within the emerging local plan: policy S3 looks to promote strong, vibrant and healthy communities, encouraging healthy lifestyle choices and supporting good physical and mental health; and policy NE1 identifies how the protection and enhancement of the natural environment will be delivered through the planning process. Reference is made to: giving appropriate protection to designated and non-designated assets; and providing new and maintaining existing high quality and accessible open space and green infrastructure.</p>
EB18: Protected open space	CS: SC6 STLP(d): S3, NE1	<p>Policy EB18 identifies five sites to be allocated as protected open space and supports the provision of open space as part of new development. This accords with the provisions of core strategy policy SC6 which seeks to promote the provision of high quality recreational open space, playing fields and outdoor sporting facilities.</p> <p>Policy EB18 has been informed by policies contained within the emerging local plan: policy S3 promotes strong, vibrant and healthy communities, encouraging healthy lifestyle choices and supporting good physical and mental health, this includes provision of good quality and accessible open spaces; and policy NE1 which identifies how the protection and enhancement of the natural environment will be delivered through the planning process, with reference to providing new and maintaining existing high quality and accessible open space and green infrastructure.</p>
EB19: Infrastructure	STLP(d): IN1	<p>Policy EB19 seeks to ensure that no significant adverse infrastructure impacts arise as a result of new developments. There are no strategic policies within the adopted development plan on infrastructure.</p> <p>Policy EB19 has been informed by policies contained within the emerging local plan: policy IN1 seeks to ensure the delivery of the social, environmental and physical infrastructure that the borough needs to fulfil the spatial vision. This includes ensuring that the infrastructure is provided to enhance opportunities to travel by more physically active travel modes such as walking and cycling and other sustainable travel modes such as public transport and the use of ultra low</p>

East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
		emission vehicles. In that the capacity and operation of the strategic and local highway network in the borough is able to support the needs of residents and businesses. This approach is reflected in policy EB19.
EB20: Sustainable transport and new development	CS: ST1, A1  STLP(d): IN6, IN7	<p>Policy EB20 provides a positive planning framework to seek to ensure transport and movement issues are fully considered as part of the development management process. This accords with the provisions of core strategy policies ST1 and A1. Policy ST1 seeks to deliver a high quality sustainable urban living environment. One of the criteria requires priority to be given to alternative modes of transport to the private car. Policy A1 highlights that the council will support public transport, walking and cycling initiatives that maximise the accessibility of new development. It also requires priority to be given to improving accessibility; transport assessments for major development proposals; and parking standards to be applied to new development.</p> <p>Policy EB20 has also been informed by the policies within the emerging local plan. Policy IN6 identifies that accessibility will be improved and transport choices widened by ensuring that all new development is well serviced by a range of transport modes, including public transport, footpaths and cycle routes. The policy also refers to the need for transport statements/assessments mitigation, development contributions, prioritising pedestrian and cycle movements; safe and secure development layouts; improvements to locations that are less attractive to pedestrians and cyclists the provision of appropriately located and secure cycle parking; access to rights of way; road safety; car parking highway design; and provision of electric charging points. Policy IN7 supports the delivery of an accessible and sustainable travel network that provides genuine accessible choices for travel by sustainable modes. Reference is made to: improvements to the metro (including consideration to park and ride expansion at East Boldon) rail and bus network; enhancements for facilities for pedestrians, cyclists and horse riders; and road capacity improvements. This approach is reflected in policy EB20.</p>
EB21: Metro parking	STLP(d): IN7	There are no strategic policies within the adopted development plan regarding metro parking. Emerging local plan policy IN7 refers to improvements to the metro (including consideration to park and ride expansion at East Boldon). This approach is reflected in policy EB21.
EB22: Cycle storage and parking	CS: A1	Policy EB22 requires appropriate cycle storage and parking to be provided as part of new developments. This accords with the provisions of core strategy policy A1, which highlights that the council will support public transport, walking and cycling initiatives that maximise the



East Boldon Neighbourhood Plan Policy	Strategic Development Plan Policy	
	Policy	Comments on conformity
	STLP(d): IN6, IN7	<p>accessibility of new development. It also requires priority to be given to improving accessibility; transport assessments for major development proposals; and parking standards to be applied to new development.</p> <p>Policy EB22 has also been informed by the emerging local plan. Policy IN6 states that accessibility will be improved and transport choices widened by ensuring that all new development is well serviced by a range of transport modes, including public transport, footpaths and cycle routes. Reference is also made to the provision of cycle parking. Policy IN7 supports the delivery of an accessible and sustainable travel network that provides genuine accessible choices for travel by sustainable modes. Reference is made to enhancements to facilities for cyclists. This approach is reflected in policy EB22.</p>
EB23: Residential parking standards	CS: A1 STLP(d) IN6	<p>Policy EB23 requires adequate car parking for new residential development. This accords with the provisions of core strategy policy A1 which refers to parking standards being applied to new development.</p> <p>Policy EB23 has also been informed by emerging local plan policy IN6, which refers to parking standards.</p>
EB24: Non-residential parking standards	CS: A1 STLP(d) IN6	<p>Policy EB24 requires adequate car parking for non-residential development. This accords with the provisions of core strategy policy A1 which refers to parking standards being applied to new development.</p> <p>EB24 has also been informed by emerging local plan policy IN6, which refers to parking standards.</p>
EB25: Walking and cycling network	STLP(d): S3	<p>Policy EB25 seeks to support proposals to improve or extend the walking and cycling network within the plan area, as well as protecting existing routes. There are no relevant strategic policies within the adopted development plan.</p> <p>Emerging local plan policy S3 seeks to increase levels of active travel by enhancing environments to encourage walking and cycling.</p>

## 5. Legal obligations and prescribed conditions

### European Convention on Human Rights

- 5.1 Throughout the preparation of the EBNP emphasis has been placed to ensure that no sections of the community have been isolated or excluded. The EBNP is fully compliant with the requirements of the European Convention on Human Rights. There is no discrimination stated or implied, nor any threat to the fundamental rights guaranteed under the convention.

### Strategic Environmental Assessment and Habitats Regulations

- 5.2 European Directive (2001/42/EC) on the assessment of the effects of certain plans and programmes on the environment is known as the Strategic Environmental Assessment (SEA) Directive. SEA is required for all plans that may have a significant effect on the environment. European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna protects habitats and species of European nature conservation importance. It is a requirement that a Habitats Regulations Assessment (HRA) is undertaken in line with the provisions set by the amended Conservation of Habitats and Species Regulations (2010) to assess the effects of the Neighbourhood Plan on European Sites.
- 5.3 SEA and HRA screening opinions were undertaken by STC, the screening opinion is included in appendix 2. The screening opinion concluded:

*“This report contains the SEA and HRA Screening for the East Boldon Neighbourhood Plan. The screening reports establish whether there is a requirement for the undertaking of a full SEA as required by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) and / or Appropriate Assessment as required by the Conservation of Habitats and Species Regulations (2017) as amended.*

*The assessment for screening of both requirements was undertaken on the draft Neighbourhood Plan policies submitted to the council on 3rd June 2020. The conclusions based on the assessments set out in this report are that a full SEA and Appropriate Assessment are not required. The reasons for this conclusion are set out in Sections 6 and 7 of this document. These conclusions have been supported by the consultation bodies.”*

## 6. Conclusion

- 6.1 This statement, which is required under Regulation 15 of the Town and Country Planning (Neighbourhood Planning) Regulations 2012 has demonstrated that the EBNP:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - will contribute to the achievement of sustainable development;
  - is in general conformity with the strategic policies of the development plan for the area which for the time being remains the South Tyneside Local Development Framework: Core Strategy and the Site Specific Allocations Document; and
  - does not breach and is compatible with European Union obligations as incorporated into UK law.
- 6.2 The EBNP also complies with the legal requirements set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

## Appendix 1: Neighbourhood area designation documents



### South Tyneside Council

Cabinet  
Date: 03 January 2018

#### East Boldon Neighbourhood Planning Area and Forum Designation

Report of Head of Development Services

Cabinet Portfolio/Lead Member: Councillor Allan West, Lead Member for Housing and Transport

##### Purpose of Report

1. Members of the East Boldon community have applied to South Tyneside Council to formally designate a proposed East Boldon Neighbourhood Area and East Boldon Neighbourhood Forum for the purposes of carrying out Neighbourhood Planning activities in the East Boldon area of the borough.
2. Before a local community can undertake formal Neighbourhood Planning in their area, they have to apply to the local authority to have their proposed Neighbourhood Area and Neighbourhood Forum designated for this purpose.
3. This report seeks Members' approval to formally designate the East Boldon community's applied-for Neighbourhood Area and Neighbourhood Forum.

