



Report to Northumberland County Council

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Inspectors appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Northumberland Local Plan

The Plan was submitted for examination on 29 May 2019

The examination hearings were held between 8-11 and 22-31 October 2019, 5-6 and 26-27 February 2020 and 20 October - 19 November 2020

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Abbreviations used in this report

AONB	Area of Outstanding Natural Beauty
AWP	North East Aggregates Working Party
CAA	Civil Aviation Authority
C&I	Commercial and Industrial Waste
dpa	dwelling per annum
ELPDS	Employment Land and Premises Demand Study
ELR	Employment Land Review
GTAA	Gypsy and Traveller Accommodation Assessment
ha	Hectares
HEGO	Housing and Economic Growth Options Findings Report
HRA	Habitats Regulations Assessment
JSP	Northumberland and National Park Joint Structure Plan First Alteration
LA7	Seven local authorities comprising Northumberland, North Tyneside, Newcastle, Durham, Gateshead, South Tyneside and Sunderland
LAA	Local Aggregates Assessment
LACW	Local Authority Collected Waste
LDS	Local Development Scheme
LHN	Local housing need determined using the standard methodology
MIF	Monitoring and Implementation Framework
MM	Main Modifications
MPA	Mineral Planning Authority
MSA	Mineral Safeguarding Area
NELEP	North East Local Enterprise Partnership
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste
OGA	Oil and Gas Authority
PEDL	Petroleum Exploration and Development Licence
PPG	Planning Policy Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SCG	Statement of Common Ground
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPG	Supplementary Planning Guidance
UCO	Use Classes Order

Non-Technical Summary

This report concludes that the Northumberland Local Plan provides an appropriate basis for the planning of the County, provided that a number of main modifications (MMs) are made to it. Northumberland County Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearing sessions, the Council prepared schedules of the proposed modifications and, carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over an eight-week period. In some cases we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Clarifying the role of small villages in the settlement hierarchy and modifying the approach to development in the countryside. These MMs will ensure the Plan is justified, effective and consistent with national policy.
- Clarification regarding the employment uses on sites released from the Green Belt and the need for clearly defined boundaries to be established in order to ensure the Plan is effective.
- Deletion of a site which is proposed to be removed from the Green Belt and safeguarded for employment purposes at Prestwick Pit to ensure that the Plan is justified.
- Explanation of compensatory improvements to remaining Green Belt land to ensure consistency with national policy.
- Various modifications to housing policies and site allocations to ensure that policies reflect up to date information on local housing need and housing supply and to ensure that the Plan is justified.
- Modifications to affordable housing policy HOU 6 to reflect updated viability information.
- Introduction of a requirement for accessible and adaptable housing to ensure that the Plan is justified, effective and consistent with national policy.
- A modification to set out the commitment to undertake a partial review of the Plan within 18 months of adoption to address need for Gypsy, Traveller and Travelling Showpeople accommodation; to update the open space, sport and recreation elements of the Plan and to reflect changes to the NPPF.