Contact Officer: George Mansbridge, Head of Development Services

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##### Introduction

4. The Localism Act 2011 gave local communities the opportunity to undertake Neighbourhood Planning and the option to prepare Neighbourhood Plans, Neighbourhood Orders and Community Right to Build Orders.
5. However, before Neighbourhood Planning can be carried out in non-Parished areas like South Tyneside, the Council is legally required to formally designate a Neighbourhood Area and a Neighbourhood Forum to lead on a plan.
6. The process for designating Neighbourhood Areas and Neighbourhood Forums is laid down in the 2011 Act and accompanying Neighbourhood Planning (General) Regulations 2012. Broadly, the process is as follows:
  - Community group submits an application(s) to the local authority proposing the designation of a Neighbourhood Area and/or Forum;
  - Local authority formally publishes the application(s) for a minimum 6 weeks public consultation to allow for any representations;
  - Local authority considers whether the application for the proposed Area is appropriate in spatial planning terms and that the proposed Forum is appropriate having regard to the legislative requirements;
  - Local authority's Executive must then reach a decision on designation of the Neighbourhood Area and Forum within 13 weeks from the start of that consultation.
7. A Forum's designation lasts for a period of 5 years (or until it is withdrawn) before it is automatically dissolved, during which time no other organisation or body may be designated for the purposes of carrying out Neighbourhood Planning in this Neighbourhood Area.
8. Neighbourhood Plans and Orders must conform to the strategic elements of the Council's Local Plan, and as such cannot be used to block the development of homes and employment that the Council considers is necessary to meet the borough's current and future needs.
9. Neighbourhood Plans and Orders can be used to influence the type, design, location and mix of new development, including to.
10. Neighbourhood Plans have to undergo formal public consultation before being submitted for independent examination and, if found 'sound', then gain more than 50% of the vote in a community referendum before the Council is legally obliged to adopt the Plan.
11. Any Neighbourhood Plan would, once adopted, form part of the borough's statutory Local Plan.
12. Comprehensive guidance about Neighbourhood Planning is published on the Council's website planning pages.

### East Boldon Neighbourhood Area and Forum Application

13. The applications to designate the East Boldon Neighbourhood Area and Forum were received on 12<sup>th</sup> September 2017. These were considered by Officers to be satisfactory for meeting the legal requirements to enable the Council to proceed to publish the application for the necessary 6 weeks' consultation.
14. The East Boldon combined application was published for consultation on 11 October 2017, inviting representations until 22 November 2017 in relation to the appropriateness of the coverage of the proposed East Boldon Neighbourhood Area and the representativeness of the proposed East Boldon Neighbourhood Forum and its written constitution. It was formally advertised by statutory notice in the local area and to all statutory consultees. All documentation was made available on the Council's website and at East Boldon library and the South Shields Town Hall.
15. Eight representations were received in response to the consultation. Both Natural England and Historic England stated that they does not wish to make comment on the suitability of the proposed plan area or the proposed neighbourhood planning body but provided guidance that might be of use to the proposed Forum in carrying out Neighbourhood Planning in their Area. Sunderland City Council had no substantive comments but requested to be kept informed of any progress. Barton Wilmore, on behalf of Church Commissioners, provided information on the extent of their land ownership within the proposed boundary. Gladman Developments Ltd provided information on neighbourhood planning.
16. Three responses were received from resident. Two raised concerns about how representative the proposed forum is of the community within the proposed boundary and impacts this could have on community cohesion. One response suggested the boundary should be amended to include Cleadon.

#### Neighbourhood Area Designation

17. There is a statutory constraint on the Council's discretion whether to designate a neighbourhood area. Specifically, where a valid Neighbourhood Area application is made, but the application is refused because the specified area is not considered an appropriate area to be designated as a neighbourhood area, the Council *must* still exercise their powers under the 2011 Act to so as to ensure that some or all of the land forms part of one or more designated neighbourhood areas.
18. The Group's proposed Neighbourhood Area is illustrated on the map at Annex 1 of this report – it is based almost exclusively within the Cleadon and East Boldon ward boundary but extends to Boker Lane.
19. There is an arguable case in spatial planning terms that the boundary shouldn't extend beyond Moor Lane to the Boldon Flats area. It is considered that this area contributes to the character and setting of Cleadon rather than East Boldon. However, the Council has received no representations on the

proposed boundaries, either from residents within the proposed area, or from residents outside of the area. The proposed Forum have also agreed to renegotiate the boundary should residents of Cleadon want to designate a Neighbourhood Area in the future.

20. The forum justify including this area in their boundary in their supporting statement for the proposed Neighbourhood Area. The proposed forum states that the Boldon Flats contribute and are important to the wider community and does contribute to the distinct character of East Boldon as well as Cleadon.
21. For these reasons, it is considered appropriate to designate all of the land within the East Boldon Neighbourhood Area application.

#### Neighbourhood forum designation

22. The Council may designate an organisation or body as a neighbourhood forum if the following conditions are met:
  - It is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consist of or includes the neighbourhood area concerned.
  - Its membership is open to:
    - a) Individuals who live in the neighbourhood area.
    - b) Individuals who work there.
    - c) Elected members within the neighbourhood area.
  - Its membership includes a minimum of 21 individuals each of whom falls into at least one of the above categories.
  - It has a written constitution.
23. In determining whether to designate an organisation or body as a neighbourhood forum that meets the conditions in paragraph 21 above, the Council **must** have regard to the following:
  - Whether the organisation or body has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the categories at a) to c) above (paragraph 21, second bullet).
  - Whether membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area.
  - Whether the organisation's purpose reflects (in general terms) the character of the neighbourhood area.

24. East Boldon Neighbourhood Forum has been expressly established for a number of specified purposes, including promoting or improving the social, economic and environmental well-being of East Boldon for the benefit of the community of businesses, residents and visitors. This purpose is identified within the Constitution submitted as part of the application.

25. The Forum has well over the required 21 members, including at least one member from each of the categories at a) to c) in paragraph 21 above. The membership is widely drawn from across the proposed Neighbourhood Area. The location of membership identified on the plan at Annex 2.

26. The Council is required to have regard to whether membership is drawn from different sections of the community. The proposed East Boldon Neighbourhood Forum's application is supported by analysis of their proposed Forum's membership in their equality and diversity report. In broad terms:

- 42% of members identify as female; 58% as male
- Representatives aged 16 to 75 plus. The only unrepresented age band is 25-34.
- 6% of members identify as having a disability
- Majority of members identify as white, 1 mixed race.

27. The Group has demonstrated in its application the concerted efforts that it has undertaken to ensure that its membership is drawn from different places and sections of the community, including steps undertaken as follows:

- Creation of Facebook page and Twitter account
- Leaflet drop to community and businesses in the proposed Neighbourhood Area boundary as well as addresses adjacent to the proposed boundary.
- Drop-in event in July 2017
- Contact with Ward Councillors

In summary, the application complies with the basic statutory requirements for nomination as set out at paragraph 21. It is considered that the proposed Forum should be designated as the Neighbourhood Forum for East Boldon Neighbourhood Area.

### Financial and Value for Money Implications

28. Local authorities can apply for Government funding to support this 'additional burdens' work. At present this is £5,000 per Area and Forum designated (ie. £10,000 received following designation).

29. Neighbourhood Forums can also themselves apply to the Government for independent funding and support for their Neighbourhood Planning work.

### Legal Implications

30. The legislation governing designation of the Neighbourhood Forum and Neighbourhood Area is as described above.

31. Local authorities also have a legal duty to provide advice and technical support to community groups undertaking the various aspects of Neighbourhood Planning. National Planning Practice Guidance (PPG) sets out the Government's expectations of how local planning authorities should discharge their duty to support neighbourhood planning groups.

### Risk and Opportunities Implications

32. The Council must decide whether to accept the joint applications for designation of the Neighbourhood Forum and Neighbourhood Area within 13 weeks of first publication. If the Council fails to reach a decision within this timescale, the Council's statutory discretion (to refuse the applications) is removed.

33. As local authorities have a legal duty to provide advice and technical support, there is a risk that this could divert resources from the Council's priority to progress preparation of the new Local Plan. However, this is not a justifiable reason not to designate.

34. Neighbourhood Planning nevertheless provides an opportunity for local communities to actively influence the planning of their local area themselves, in addition to normally getting involved in the preparation of the Local Plan.

### Equality and Diversity Implications

35. The Localism Act 2011 (as amended) provides for local communities to undertake Neighbourhood Planning in their local areas.

### Environmental and Sustainability Implications

36. Any Neighbourhood Plan would be required to promote sustainable development in accordance with the National Planning Policy Framework (NPPF) and supporting guidance, and in accordance with the strategic aspects of the Local Plan. Any Plan would, in its preparation process, be required to undergo statutory Sustainability Appraisal of its environmental, social and economic impacts, incorporating European Strategic Environmental Assessment (SEA), together with Habitats Regulations Assessment (HRA) in relation to the protected coastal international and European habitat designations.

### Options to be considered

37. Option 1: Designate the proposed East Boldon Neighbourhood Forum and the designate the proposed East Boldon Neighbourhood Area as published.

38. The joint Neighbourhood Area and Forum application satisfies the relevant legal requirements. For the reasons set out above, having regard to all relevant considerations, it is considered that the joint applications should be accepted.
39. **Option 2:** Designate the Proposed East Boldon Neighbourhood Forum and designate a reduced Neighbourhood Area to exclude the Boldon Flats Area.
40. The requirements of the Act mean the Council is required to designate at least part of the applied for Area. Taking into account the planning context and the justification from the proposed Forum, excluding the Boldon Flats would only serve to limit the opportunities for further enhancement and protection of the area.

#### Recommendations

41. Cabinet is recommended to:

- Designate the applied-for East Boldon Neighbourhood Area; and,
- Designate the proposed East Boldon Neighbourhood Forum.

#### Reasons for Recommendations

42. To enable the proposed East Boldon Neighbourhood Forum to formally carry out Neighbourhood Planning activities within their proposed East Boldon Neighbourhood Area.



South Tyneside Council

East Boldon Neighbourhood Forum  
c/o Kirstin Richardson - Chair

Date: 10<sup>th</sup> January 2018  
Our Ref: GM/LB

Dear Ms Richardson

#### East Boldon Neighbourhood Planning - Designation of Neighbourhood Area and Forum

Further to your application on behalf of the prospective East Boldon Neighbourhood Forum, I would like to advise you that the East Boldon Neighbourhood Area and East Boldon Neighbourhood Forum were formally designated at South Tyneside Council's Cabinet meeting on 3<sup>rd</sup> January 2017 for the purposes of carrying out Neighbourhood Planning activities in the East Boldon area of the Borough. The Neighbourhood Area was designated as applied for with no amendments made.

My planning team and I look forward to working with the Forum and supporting your future endeavours to develop a Neighbourhood Plan.

If you have any further questions regarding this letter, please contact Rachel Cooper, Planning Policy Officer, on 0191 424 7688 or [rachel.cooper@southtyneside.gov.uk](mailto:rachel.cooper@southtyneside.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Mansbridge'.

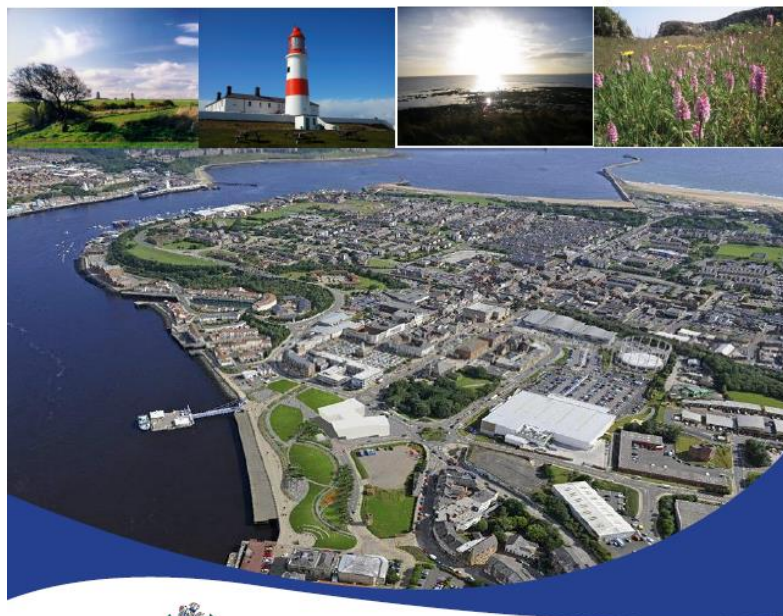
George Mansbridge  
Head of Development Services

Ltr - 10 01 18 - Ms Richardson, EB Neighbourhood Forum (Designation).Docx

## Appendix 2: Screening opinion

### East Boldon Neighbourhood Plan Strategic Environmental Assessment/ Habitat Regulations Assessment Screening

(September 2020)



South Tyneside Council

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## 2. NON-TECHNICAL SUMMARY

- 2.1 One of the 'basic conditions' that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with relevant legal European and UK obligations including Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA).
- 2.2 Not all neighbourhood plans will require a SEA to be carried out. To decide if a SEA is required, a screening exercise is used to look at the proposals in a neighbourhood plan and see if significant effects are likely.
- 2.3 A Habitats Regulations Assessment (HRA) is also a requirement needed to be considered. The HRA process looks at the potential impact of a plan on what are termed 'European sites'. Within South Tyneside there are two European Sites; Durham Coast Special Area of Conservation and the Northumbria Coast Special Protection Area and Ramsar site. The HRA process involves consideration of potential effects of the plan on the identified European Sites
- 2.4 This report details the SEA and HRA screening process for the East Boldon Neighbourhood Plan. The SEA Screening assessment concluded that the plan would not result in significant environmental effects and therefore a SEA environmental report is not required.
- 2.5 The HRA Screening concluded that the Neighbourhood Plan would not result in likely significant effects on the European Designations within South Tyneside and therefore a HRA Appropriate Assessment is not required.
- 2.6 The preliminary version of this report was sent to the three statutory consultees, known as the consultation bodies: the Environment Agency, Historic England and Natural England. This formed part of a five week consultation to gain their views on the conclusions of this report. Each consultation body agreed with the council's conclusion that a SEA and a HRA would not be required as no likely significant effects were likely as a result of the East Boldon Neighbourhood Plan.

## 3. INTRODUCTION

- 3.1 South Tyneside Council must prepare a Screening Opinion to determine whether a Neighbourhood Plan is likely to have significant environmental effects. This report is an assessment of whether the East Boldon Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
- 3.2 This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Directive 92/43/EEC – 'The Conservation of Natural Habitats and Wild Fauna and Flora', known as the 'Habitats Directive'; and with Regulation 63 of the Conservation of Habitats and Species Regulations (2017). A HRA is required when it is deemed that likely adverse significant effects may occur on protected Habitats (Natura 2000) sites, as a result of the implementation of a plan or project.

## 4. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) / HABITAT REGULATIONS ASSESSMENT (HRA)

- 4.1 One of the 'basic conditions' that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with relevant legal European and UK obligations including Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA).
- 4.2 Not all neighbourhood plans will require a SEA to be carried out. To decide if a SEA is required, a screening exercise is used to look at the proposals in a neighbourhood plan and see if significant effects are likely.

### STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

- 4.3 As set out in the Planning Practice Guidance (Paragraph: 027 Reference ID: 11-027-20190722), neighbourhood plans should be screened to assess whether the plan is likely to have a significant effect on the environment in accordance with regulation 9 of the Environmental Assessment of Plans and Programmes Regulations (2004). The Environmental Assessment of Plans and Programmes Regulations (2004) transpose European Directive 2001/42/EC (SEA Directive) into English law. It ensures the environment is considered during the preparation and adoption of plans, this promotes sustainable development.
- 4.4 To establish if a Neighbourhood Plan requires a full SEA, a screening assessment is required against a series of criteria set out in the SEA Directive. Figure 4.1 sets out the screening process and how a plan would be assessed against the SEA Directive criteria.

4.5 Point 8 of the SEA screening assess whether a Neighbourhood Plan would have likely significant effect on the environment. The criteria for assessing the likely significance of effects are set out in Annex II of the SEA Directive and Schedule 1 of the Regulations. The criteria is set out below:

**ANNEX II**  
**Criteria for determining the likely significance of effects referred to in Article 3(5)**

1. The characteristics of plans and programmes, having regard, in particular, to

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment.

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
  - special natural characteristics or cultural heritage,
  - exceeded environmental quality standards or limit values,
  - intensive land-use,
  - the effects on areas or landscapes which have a recognised national, Community or international protection status

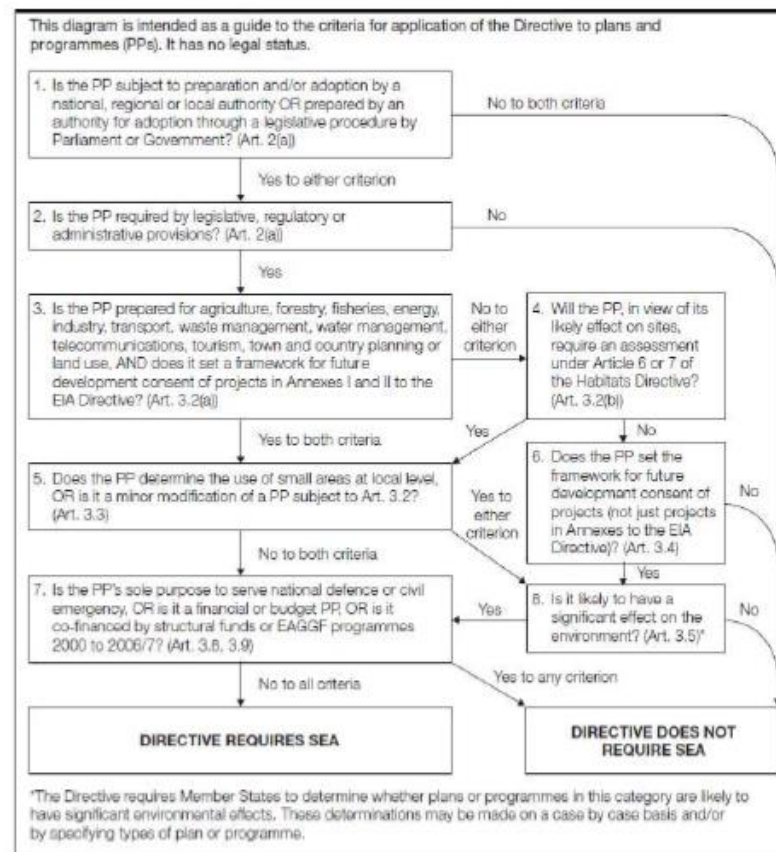
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

**HABITAT REGULATIONS ASSESSMENT (HRA)**

4.6 In addition to the SEA, plans should also be screened to establish whether a HRA is required. This is an assessment required under European Directive 92/43/EEC in the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) and the Wild Birds Directive 2009/147/EC. The Habitats Directive is transposed in English Law through The Conservation of Habitats and Species Regulations (2017) as amended. HRA seeks to identify the potential of a plan or project to result in likely significant effects on a European (Natura 2000) sites and their qualifying features.