- Modifications to various policies to reflect changes to the Use Classes Order and to ensure the Plan reflects the sequential approach to development in accordance with the NPPF.
- Modification to transport policies for road and rail to ensure they reflect updated evidence; do not unnecessarily safeguard land and that they are deliverable.
- Inclusion of reference to the non-official Aerodrome Safeguarding Zone at Eshott Airfield to reflect national policy and guidance.
- Ensuring that the Plan's policies for Managing Natural Resources adequately reflect the national policy targets to reduce greenhouse gas emissions.
- Ensuring that the basis and methodology for the calculation of future aggregate demand over the Plan period is fully justified and explained.
- Ensuring that the Plan's approach to the safeguarding of mineral resources and infrastructure is clear, explained and justified.
- Ensuring that the Plan's policies for waste management adequately reflect the Strategic Objectives of the Plan and that the approach to achieve net self-sufficiency in the management of waste in the Plan area is fully justified and explained.
- Ensuring that the Plan's approach to the identification of 'Potential Suitable Areas for Wind Energy Development' is explained and fully justified.
- Ensuring that the policies for renewable and low carbon energy development and associated energy storage adequately consider landscape sensitivity and the impacts on the affected community and are effective and justified.
- Deletion, alteration and addition of a number of Protected Open Space sites designated through Policy INF 5 in order to ensure the Plan is justified.
- Inclusion within the Plan of the levels of development contributions expected, to ensure consistency with national policy.
- Inclusion of the Monitoring and Implementation Framework into the Plan to ensure that the Plan is effective.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Northumberland Local Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021 (paragraph 35) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound Plan. The Northumberland Local Plan, submitted in May 2019, is the basis for our examination. It is the same document as was published for consultation in January 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and /or not legally compliant and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearing sessions, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal and habitats regulations assessment of them. The MM schedule was subject to public consultation for eight weeks. We have taken account of the consultation responses in coming to our conclusions in this report and, in this light, we have made some amendments to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the MMs as published for consultation or undermines the participatory processes and sustainability appraisal/habitats regulations assessment that has been undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted local plan. In this case, the submission Policies Map comprises the set of plans identified as Northumberland Local Plan – Publication Draft Plan (Regulation 19) Policies Map Incorporating Erratum as set out in (NCC.01.05).
6. The Policies Map is not defined in statute as a development plan document and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the Policies Map. In addition, there are some instances where the geographic illustration of policies on the submission Policies Map is not justified and changes to the Policies Map are needed to ensure that the relevant policies are effective.
7. These further changes to the Policies Map were published for consultation alongside the MMs (Schedule of Proposed Main Modifications to the Northumberland Local Plan Policies Map June 2021).
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted Policies Map to include all the changes proposed in the Northumberland Local Plan – Publication Draft Plan (Regulation 19) Policies Map Incorporating Erratum and the further changes published alongside the MMs in the Schedule of Proposed Main Modifications to the Northumberland Local Plan Policies Map June 2021.

Context of the Plan

9. The Northumberland Local Plan (2016 – 2036) covers the administrative area of Northumberland County Council outside of the Northumberland National Park, which is covered by its own separate Local Plan. A previous Core Strategy for Northumberland was prepared and submitted for examination but was subsequently withdrawn in 2017. This Local Plan will replace the Core Strategies, Local Plans and saved Local Plan policies of the former

Northumberland District authorities and the saved Local Plan policies and Structure Plan policy¹ of the former County Council.

10. The Plan was prepared in the context of the February 2019 version of the National Planning Policy Framework (NPPF). At a late stage in the examination the 2021 version of the NPPF was published. The Council have indicated that they will update the Plan in accordance with the revised NPPF as part of an early partial update of the Plan. This is a sensible and pragmatic approach to avoid delay in the adoption of the Plan. Any disadvantage of the Plan not being informed by the 2021 NPPF is outweighed by the benefits of it being adopted sooner than would otherwise be the case. We have altered the wording of **MM1** (which is explained later in this report) to reflect this commitment.

Public Sector Equality Duty

11. The Council carried out an Equality Impact Assessment to inform the preparation of the Plan (NCC.01.14). Throughout the examination, we have had due regard to the equality impacts of the Plan in accordance with the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010. This, amongst other matters, sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
12. There are specific policies relating to different types of housing need, including for people with disabilities, older people and travellers, including MMs to address some of these issues, policies which promote health and wellbeing, ensure accessibility and inclusive design. Our findings in relation to those matters are set out in subsequent sections of this report.

Assessment of Duty to Co-operate

13. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
14. Details of how the Council considers it has met this duty are set out in the Regulation 22 Statement of Consultation (May 2019)

¹ Policy S5 of the Northumberland and National Park Joint Structure Plan First Alteration (February 2005) referred to later in this report.

(NCC.01.11), the Duty to Co-operate Statement of Common Ground and Statement of Compliance (May 2019) (NCC 01.12), the Council's written responses to pre-hearing questions and hearing statements (EX/NCC/09, EX/NCC/10, EX/HS/01/01, EX/HS/13/01/01). These documents set out where, when, with whom and on what basis co-operation has taken place over all relevant matters.

15. NCC.01.12 sets out the strategic context of Northumberland in the North East region and the joint governance arrangements that exist with surrounding authorities. These include the North of Tyne Mayoral Combined Authority (comprising the local authorities of Northumberland, North Tyneside and Newcastle) and the North East Combined Authority (Durham, Gateshead, South Tyneside and Sunderland).
16. The Combined Authorities between them have devolved powers including for transport, economic development, housing and regeneration and the authorities work together on these matters. The same seven local authorities (known as the LA7) also work together on the North East Local Enterprise Partnership (NELEP) and the North East Joint Transport Committee. The former is responsible for promoting economic growth in the North East and the latter ensures collaborative working on strategic transport issues. Strategic cross-boundary planning issues are discussed at regular LA7 officer working groups including the Economic Directors, Transport Officers and Heads of Planning.
17. The Council works with Carlisle, Cumbria County Council, Dumfries and Galloway and Scottish Borders Councils. Together the five authorities are known as the Borderlands Partnership. Quarterly meetings also take place between the Cumbrian district authorities, the Lake District and Yorkshire Dales National Park Authorities, Cumbria, Lancashire, Yorkshire and Northumberland County Councils, Lancaster City Council and Dumfries and Galloway Council, known as the Cumbrian Development Plan Officers Group.
18. The Council has worked in partnership with other relevant bodies in order to address other strategic matters. In addition, consultation has taken place with a wide range of organisations and bodies as part of the formal consultation process. It is clear that many of the pre-submission changes to the Plan that were brought forward by the Council were as a result of consultation with relevant parties to address their concerns in a constructive and active manner.

19. Outcomes from the cooperation with adjoining authorities and statutory bodies has included joint submission of the Borderlands Inclusive Growth Deal, agreements on cross-boundary wastewater treatment, aligned policies for the Hadrian's Wall World Heritage Site and policies for green infrastructure and biodiversity.
20. The evidence demonstrates that the Council has worked closely with neighbouring minerals and waste planning authorities, as well as some further afield where a strategic relationship was identified, throughout the plan-making process. This includes the relevant North East Aggregates Working Party (AWP) and the North East Minerals and Waste Planning Policy Officers Group.
21. In relation to low-carbon and renewable energy, NCC.01.11 demonstrates that all neighbouring authorities and key stakeholders were consulted throughout the plan-making process.
22. Statements of Common Ground (SCG) have been agreed with all adjoining authorities and the statutory bodies. No local authority or prescribed body has raised any concerns in terms of the duty to cooperate. Whilst, at earlier stages of the plan-making process, Durham County Council had asked Northumberland County Council whether it could accommodate some of its housing need, it was ultimately concluded that each authority would seek to meet its own need. Durham has confirmed through the SCG that there are no unresolved strategic matters arising from the respective development plans of Durham and Northumberland.
23. In terms of housing and economic growth the evidence in the Duty to Cooperate Statement, the Council's letter dated 9 August 2019 and its Matter 1 Response to the Inspector's Matters, Issues and Questions (documents NCC.01.12, EX/NCC/10 and EX/HS/01/01) confirms that all of the LA7 authorities are seeking to meet their own objectively assessed needs within their administrative boundaries. The issues relating to housing and economic growth are addressed later in this report.
24. The SCG with North Tyneside raises no concerns regarding any unmet housing need and Northumberland has not been asked to take any housing which could not be accommodated in North Tyneside's administrative boundary. The North Tyneside Local Plan Inspector's Report (May 2017) (extract EX/NCC/046) confirms in relation to that Plan that duty to cooperate discussions justified a housing market area based on North Tyneside's administrative boundary. The Inspector concluded that North Tyneside's Plan forms part of "a well-

advanced jigsaw of up to date Local Plan coverage" noting the stage of the Northumberland Local Plan and the Gateshead and Newcastle Joint Core Strategy which all seek to meet their own needs.