4.7 Under the ‘Habitats Directive’, an assessment referred to as an Appropriate Assessment must be undertaken if the plan in question is likely to have a significant effect on a European protected site. The SEA Directive requires that if a plan or programme requires ‘Appropriate Assessment’ under the Habitats Directive, then that plan or programme will also require an SEA.

Figure 4.1 Application of SEA Directive to Plans and Programmes



## 5. EAST BOLDON NEIGHBOURHOOD PLAN & AREA

5.1 East Boldon is located in the south of the Borough and forms part of the wider 'Boldons' area, which is in turn one of the three villages in South Tyneside. The East Boldon Neighbourhood Plan (Map 5.1) covers the eastern area of the Boldons and a significant area of Green Belt land to south of the village towards the boundary with Sunderland. The urban area of the Neighbourhood Plan area is predominantly residential, but also includes a number of important local facilities such as a shopping area, primary school and Metro station. The Neighbourhood Plan area includes the East Boldon Conservation Area, seven designated heritage assets and a number of non-designated heritage assets.

5.2 The East Boldon Neighbourhood Plan area also covers a number of environmental designations within the plan area. These include:

- Boldon Pastures Site of Special Scientific Interest (SSSI);
- Black Plantation Local Wildlife Site;
- Boldon Flats Local Wildlife Site;
- Low House Copse Local Wildlife Site;
- Tiledsheds Burn Local Wildlife Site;
- Turners Hill Local Wildlife Site.

Map 5.1 East Boldon Neighbourhood Plan Area



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## EAST BOLDON NEIGHBOURHOOD PLAN- DRAFT

5.3 The version of the Draft Plan assessed for the purpose of this screening opinion comprises of a suite of 25 policies intended to support the Vision and Objectives of the Plan, which was submitted to the Council on 3<sup>rd</sup> June 2020. The policies within the draft Plan cover the following matters:

- Policy EB1: Sustainable Development
- Policy EB2: General location of new development
- Policy EB3: Design
- Policy EB4: Heritage Assets
- Policy EB5: Green and blue infrastructure
- Policy EB6: Landscape
- Policy EB7: Biodiversity
- Policy EB8: Protecting trees and woodland
- Policy EB9: Employment
- Policy EB10: Homeworking
- Policy EB11: Cleadon Lane Industrial Estate
- Policy EB12: Local retail centres
- Policy EB13: The delivery of new housing
- Policy EB14: Housing mix
- Policy EB15: Affordable housing
- Policy EB16: Community services and facilities
- Policy EB17: Local green space
- Policy EB18: Protected open space
- Policy EB19: Infrastructure
- Policy EB20: Sustainable transport and new development
- Policy EB21: Metro parking
- Policy EB22: Cycle storage and parking
- Policy EB23: Residential parking standards
- Policy EB24: Non-residential parking standards
- Policy EB25: Active travel routes

5.4 The Neighbourhood Plan does not specifically allocate any land or buildings for any new development. It does designate a number of areas as Local Green Space and Protected Green Space which would result in significant protection being afforded to these areas.

5.5 The draft Neighbourhood Plan also raises conflicts with policies in the emerging South Tyneside Local Plan. Of particular note are:

- Policy EB11: Cleadon Lane Industrial Estate – the East Boldon Neighbourhood Plan supports the continued use of the site for employment uses; whereas the Policy RG5 of the draft South Tyneside draft Local Plan identifies the site as a mixed use regeneration area with 245 new homes. Policy EB11 requires proposals for housing to

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provide a comprehensive masterplan to be produced and agreed by the East Boldon Neighbourhood Forum.

- Policy EB17: Local Green Space – this policy identifies Land to the south of New Road and Tileshead Lane (LGS09) as a proposed area of Local Green Space. The draft South Tyneside Local Plan identifies this site as part of a strategic housing allocation H3.59, Land at North Farm, to provide 588 new homes.

5.6 The policies proposed in the Draft Plan are intended to support decision making that will deliver the eight objectives which are central to the achievement of the Vision. The East Boldon Neighbourhood Plan Vision is set out below:

**A vision for East Boldon in 2036**

*East Boldon remains a thriving village full of character. It has a strong sense of community where local schools and voluntary groups, including sport and leisure organisations, play an important part in bringing people together. It is home to a wide range of successful businesses. These make an important contribution to village life and are actively supported by local people. It is blessed with wonderful green spaces on all sides, much of which is safeguarded by Green Belt status. This has done much to protect the village from urban sprawl and help maintain its identity and separation from other settlements as well as providing important habitat for wildlife. Infrastructure has been delivered to support the needs of the local community and businesses. New development is sensitive to the character of the village, it provides opportunities for the enhanced wellbeing of its residents, and ensures an environment which is rich in landscape for wildlife. In short, new development is sustainable in every sense. The needs of local residents, both young and old, is a major consideration in the type and location of all new development. The need to keep the local community together by providing the right mix of housing is seen as a priority. Any new development is seen as an opportunity to address the issue of parking and not add to it.*

5.7 The objectives of the East Boldon Neighbourhood Plan are:

- Objective 1 - Sustainable development: Ensure new development makes a positive contribution to social, environmental or economic needs and that any negative impacts, particularly those contributing to climate change, are adequately mitigated.
- Objective 2 - Built and historic environment: Ensure new development makes a positive contribution to a safe and well-designed built environment and that it respects the historic environment of the neighbourhood plan area.
- Objective 3 – Natural environment: Plan positively for the creation, protection and enhancement of networks of biodiversity and green infrastructure in the neighbourhood plan area including ensuring that there are linkages to wider green infrastructure networks.

- Objective 4 – Local economy: Support the sustainable creation and protection of employment opportunities in the neighbourhood plan area, and the vitality of the village and local centre.
- Objective 5 – Housing: Create and maintain a balanced and sustainable community by providing a positive framework that recognises the different types of homes that all current and future residents of the neighbourhood plan area need.
- Objective 6 – Community wellbeing: Contribute to community wellbeing by ensuring that the neighbourhood plan area’s community, especially its older and younger people, have access to the services and facilities they need.
- Objective 7 – Flooding and sustainable drainage: To reduce the causes and risks of flooding in the neighbourhood plan area.
- Objective 8 – Transport and movement: Manage the transport network of the neighbourhood plan area to be safer, more efficient and more environmentally friendly for all users, while ensuring adequate parking is available to meet the needs of residents, visitors and businesses.

**6. SEA SCREENING**

6.1 The application of the SEA Directive (as set out in Figure 4.1) to the East Boldon Neighbourhood Plan is provided in Table 6.1.

Table 6.1 Application of SEA Directive to the East Boldon Neighbourhood Plan

Stage	Yes/No	Reason
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority through a legislative procedure by Parliament? (Article 2(a))	Yes	The preparation of and adoption of the East Boldon Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The East Boldon Neighbourhood Plan will be prepared by the East Boldon Neighbourhood forum as the 'relevant body' and will be 'made' by South Tyneside Council as the Local Authority.
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Article 2 (a))	Yes	The East Boldon Neighbourhood Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990, as amended. However, when 'made' it will form part of the statutory development plan for the Borough. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2 (a))	Yes	Neighbourhood plans cover town and country planning/land uses and may also cover uses set out in the list. The East Boldon Neighbourhood Plan is a non-strategic scale document, focused upon East Boldon, however it can set the framework for future development consent of some projects in Annexes I and II to the EIA directive (see Appendix 1).
4. Will the Plan in view of its likely effects on sites, require an assessment of future development under Article 6 or 7 of the Habitats Directive (Article 3.2) (b))	Unknown	Section 7 of this report contains a screening assessment to ascertain whether an Appropriate Assessment is required under the Conservation of Habitats and Species Regulations 2010 which relate to Articles 6 (3) and (4) of the Habitats Directive.

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5. Does the Plan determine the use of small areas of local OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3)	Yes	A Neighbourhood Plan can determine the use of small areas at a local level. The East Boldon Neighbourhood Plan includes policies relating to the location of sustainable development but does not specifically allocate land for development.
6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Article 3.4)	Yes	Once 'made', a Neighbourhood Plan forms part of the statutory Development Plan and will be used in the determination of planning applications in the neighbourhood area. Therefore, it sets the framework for future developments at a local level.
7. Is the Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	No	No the plan does not deal with these categories of the Plan.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	Unknown	Please see Table 6.2 of this report.