25. In conclusion, we are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Other Aspects of Legal Compliance

Sustainability Appraisal

26. The issues relating to economic and housing growth, the spatial strategy and the Green Belt are considered in detail later in this report, but here we set out the assessment of the development options through the sustainability appraisal (SA).
27. The Council carried out the SA of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under Regulation 19 (the Sustainability Appraisal Report, document NCC.01.07 and Appendices, document NCC.01.08). The appraisal was updated to assess the MMs and consultation took place on the updated SA alongside the consultation on the MMs.
28. The SA report identifies a number of SA objectives and questions against which to assess the sustainability effects of the Plan. The main elements of the Plan, comprising the spatial vision and objectives, the amount and distribution of growth, the site allocations and the policies, have been assessed against these SA objectives and questions.
29. The SA appraises four different housing and economic development growth scenarios and five different development distribution options. The alternatives have all been assessed against the SA objectives and reasons are given for the selection of the preferred option and rejection of the alternatives. The Council considered that the reasons for the selection and rejection of the spatial options, as set out in the SA, should be supplemented. This was done in the SA Addendum June 2020 (EX/NCC/132).

30. The preferred growth option included in the Plan is the ambitious jobs-led growth of 15,000 additional workplace jobs² and 17,700 dwellings over the Plan period (Option 4). The preferred spatial strategy included in the Plan is the proportionate distribution of growth within the constraints of the Green Belt (Distribution Option 2).
31. The SA has not considered an option of increased housing numbers above 17,700 dwellings over the Plan period. Nevertheless, as detailed later in this report, the preferred growth option of 17,700 dwellings is already above the local housing need figure for Northumberland. Neither does the SA consider removing land from the Green Belt for housing. However, as concluded later, the housing supply is such that there is no need for the release of Green Belt sites. In addition, the Council are only required to consider reasonable alternatives which are capable of meeting the objectives of the Plan. The Plan sets out the strategic approach to protection of the Green Belt in Policy STP 7. This is in accordance with national policy. It is therefore reasonable that the SA has not considered housing development within the Green Belt. This is consistent with the findings of relevant High Court judgements³.
32. Land is released from the Green Belt for employment purposes, despite the large amount of employment land available over the Plan period. Nevertheless, this reflects the evidence of shortfalls in employment land in main towns which are constrained by the Green Belt. The release of Green Belt sites is justified in the SA as supporting the ambitious growth strategy set out in the Plan and is in line with various strategic economic initiatives. This is discussed in more detail elsewhere in this report.
33. In terms of the housing site allocations, whilst the SA sets out the reasons for the selection of the preferred allocations and rejection of alternative site allocations, the criteria used in the site selection process are not clear. The SA sets out the criteria for assessing the sites and a scoring system (at Appendix H) but the assessment of housing sites is set out in a different document (Appendix H of the Housing Site Allocations Selection and Appraisal Technical Paper (NCC.02.13 and EX/NCC/19)). This document uses a different,

² Option 4 of the SA sets out the figure of 16,500 additional workplace jobs from 2014 to 2036.

³ R. (on the application of Friends of the Earth England, Wales and Northern Ireland Ltd) v Welsh Ministers [2015] EWHC 776 (admin), R (on the application of RLT Built Environment Ltd) v The Cornwall Council and St Ives TC [2017] JPL 378 and Heard v Broadland DC [2012] EWHC 344 (Admin)

although similar, set of criteria to those set out in the SA and uses a different scoring system.

34. In order to increase the clarity of approach to the housing site selections the SA Addendum explains how the criteria for assessing the sites are aligned between the original SA and the Technical Paper. It also explains the scoring system and clearly sets out the reasons for the selection and rejection of housing sites. We are satisfied that the housing site selection process has been conducted in a robust manner and that the SA, together with the Addendum, adequately appraises the alternative sites against consistent criteria and gives reasons for their rejection.
35. Overall, we are satisfied that the SA has been carried out satisfactorily and that there is nothing which undermines the SA findings. The SA process was proportionate, objective and the judgements reached were reasonable and it, thus, constitutes appropriate evidence to inform the Plan.

Habitats Regulations Assessment

36. The Habitats Regulations Assessment December 2018 (NCC.01.09) (the HRA) sets out that some policies were likely to have a significant effect on specific European sites (now part of the national site network). An appropriate assessment has been undertaken of these aspects of the Plan on the interest features of the specific sites in the network. The HRA concluded that in the absence of mitigation, the Local Plan, in combination with other plans and projects, would have an adverse effect on the Northumbria Coast Special Protection Area and Ramsar Site and the Lindisfarne Special Protection Area and Ramsar Site due to increased recreational disturbance, and the North Northumberland Dunes Special Area of Conservation due to increased spread of non-native pirri-pirri bur.
37. In order to mitigate these effects, the Plan includes requirements for developers of proposals that will increase the number of residential or tourism units within 10km of the coast (7km for minor applications) to contribute to a Coastal Mitigation Service. This will comprise a warden service to manage recreational disturbance and to control pirri-pirri bur in the relevant areas. This is secured through Plan policies ENV 2, INF 6 and Appendix H4 (as modified by **MM140** as explained later in this report). With this mitigation, the HRA concludes that the Plan will not have an adverse effect on the

integrity of any European site (now the national site network). The approach is agreed with Natural England.

Other Aspects of Legal Compliance

38. The Plan has been prepared in accordance with the Council's Local Development Scheme although there has been slippage in the timescales for the examination given the need for the preparation of additional evidence, main modifications and the need for consultation on these and due to the pandemic.
39. The Regulation 22 Statement of Consultation (NCC.01.11) sets out the various stages of consultation which have taken place at each stage of the Plan. We note that the Council has drawn on the consultation undertaken for the previously withdrawn Core Strategy. However, we are satisfied that the consultation on this Plan was undertaken in a robust manner and in accordance with the Regulations. Consultation on the Plan and the MMs was also carried out in compliance with the Council's Statement of Community Involvement.
40. Consultation has taken place at Regulation 18 and Regulation 19 stages and a further eight-week consultation took place on the proposed MMs from June to August 2021. Whilst it has been suggested that the Plan was not altered significantly following the Regulation 18 consultation, the Regulation 22 Statement of Consultation (NCC.01.11) which accompanied the Plan sets out how the consultation responses were taken into account. It is not unusual for there to have been representations made during a local plan consultation which have not led to changes in the submitted plan. However, we are satisfied that the consultation has been undertaken in accordance with the relevant Regulations and does not raise any legal compliance issues.
41. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
42. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. These include policies relating to the overall spatial strategy which seeks to direct development to sustainable areas, policies relating to landscaping and trees, sustainable design and

construction, sustainable drainage, renewable and low carbon energy and wind energy.

43. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

44. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified 11 main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.
45. On 23 August 2019 Stephen Normington was appointed as assistant examiner to consider Chapter 13 of the Plan relating to minerals, waste, renewable and low carbon energy. In this report Issues 1 to 10 are matters dealt with and reported on by Susan Heywood. Issue 11 is dealt with and reported on by Stephen Normington.

Issue 1 - Is the Plan positively prepared and consistent with national policy with regard to the quantity of development that it aims to accommodate over the Plan period?

The quantity of employment land

46. A number of documents have been produced which support the Plan's approach to economic development. These include the Employment Land Review (ELR) 2011 and update 2013, the Employment Land and Premises Demand Study (ELPDS) 2015 and Partial Update 2019 and the Housing and Economic Growth Options Findings Report (HEGO) 2018. I am satisfied that the evidence has been prepared having regard to the guidance in the Planning Practice Guide (PPG) relating to housing and economic needs assessment and that it provides a proportionate and up to date assessment of need to inform the Plan.
47. The HEGO Report considers future growth scenarios using forecasts by Experian Economics. The alternative growth scenarios included a baseline option, intermediate option and an ambitious option for

employment growth. The Plan adopts the ambitious growth scenario which plans for an increase of around 750 jobs per year (16,500 workplace jobs 2014-36 as set out in the HEGO Report, which translates to 15,000 over the Plan period). The Report sets out the employment land implications of that growth having regard to the key relationships identified in the PPG which need to be quantified. This ambitious growth strategy is justified by the economic growth initiatives for the County and the anticipated growth in specific, locally important sectors, as further set out below.