- 6.2 The conclusion of the assessment in Table 6.1 is that, an SEA may be required, dependent upon whether the Neighbourhood Plan will have a significant effect on the environment. For this reason, an analysis of the Neighbourhood Plan will be required to determine any potential significant effects on the environment.
- 6.3 The policies set out in the Draft East Boldon Neighbourhood Plan have been used to undertake this screening assessment. If significant change to those policies arises as the Plan progresses, or if additional policies are introduced, the Plan should be subject to a further screening assessment.
- 6.4 The following table (Table 6.2) presents the environmental effects which have the potential to arise because of the East Boldon Neighbourhood Plan. The assessment considers the characteristics of the Plan, the effects on the environment and the area likely to be affected. This is accompanied by a commentary on whether these effects are likely to be significant.

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Table 6.2 East Boldon Neighbourhood Plan SEA Screening Assessment

Criteria (Schedule I)	Significant Effect Likely?	
	Yes/ No	Justification
<b>1) The characteristics of plans and programmes, having regard, in particular, to:</b>		
a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,	No	The strategic planning policy framework will be set through the emerging South Tyneside Local Plan and its predecessor documents, the South Tyneside Local Development Framework (LDF) which continue to form of the statutory development plan for the Borough. These documents, the LDF and the emerging Local Plan, are separately subject to SA/SEA. The East Boldon Neighbourhood Plan must be in general conformity with the strategic policies in the development plan. The Neighbourhood Plan does not seek to allocate land for development and generally sets positive planning policies seeking to support sustainable development.
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy,	No	The East Boldon Neighbourhood Plan will both influence and be influenced by the emerging South Tyneside Local Plan. However, it must be in general conformity with the adopted Local Development Framework (LDF) and the emerging Local Plan. The Neighbourhood Plan would therefore support higher tier policies within the planning system, and is therefore not considered to give rise to a significant environmental effect.
c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	No	Policy EB1 of the East Boldon Neighbourhood Plan promotes sustainable development within the plan area. Further policies within the draft neighbourhood plan seek to protect local environmental assets and do not seek to relax higher tier sustainability principles. It is therefore unlikely to result in a significant environmental effect.
d) environmental problems relevant to the plan or programme,	No	The policies within the East Boldon Neighbourhood Plan do not allocate land for development and support sustainable development and the protection of sensitive local assets and designations. It is considered unlikely that the Plan will result in a significant environmental effect with regard to environmental problems.
e) the relevance of the plan or programme for the implementation of European Community legislation on the environment (e.g. plans and programmes linked to waste-	No	The East Boldon Neighbourhood Plan does not directly address issues of waste- management or water protection; however, it must be in conformity with the statutory development plan for South Tyneside which will have regard to European Community legislation.

management or water protection)		
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:		
a) the probability, duration, frequency and reversibility of the effects,	No	The East Boldon Neighbourhood Plan supports some forms of development and also designates a number of Local Green Space and Protected Green Space sites. It is therefore acknowledged that there may be some long term and permeant environmental effects. However, the plan supports the principles of sustainable development and seeks to protect it local assets. Any development will also be in conformity with the emerging Local Plan and NPPF. It is therefore considered that the environmental effects will not be significant.
b) the cumulative nature of the effects,	No	It is unlikely that the East Boldon Neighbourhood Plan will result in any negative cumulative effects. The neighbourhood Plan does not support a level of development above the South Tyneside emerging Local Plan and should be in general conformity with the overarching Development Plan.
c) the transboundary nature of the effects,	No	Policies within the Neighbourhood Plan relate wholly to the plan area and therefore effects will be local. There may be some transboundary effects on neighbouring areas however these effects are expected to be limited.
d) the risks to human health or the environment (e.g. due to accidents),	No	It is unlikely that the Neighbourhood Plan would result in any effects resulting in a risk to human health.
e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	No	It is expected that effects will be localised and will only affect a small area covered by the plan area.
f) the value and vulnerability of the area i) likely to be affected due to special natural characteristics or cultural heritage,	No	The plan area covers a number of heritage and environmental assets which could be affected by development. The plan area includes the East Boldon Conservation Area and seven Grade II Listed Buildings. The Plan does not identify development proposals within or adjacent to the conservation area or these assets. Policy EB4: Heritage Assets, seeks to prevent heritage assets from being harmed from inappropriate development. The plan area also includes a SSSI, Local Nature Reserve and five Local Wildlife Sites. The Plan does not identify development proposals within or adjacent to these designations, although it is noted that proposed active travel routes as identified on Policies

		Map 2 and EB25: Active Travel, may encourage disturbance in areas close to Local Wildlife Site (Black Plantation LWS), however, the effects may not be significant. Policy EB7: Biodiversity seeks to protect and enhance biodiversity where appropriate within the plan area. Overall, it is considered unlikely that the Neighbourhood Plan would result in likely significant effects.
g) the value and vulnerability of the area ii) likely to be affected due to exceeded environmental quality standards or limit values,	No	The plan area does not include any known environmental quality management areas (i.e. air quality management area AQMA's). The plan does not identify areas for development and is therefore unlikely to result in any significant effects
h) the value and vulnerability of the area iii) likely to be affected due to intensive land-use,	No	The plan does not identify areas for development and is unlikely to result in the intensification of land-use in the plan area. It is unlikely to result in significant effects.
j) the effects on areas or landscapes which have a recognised national, Community or international protection status	No	The plan area contains areas of Green Belt, environmental designations and heritage designations. The plan does not identify areas for new development; policies support development within the existing built-up area and support the protection of heritage and environmental assets. It is therefore unlikely to result in significant effects.

**CONCLUSION: SEA SCREENING**

6.5 On the basis of the SEA Screening Assessment set out in Table 6.2, the Local Authority have concluded that the East Boldon Neighbourhood Plan will not have likely significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore the plan does not need to be subject to a SEA. The main reason for this conclusion is that the Neighbourhood Plan does not include policies allocating land or buildings for new development within the plan area. Policies are in general conformity with the South Tyneside Local Development Framework (LDF) and generally seek to support sustainable development within the plan area. It is therefore considered that the East Boldon Neighbourhood Plan is likely to have a slight positive effect on the environment.

**7. HRA SCREENING**

- 7.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential of likely significant effects on what are known as European sites. Such sites consist of areas designated as Special Areas of Conservation (SAC) and Special Protection Areas (SPA).
- 7.2 The screening stage is the first step in the HRA process. The role of screening is to identify which parts of the plan could possibly result in LSE occurring to a European Protected Site and to determine whether an Appropriate Assessment will be required. If the screening stage concludes that the plan or project will not result in any likely significant effects, then no further assessment is necessary. Should the screening stage identify any significant impact or be uncertain as to the potential impact on the European site, a Stage 2 Appropriate Assessment will be required.
- 7.3 The Habitat Regulations require the consideration of all Natura 2000 sites that have potential to be impacted by the plan or project. The effects of a plan could impact upon sites within the plan boundary; however, the nature of the plans impacts may not only be confined to these sites and may also affect Natura 2000 sites beyond the boundary of the plan and the local authority boundaries. It is therefore necessary to identify which Natura 2000 sites should be included within this HRA screening.

**IDENTIFICATION OF EUROPEAN SITES: EUROPEAN SITES WITHIN SOUTH TYNESIDE**

- 7.4 Within South Tyneside the designated Natura 2000 sites are:
  - Durham Coast Special Area of Conservation;
  - Northumbria Coast Special Protection Area;
  - Northumbria Coast Ramsar site
- 7.1 It should be noted that these designations extend along the coast beyond the boundaries of South Tyneside into the neighbouring authorities of North Tyneside, Sunderland and County Durham. There are no other European designated sites within 15km of South Tyneside boundary. A 15km buffer to identify neighbouring Natura 200 sites has been widely used by other HRA's and is regarded as best practice.
- 7.2 The baseline information for each of the European designated sites in South Tyneside is set out below, details of qualifying features and favourable conditions are set out in Appendix 2. Details are also provided for the Conservation Objectives for each site. The Conservation Objectives provide the framework which should inform any 'Habitats Regulations Assessments'. Should the Neighbourhood Plan result in an effect which could undermine any of the conservation objectives, it should be considered as having a Likely Significant Effect in terms of the HRA process.

Map 7.1 Designated Natura 2000 sites in South Tyneside



#### DURHAM COAST SPECIAL AREA OF CONSERVATION (SAC)

##### 7.5 Site Description:

The Durham Coast is the only example of vegetated sea cliffs on magnesian limestone exposures in the UK. These cliffs extend along the North Sea coast for over 20 km from South Shields southwards to Blackhall Rocks. Their vegetation is unique in the British Isles and consists of a complex mosaic of paramaritime, mesotrophic and calcicolous grasslands, tall-herb fen, seepage flushes and wind-pruned scrub. Within these habitats rare species of contrasting phytogeographic distributions often grow together forming unusual and species-rich communities of high scientific interest. The communities present on the sea cliffs are largely maintained by natural processes including exposure to sea spray, erosion and slippage of the soft magnesian limestone bedrock and overlying glacial drifts, as well as localised flushing by calcareous water

##### 7.6 Qualifying features:

Annex I Habitat – Vegetated sea cliffs of the Atlantic and Baltic coasts

<http://publications.naturalengland.org.uk/file/4980991928061672>

##### 7.7 Conservation Objectives:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats
- The structure and function (including typical species) of qualifying natural habitats, and
- The supporting processes on which the qualifying natural habitats rely

<http://publications.naturalengland.org.uk/file/5518496490586112>

#### NORTHUMBRIA COAST SPECIAL PROTECTION AREA

##### 7.8 Site Description:

The Northumbria Coast SPA includes much of the coastline between the Tweed and Tees Estuaries in north-east England. The site consists of mainly discrete sections of rocky shore with associated boulder and cobble beaches. The SPA also includes parts of three artificial pier structures and a small section of sandy beach (Stroud et al. 2001). The rocky shore areas with reefs, have small areas of sand interspersed amongst the main reefs. The man-made structures such as the piers at River Tyne South Pier and Seaham Harbour pier are used as high tide roosts. The tops of the piers and the sides are used by birds throughout the tidal cycle. The inter-tidal rock platform is an important resource used by wintering purple sandpiper and turnstones although they are commonly found along the strandline of sandy beaches. The rocky shores and the strand line support high densities of invertebrates which are important food for waterfowl. Purple sandpiper are almost entirely restricted to the rocky shore where they feed on a variety of marine invertebrates but their main food preference is for mussels, winkles and dog whelks (Feare 1996). Turnstones feed on seaweed covered rocks congregating at high tide to roost on the mainland shore or continue to feed on the washed up seaweed on the strandline. Discrete areas



of estuarine intertidal mudflats and sand flats are also included within the Northumbria Coast SPA. Arctic and little terns nest at Newton Links/Long Nanny. The Long Nanny tern site is situated at the mouth of the Long Nanny burn, in Beadnell Bay and comprises of a long section of sandy beach ending in a small, low-lying sand spit at the mouth of the river, bordered by an accreting sand dune system to the west (Bridge et al. 2014). The beaches of fine sand, vegetated banks of sea rocket and dunes of marram and lyme grass provide good conditions for nesting. Terns forage in Beadnell Bay and the surrounding coastal waters, which support large numbers of lesser sandeel *Ammodytes lancea* (Bridge et al. 2014). (<http://publications.naturalengland.org.uk/file/5648449390772224>)

**7.9 Qualifying features:**

- Little Tern (*Sterna Albifron*)
- Arctic Tern (*Sterna paradisaea*)
- Purple Sandpiper (*Calidris maritime*)
- Ruddy Turnstone (*Arenaria interpres*)

N.B. – it should be noted that Little Tern (*Sterna Albifron*) and Arctic Tern (*Sterna paradisaea*) are not known to breed in South Tyneside.

(<http://publications.naturalengland.org.uk/file/5648449390772224>)

**7.10 Conservation Objectives:**

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

(<http://publications.naturalengland.org.uk/file/5211071631851520>)

**NORTHUMBERIA COAST RAMSAR SITE**

**7.11 Site Description:**

The Northumbria Coast Ramsar site comprises several discrete sections of rocky foreshore between Spittal, in the North of Northumberland, and an area just south of Blackhall Rocks in County Durham. These stretches of coast regularly support internationally important numbers of purple sandpiper and turnstone. The Ramsar site also includes an area of sandy beach at Low Newton, which supports a nationally important breeding colony of little tern, and parts of three artificial pier structures which form important roost sites for purple sandpiper.

**7.12 Species occurring at International Importance:**

- Purple Sandpiper
- Turnstone
- Little Turn

(<https://rsis.ramsar.org/RISapp/Files/RISrep/GB1019RIS.pdf>)

**EAST BOLDON NEIGHBOURHOOD PLAN: HRA SCREENING ASSESSMENT**

7.13 Table 7.1 sets out the HRA screening assessment for the East Boldon Neighbourhood Plan. The assessment identifies potential effects which could be generated from the policy and the likelihood as to how significant those effects could be on the European Sites identified in the previous section.

**Table 7.1 East Boldon Neighbourhood Plan – HRA Screening Assessment**

Plan Policy	Likely Effects from Policy	Could the proposal result in likely significant effects on European Sites?
Policy EB1: Sustainable Development	Recreational disturbance Increased road traffic (air pollution)	This policy explains the overarching development principles in East Boldon. It supports sustainable development in the neighbourhood plan, but does not identify new development sites, therefore significant effects from recreational disturbance and air pollution are unlikely to occur from this policy. The policy includes reference to protecting and enhancing biodiversity sites - No LSE.
Policy EB2: General location of new development	Recreational disturbance Increased road traffic (air pollution)	The policy supports development within the settlement boundary of East Boldon and does not identify new sites for development. Significant likely effects from this policy are unlikely to occur – No LSE.
Policy EB3: Design	n/a	This policy sets out design principles for new development within the plan area. It does not result in new development itself – No LSE.
Policy EB4: Heritage Assets	n/a	The policy seeks to protect heritage assets and their settings and will not result in new development – No LSE.
Policy EB5: Green and blue infrastructure	n/a	The policy seeks to protect and improve green and blue infrastructure networks in the plan area. It will not result in new development – No LSE.
Policy EB6: Landscape	n/a	The policy seeks to protect the landscape and character of the plan area. The policy will not result in new development – No LSE.
Policy EB7: Biodiversity	n/a	The policy aims to protect and enhance biodiversity in the plan area and support opportunities for biodiversity in new

		developments. The policy will not result in new development – No LSE.
Policy EB8: Protecting trees and woodland	n/a	The policy seeks to protect trees in the plan area. No new development will occur from this policy – No LSE.
Policy EB9: Employment	Increased road traffic (air pollution)	The policy supports the creation and protection of jobs in the plan area. The policy will not directly result in new development and is unlikely to cause a significant increase in air pollution and road traffic – No LSE.
Policy EB10: Homeworking	n/a	This policy encourages development proposals to support home working and will not result in new development – No LSE.
Policy EB11: Cleadon Lane Industrial Estate	Recreational Disturbance Increased road traffic (air pollution)	The policy supports the continued use of Cleadon Lane Industrial Estate for employment uses. The policy details masterplan criteria which is required should the site be developed for housing. The retention of the site for employment use is not considered to result in new development or an increase in road traffic – No LSE.  Should the site be brought forward for housing development, there may be an LSE resulting from recreational disturbance. However, this is likely to be brought forward through the South Tyneside Local Plan; any potential LSE will be considered through a Borough-wide HRA to support the Local Plan.
Policy EB12: Local retail centres	n/a	The policy supports appropriate development in local retail centres. The policy is unlikely to result in new development – No LSE.
Policy EB13: The delivery of new housing	Recreational Disturbance Increased road traffic (air pollution)	The policy supports the delivery of new housing but does not allocate sites for new development – No LSE.  New housing development within the plan area may result in an LSE from recreational disturbance. However, new housing development is likely to be brought forward through the South Tyneside emerging Local Plan; any potential LSE will be considered through a

		Borough-wide HRA to support the Local Plan.
Policy EB14: Housing mix	n/a	The policy aims to influence the type and tenure of housing on new residential developments. It is not considered to result in new development – No LSE.
Policy EB15: Affordable housing	n/a	The policy aims to influence affordable housing provision within the plan area. It is not considered to result in new development – No LSE.
Policy EB16: Community services and facilities	n/a	The policy seeks to enhance and protect existing community facilities within the plan area. It is not considered that new development will occur from this policy – No LSE.
Policy EB17: Local green space	n/a	The policy identifies 10 areas to be designated as Local Green Space and protected from development – No LSE.
Policy EB18: Protected open space	n/a	The policy identifies 5 areas of proposed Protected Open Space and details mitigation measures should these areas be lost for development – No LSE.
Policy EB19: Infrastructure	n/a	The policy requires developments in the plan area to contribute towards local infrastructure requirements. It is not considered to result in new development – No LSE.
Policy EB20: Sustainable transport and new development	n/a	The policy supports the use of sustainable modes of transport and seeks to mitigate impacts on the highway network. It is not considered to result in new development and could contribute to reducing road traffic – No LSE.
Policy EB21: Metro parking	n/a	The policy supports the development of additional car parking for the East Boldon metro station. The policy does not identify a site for development – No LSE.
Policy EB22: Cycle storage and parking	n/a	The policy details requirements for cycle storage in new residential developments. The policy will not result in new development – No LSE.
Policy EB23: Residential parking	n/a	The policy details parking standards for residential developments. The policy is unlikely

standards		to result in new development – No LSE.
Policy EB24: Non-residential parking standards	n/a	The policy details parking standards for non-residential developments. The policy is unlikely to result in new development – No LSE.
Policy EB25: Active travel routes	n/a	The policy supports the extension of walking and cycling networks in the plan area. The policy is unlikely to result in new development – No LSE.

**CONCLUSION: HRA SCREENING**

7.12 On the basis of the HRA Screening Assessment set out in Table 7.1, the Local Authority have concluded that the East Boldon Neighbourhood Plan will not have likely significant effects on the Durham Coast SAC and Northumbria Coast SPA and Ramar site, and therefore the plan does not need to be subject to a HRA and Appropriate Assessment.