48. The results identify a need for just over 40 hectares (ha) net land for B Class use over the Plan period (some of which will now fall within use Class E following changes to the Use Classes Order, a matter I address later). The Plan includes 149 ha of available employment land in employment designation. Made Neighbourhood Plans allocate 14 ha of available land and the Plan allocates a further 78 ha of employment land. In total therefore the Plan provides for 242 ha of employment land, either in already designated (and partially developed) areas or separate allocations.
49. This figure of 242 ha is significantly above the identified need for 40 ha, however, there are factors which justify the amount of land identified in the Plan. Whilst 107 ha of employment land allocated in previous plans has not been carried forward to this Plan, a large proportion of the 242 ha in the Plan is in existing occupied industrial areas or in use by stand-alone employers (149 ha).
50. In addition, the size of Northumberland means that there are differing needs in parts of the County and the existing employment land is not necessarily in the right location to meet the need. In this respect there are identified shortfalls of unconstrained, available employment sites in Hexham, Ponteland, Prudhoe and Morpeth (EX/NCC/068). This has led to the Plan's approach to allocation of employment sites in these locations. In order to 'plug the gaps' in these areas it is necessary for the employment sites to be removed from the Green Belt (because there are no suitable sites outside the Green Belt) and this justifies my conclusion later in this report that exceptional circumstances exist for the release of employment land from the Green Belt.
51. The amount of land identified in the Plan for employment purposes will allow for flexibility for land to come forward in different locations across the County, however, it is not envisaged that all of the 242 ha

will be developed over the Plan period (EX/HS/04/01 paragraph 10.5).

52. There are also specific sectors and clusters of employment land requirements which are locally important and 'land hungry', as they require large areas of land which do not translate into standard jobs per hectare ratios. These include the renewable energy sector and port related uses (EX/NCC/66). The Blyth Estuary Strategic Employment Area, allocated under Policy ECN 2 (modified by **MM13** which I address later) fulfils this role. Other strategic sites include the West Hartford Prestige Employment Area and Round 2 Enterprise Zones. I deal with the specific issues in relation to these allocations and policies later in this report.
53. A number of economic growth initiatives also form the background to the aspirational approach of the Plan to economic growth. The North East Local Enterprise Partnership's (NELEP) Strategic Economic Plan sets out an aspiration to deliver 100,000 additional jobs across the NELEP area which includes Northumberland. The Government's Offshore Wind Deal provides funding for onshore infrastructure. The North of Tyne Devolution Deal and the Borderlands Growth Deal will both provide significant investment funding to Northumberland.
54. Having regard to the above, whilst the amount of land identified and allocated for employment purposes in the Plan is aspirational, I am satisfied that it will ensure that the projected jobs growth is deliverable over the Plan period.
55. The approach is justified and in accordance with paragraphs 81 to 83 of the National Planning Policy Framework (NPPF). The Plan is therefore sound in this regard. I address later in this report the specific issue of the release of Green Belt sites for employment purposes.

The housing requirement

56. The NPPF is clear that the minimum number of homes needed should be determined using the standard method for assessing local housing need (LHN) which is set out in the PPG. At the time the Plan was prepared, the minimum LHN was an annual average of **717** net additional dwellings or **14,340** dwellings over the Plan period and this figure is set out in the Plan (at paragraph 7.8). On submission the figure had reduced to an annual average of **676** net additional dwellings for the period 2019-29 (EX/NCC/228). The PPG advises

that this figure can be relied on for a period of 2 years from the time that the Plan is submitted for examination, which in this case was May 2019. Consequently, in April 2021, the Council updated the LHN based on the latest inputs. The updated LHN for the 10 year period 2021-2031 is **615** dwellings per annum (dpa) (EX/NCC/228).