**8. CONSULTATION & CONCLUSION**

- 8.1 This report contains the SEA and HRA Screening for the East Boldon Neighbourhood Plan. The screening reports establish whether there is a requirement for the undertaking of a full SEA as required by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) and / or Appropriate Assessment as required by the Conservation of Habitats and Species Regulations (2017) as amended.
- 8.2 The assessment for screening of both requirements was undertaken on the draft Neighbourhood Plan policies submitted to the council on 3<sup>rd</sup> June 2020. The conclusions based on the assessments set out in this report are that a full SEA and Appropriate Assessment are not required. The reasons for this conclusion are set out in Sections 6 and 7 of this document. These conclusions have been supported by the consultation bodies (please see Appendix 3 for responses).

**APPENDIX 1 : ANNEXES I AND II EIA DIRECTIVE**

- All projects listed in Annex I are considered as having significant effects on the environment and require an Environmental Impact Assessment.
- Annex 1 and 2 of the EIA Directive 2011/92/EU can be found here: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0092&from=EN>

**ANNEX I  
PROJECTS REFERRED TO IN ARTICLE 4(1)**

1. Crude-oil refineries, installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations, Nuclear power stations, nuclear reactors including the dismantling or decommissioning of such power stations or reactors.
3. Installations for the processing, reprocessing, production or enrichment of irradiated nuclear fuel; disposal and storage of radioactive waste.
4. Integrated works for the initial smelting of cast iron and steel and the production of non-ferrous crude metals from ore.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos.
6. Integrated chemical installations for the production of basic organic and inorganic chemicals; fertilisers, plant health products, pharmaceutical products using chemical or biological process, or explosives.
7. Construction of lines for long-distance railway lines, airports with a basic runway length of 2 100 m or more, the construction of motorways and express roads. Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road or realigned and/or widened section of road would be 10 km or more in a continuous length.
8. Inland waterways and ports for inland-waterway traffic, trading ports and piers
9. Waste disposal installations for the incineration, chemical treatment and hazardous waste.
10. Waste disposal installations for the incineration or chemical treatment and non-hazardous waste.
11. Groundwater abstraction or artificial groundwater recharge schemes.
12. Works for the transfer of water resources between river basins.
13. Waste water treatment plants.
14. Extraction of petroleum and natural gas for commercial purposes.
15. Dams and other installations designed for the holding back or permanent storage of water.
16. Pipelines for the transport of gas, oil, chemicals and carbon dioxide (CO<sub>2</sub>) streams for the purposes of geological storage.
17. Installations for the intensive rearing of poultry or pigs.
19. Quarries and open-cast mining, or peat extraction.
20. Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.
21. Installations for storage of petroleum, petrochemical, or chemical products.
22. Storage sites pursuant to Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide.
23. Installations for the capture of CO<sub>2</sub> streams for the purposes of geological storage where the total yearly capture of CO<sub>2</sub> is 1.5 megatonnes or more.
24. Any change to or extension of projects listed in this Annex where such a change or extension in itself meets the thresholds, if any, set out in this Annex.

**ANNEX II**

**PROJECTS REFERRED TO IN ARTICLE 4(2)**

**1. AGRICULTURE, SILVICULTURE AND AQUACULTURE**

- (a) Projects for the restructuring of rural land holdings;
- (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes;
- (c) Water management projects for agriculture, including irrigation and land drainage projects;
- (d) Initial afforestation and deforestation for the purposes of conversion to another type of land use;
- (e) Intensive livestock installations (projects not included in Annex I);
- (f) Intensive fish farming;
- (g) Reclamation of land from the sea.

**2. EXTRACTIVE INDUSTRY**

- (a) Quarries, open-cast mining and peat extraction (projects not included in Annex I);
- (b) Underground mining;
- (c) Extraction of minerals by marine or fluvial dredging;
- (d) Deep drillings, in particular:
  - (i) geothermal drilling;
  - (ii) drilling for the storage of nuclear waste material;
  - (iii) drilling for water supplies;with the exception of drillings for investigating the stability of the soil;
- (e) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.

**3. ENERGY INDUSTRY**

- (a) Industrial installations for the production of electricity, steam and hot water (projects not included in Annex I);
- (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables (projects not included in Annex I);
- (c) Surface storage of natural gas;
- (d) Underground storage of combustible gases;
- (e) Surface storage of fossil fuels;
- (f) Industrial briquetting of coal and lignite;
- (g) Installations for the processing and storage of radioactive waste (unless included in Annex I);
- (h) Installations for hydroelectric energy production;
- (i) Installations for the harnessing of wind power for energy production (wind farms);
- (j) Installations for the capture of CO<sub>2</sub> streams for the purposes of geological storage pursuant to Directive

**4. PRODUCTION AND PROCESSING OF METALS**

- (a) Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting;
- (b) Installations for the processing of ferrous metals:
  - (i) hot-rolling mills;
  - (ii) smitheries with hammers;
  - (iii) application of protective fused metal coats;
- (c) Ferrous metal foundries;
- (d) Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining, foundry casting, etc.);
- (e) Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process;
- (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines;
- (g) Shipyards;
- (h) Installations for the construction and repair of aircraft;
- (i) Manufacture of railway equipment;
- (j) Swaging by explosives;

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- (k) Installations for the roasting and sintering of metallic ores.

**5. MINERAL INDUSTRY**

- (a) Coke ovens (dry coal distillation);
- (b) Installations for the manufacture of cement;
- (c) Installations for the production of asbestos and the manufacture of asbestos products (projects not included in Annex I);
- (d) Installations for the manufacture of glass including glass fibre;
- (e) Installations for smelting mineral substances including the production of mineral fibres;
- (f) Manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.

**6. CHEMICAL INDUSTRY (PROJECTS NOT INCLUDED IN ANNEX I)**

- (a) Treatment of intermediate products and production of chemicals;
- (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;
- (c) Storage facilities for petroleum, petrochemical and chemical products.

**7. FOOD INDUSTRY**

- (a) Manufacture of vegetable and animal oils and fats;
- (b) Packing and canning of animal and vegetable products;
- (c) Manufacture of dairy products;
- (d) Brewing and malting;
- (e) Confectionery and syrup manufacture;
- (f) Installations for the slaughter of animals;
- (g) Industrial starch manufacturing installations;
- (h) Fish-meal and fish-oil factories;
- (i) Sugar factories.

**8. TEXTILE, LEATHER, WOOD AND PAPER INDUSTRIES**

- (a) Industrial plants for the production of paper and board (projects not included in Annex I);
- (b) Plants for the pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles;
- (c) Plants for the tanning of hides and skins;
- (d) Cellulose-processing and production installations.

**9. RUBBER INDUSTRY**

Manufacture and treatment of elastomer-based products.

**10. INFRASTRUCTURE PROJECTS**

- (a) Industrial estate development projects;
- (b) Urban development projects, including the construction of shopping centres and car parks;
- (c) Construction of railways and intermodal transshipment facilities, and of intermodal terminals (projects not included in Annex I);
- (d) Construction of airfields (projects not included in Annex I);
- (e) Construction of roads, harbours and port installations, including fishing harbours (projects not included in Annex I);
- (f) Inland-waterway construction not included in Annex I, canalisation and flood-relief works;
- (g) Dams and other installations designed to hold water or store it on a long-term basis (projects not included in Annex I);
- (h) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport;
- (i) Oil and gas pipeline installations and pipelines for the transport of CO<sub>2</sub> streams for the purposes of geological storage (projects not included in Annex I);

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- (j) Installations of long-distance aqueducts;
- (k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works;
- (l) Groundwater abstraction and artificial groundwater recharge schemes not included in Annex I;
- (m) Works for the transfer of water resources between river basins not included in Annex I.

**11. OTHER PROJECTS**

- (a) Permanent racing and test tracks for motorised vehicles;
- (b) Installations for the disposal of waste (projects not included in Annex I);
- (c) Waste-water treatment plants (projects not included in Annex I);
- (d) Sludge-deposition sites;
- (e) Storage of scrap iron, including scrap vehicles;
- (f) Test benches for engines, turbines or reactors;
- (g) Installations for the manufacture of artificial mineral fibres;
- (h) Installations for the recovery or destruction of explosive substances;
- (i) Knackers' yards.

**12. TOURISM AND LEISURE**

- (a) Ski runs, ski lifts and cable cars and associated developments;
  - (b) Marinas;
  - (c) Holiday villages and hotel complexes outside urban areas and associated developments;
  - (d) Permanent campsites and caravan sites;
  - (e) Theme parks.
13. (a) Any change or extension of projects listed in Annex I or this Annex, already authorised, executed or in the process of being executed, which may have significant adverse effects on the environment (change or extension not included in Annex I);
- (b) Projects in Annex I, undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than two years.

**APPENDIX 2: DURHAM COAST SAC & NORTHUMBRIAN COAST SPA & RAMSAR SITE – QUALIFYING FEATURES & CONSERVATION OBJECTIVES**

Qualifying Features and Conservation Objectives of Durham Coast SAC and Northumbria Coast SPA			
Qualifying Features	Favourable Conditions	Vulnerabilities	Conservation Objectives
<b>Durham Coast SAC</b>			
<b>Habitat 1230: Vegetated sea cliffs of the Atlantic and Baltic coasts</b>	<ul style="list-style-type: none"> <li>• No loss in habitat</li> <li>• Minimal disturbance</li> <li>• Open terrain – no reduction in views</li> <li>• Food availability – fish, crustaceans, worms, molluscs, sub-surface invertebrates &amp; epibenthic invertebrates.</li> <li>• Retention of structures for high tide roosts</li> </ul>	Vegetated sea cliffs range from vertical cliffs in the north with scattered vegetated ledges, to the Magnesian limestone grassland slopes of the south. Parts of the site are managed as National Nature Reserve, and plans provide for the non-interventionist management of the vegetated cliffs. The majority of the site is in public ownership and an agreed management plan is being developed to protect nature conservation interests.	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats;</li> <li>• The structure and function (including typical species) of qualifying natural habitats;</li> <li>• The supporting processes on which the qualifying natural habitats rely.</li> </ul>
<b>Northumbria Coast SPA</b>			
<p><b>Arctic Tern</b> <i>Sterna paradisaea</i> 1549 pairs representing 2.92% of GB population</p> <p><b>Little Tern</b> <i>Sterna albifrons</i> 40 pairs representing at least 1.7% of the breeding population in Great Britain (1993 - 1997)</p> <p><b>Purple Sandpiper</b> <i>Calidris maritima</i> 787 individuals representing at</p>	<ul style="list-style-type: none"> <li>• Minimal disturbance</li> <li>• Food availability – epibenthic invertebrates, marine fish, crustaceans, worms and molluscs.</li> <li>• No loss in habitat</li> <li>• Open ground with sparse vegetation and open terrain</li> <li>• Retention of structures for high tide roosts.</li> </ul>	<p>Little terns are vulnerable to disturbance by tourists in the summer causing reduced breeding success. The National Trust employs wardens each summer to protect the little tern colony at Beadnell Bay</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features;</li> <li>• The structure and function of the habitats of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of qualifying features within the site.</li> </ul>

<p>least 1.6% biogeographic population (1992/3 – 1996/7)</p> <p><b>Turnstone</b> <i>Arenaria interpres</i> - 1,739 individuals representing at least 2.6% biogeographic population (1992/3 – 1996/7)</p>			
<b>Northumbria Coast Ramsar Site</b>			
<p>Little tern , <i>Sterna albifrons</i>, <b>Purple sandpiper</b>, <i>Calidris maritima</i> <b>Ruddy turnstone</b>, <i>Arenaria interpres</i></p>		<p>Little terns are vulnerable to disturbance by tourists in the summer causing reduced breeding success.</p> <p>The National Trust employs wardens each summer to protect the little tern colony at Beadnell Bay</p>	

**APPENDIX 3: CONSULTATION RESPONSES FROM STATUTORY BODIES**



Deborah Lamb  
South Tyneside Council  
Development Services  
Town Hall  
Westoe Road  
South Shields  
NE33 2RL

Our ref: PL00715462  
Your ref:  
Mobile: 07757 834 316  
Date: 18<sup>th</sup> September 2020

Sent by email to [Deborah.lamb@southtyneside.gov.uk](mailto:Deborah.lamb@southtyneside.gov.uk)

Dear Deborah Lamb,

**RE: Environmental Assessment Regulations 2004: Regulation 9  
East Boldon Neighbourhood Plan: SEA Screening Opinion, September 2020**

Thank you for consulting Historic England on the above Strategic Environment Assessment (SEA) Screening Opinion. As the public body that advises on England's historic environment, we are pleased to offer our comments.

Based on the analysis set out in the Screening Opinion, and within the areas of interest to Historic England, we agree that the emerging plan is unlikely to result in significant environmental effects and, therefore, it does not need SEA. In coming to this view we have taken the following factors into consideration:

- The plan area contains a number of heritage assets including a conservation area, a scheduled monument, several listed buildings, and the potential for non-designated assets.
- Heritage assets are fragile and irreplaceable and can be damaged by change through development both directly and indirectly by development in their setting.
- The plan is not expected to allocate sites for development.

As such, from the perspective of our area of interest, the need for SEA of the draft plan can be screened out as it is unlikely to result in significant environmental effects (positive or negative). However, the views of the other two statutory consultees should be taken into account before you conclude on whether SEA is needed. According to Regulation 11 of the above Regulations, I look forward to receiving a copy of your determination in this case.

We reserve the right to review our opinion should the plan change materially in its content and direction. Please do not hesitate to contact us if you have any queries relating to our comments or would like any further information.



Yours sincerely,

HENRY CUMBERS

**Henry Cumbers**  
Historic Environment Planning Adviser  
Historic England  
Telephone: 07757 834316  
e-mail: [henry.cumbers@historicengland.org.uk](mailto:henry.cumbers@historicengland.org.uk)

Environment Agency:

Received 11/09/2020

Based on matters within our remit, it is considered that the East Boldon Neighbourhood Plan is unlikely to have significant effects on the environment when considered against the criteria set out in Schedule 1 of the SEA Regulations. Therefore, a SEA will not be required.

Please can you send any statutory planning consultation emails to [planning.nane@environment-agency.gov.uk](mailto:planning.nane@environment-agency.gov.uk)

Many thanks

Lucy Mo

Planning Technical Specialist, Sustainable Places, North East

Environment Agency

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Date: 15 September 2020  
Our ref: 325000  
Your ref: DRAFT SEA/HRA Screening

Ms D. Lamb  
South Tyneside Council  
Development Services  
Town Hall  
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**BY EMAIL ONLY**

Dear Ms Lamb

**Planning Consultation: Habitats Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) Screening Opinion for East Boldon Neighbourhood Plan**

Thank you for your consultation on the above dated 11 August 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Screening Request - Habitats Regulations Assessment**

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened East Boldon Neighbourhood Plan ('the Plan') to check for the likelihood of significant effects on European sites. With reference to Table 7.1 – HRA Screening Assessment of the draft SEA/HRA screening report, policy EB1 Sustainable Development sets out overarching development principles for the Plan. As explained in the said policy and throughout the report, the Plan does not allocate land for development or identify new development sites therefore significant effects from recreational disturbance and air pollution are unlikely to occur from the policies. Furthermore, where development within the settlement boundaries is supported, and comes forward through the South Tyneside Local Plan (as indicated in policy EB11 Cleadon Lane Industrial Estate and EB13 The Delivery of New Housing) "any potential LSE (Likely Significant Effects) will be considered through a Borough-wide HRA to support the Local Plan." As such the report concludes in section 7.12 that Appropriate Assessment of the Plan is not required.

Natural England agree with the conclusion of the screening assessment and note that the Plan does not allocate land for development.

**Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Natural England agree with the conclusion of the SEA screening report.

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### Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

General advice regarding Biodiversity Net Gain and wider environmental gains that can be afforded through development plan policies is included in Annex A below.

For any queries relating to the specific advice in this letter only please contact Carolyn Simpson on 020 80265319. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Carolyn Simpson  
Northumbria Area Team

## Annex A

### Biodiversity net gain

#### **General advice and benefits of embedding biodiversity net gain**

Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. The National Planning Policy Framework (NPPF) highlights the role of 'policies and decision making to minimise impacts and provide net gains for biodiversity' (para 170).

Planning Practice Guidance describes net gain as an 'approach to development that leaves the natural environment in a measurably better state than it was beforehand' and applies to both biodiversity net gain and wider environmental net gains. For biodiversity net gain, the Biodiversity Metric 2.0, can be used to measure gains and losses to biodiversity resulting from development. We advise you to use this metric to implement development plan policies on biodiversity net gain. Any action, as a result of development, that creates or enhances habitat features can be measured using the metric and as a result count towards biodiversity net gain.

The Chartered Institute of Ecology and Environmental Management, along with partners, has developed 'good practice principles' for biodiversity net gain, which can assist plan-making authorities in gathering evidence and developing policy.

#### **Advice on wider environmental gains**

Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However your authority should consider the requirements of the NPPF (paragraph 72, 102, 118 and 170) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space of biodiversity strategies. Opportunities for environmental gains, including nature based solutions to help adapt to climate change, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats.

Any habitat creation and/or enhancement as a result of the above may also deliver a measurable biodiversity net gain.

#### **Evidence gathering**

Existing environmental evidence can be gathered from various sources including online data sources like MAGIC, Local Environmental Record Centres (LERCs) and strategies for green infrastructure, open space provision, landscape character, climate and ecosystem services and biodiversity opportunity mapping. Biodiversity data can also be obtained from developments that were subject to Environmental Impact Assessment (EIA) Monitoring, the discharge of conditions or monitoring information from legal agreements with a biodiversity element. This can help establish a baseline to understand what assets exist and how they may relate to wider objectives in the plan area. Cross boundary environmental opportunities can also be considered by working with neighbouring authorities, local nature partnership and/or the local enterprise partnership.



The relationship between environmental assets and key strategic growth areas may help to highlight potential opportunities that development could bring for the natural environment. The following may also be useful when considering biodiversity priorities in your plan area:

- What biodiversity currently exists, what is vulnerable or declining?
- How are existing assets connected, are there opportunities to fill gaps and improve connectivity?
- How does the above relate to neighbouring authority areas, can you work collaboratively to improve links between assets or take strategic approaches to address issues or opportunities?