57. Nevertheless, the Plan contains an uplift to the LHN to account for the County's economic growth aspirations. The minimum housing requirement in the Plan is therefore **17,700** dwellings over the Plan period or an annual average of **885** dpa. This is in accordance with PPG advice that an uplift to the LHN may be appropriate as a result of growth strategies for the area which are likely to be deliverable.
58. The 885 dpa figure is derived from the HEGO Report which forecasts the extra population that will be needed over the Plan period to fill the jobs taking into account economic activity rates, unemployment, double-jobbing and commuting. From this it uses the assumptions of the 2014-based household projections regarding household formation rates and the size of the institutional population to establish the number of dwellings needed to ensure that there is sufficient resident labour supply to fill the forecast jobs growth over the Plan period.
59. The Council has chosen to align its housing and economic strategies in the Plan but neither the NPPF nor PPG set out any standard method for doing so. Some criticisms have been made that the headship, commuting and economic activity rates in the modelling are not robust and that increased housing need would result if different rates were to be applied. Nonetheless, I am satisfied that the method used in the HEGO as further explained in EX/NCC/56 and EX/NCC/88 is justified.
60. I have considered whether the requirement should be uplifted still further above the LHN. The figure of 885 dwellings per annum is the same as the average figure for past completions between 2006 and 2016 and is lower than the three years from 2016 to 2019 which averaged at 1,570 dpa. I understand that during some of the time in those previous years the Council was unable to demonstrate a 5 year supply of housing and this will have driven higher permissions at those times. There is no evidence to suggest that house building rates greater than 885 dpa could be sustained over the Plan period nor that they could be achieved whilst also achieving the environmental and sustainability objectives of the Plan.

61. Furthermore, the Plan is already providing for significantly more housing than the LHN identifies and there is no demonstrable need for a higher number of dwellings to be provided over the Plan period. If the Council's economic aspirations were to be frustrated by a constraint in the labour supply as a result of lack of housing, this would be something that could be addressed in a review of the Plan in 5 years' time or earlier should monitoring identify this as an issue. There is currently no evidence that this is likely to be the case.
62. The housing requirement is set out in Policy HOU 2, which is modified (by **MM33**) to ensure that it is consistent with paragraph 119 of the NPPF. This states that as much use as possible should be made of previously-developed land, but not that such land should be prioritised over other sites. It is also necessary to modify the justification to the policy to adjust the LHN figure and dates to the base date of the Plan (**MM32**). This will ensure that the policy is properly justified. Subject to these modifications I am satisfied that the Plan's housing requirement of **17,700** dwellings is justified and positively prepared.
63. In accordance with paragraph 66 of the NPPF Policy HOU 3 sets out the housing requirements for designated neighbourhood areas. In order to ensure that the Plan is justified and consistent with national policy a main modification is necessary to make clear that the housing requirement is a minimum and to incorporate updated information relating to made Neighbourhood Plans. **MM35** achieves this.

Conclusion on Issue 1

64. On the basis of the above, I conclude that the Plan is positively prepared and consistent with national policy with regard to the quantity of development that it aims to accommodate over the Plan period.

Issue 2 - Is the Plan's overall spatial strategy and approach to the distribution of housing development justified and consistent with national policy and will it be effective in helping to achieve sustainable development?

Overall spatial strategy and settlement hierarchy

65. Policy STP 1 identifies the spatial strategy which sets the approach to the distribution of development across the County. Alternative approaches were considered during the preparation of the Plan. The spatial strategy is based on a proportionate distribution of growth within the constraints of the Green Belt and this is supported by the sustainability appraisal.
66. The approach focusses the majority of new development in the key settlements with smaller scale development allowed elsewhere, but also has regard to Green Belt constraints. The settlement hierarchy identifies Main Towns, Service Centres, Service Villages and Small Villages (as modified by **MM3** and **MM133** discussed below).
67. The hierarchy within the Plan is justified by evidence relating to the existence of services including schools, shops, other key services such as GP surgeries and post offices as well as public transport services in determining into which tier each settlement should be placed (EX/NCC/82). Whilst there are differing views on where some settlements should be placed in the hierarchy, I am satisfied that the Plan is justified and sound in this regard.
68. Through Policy STP 1 and the Policies Map the Plan identifies settlement boundaries or Green Belt inset boundaries for settlements unless the local community, through the Neighbourhood Planning process, have defined a boundary, chosen not to define a boundary, or chosen not to retain a boundary previously defined in an earlier plan.
69. In the case of Alnwick, the Neighbourhood Plan was adopted in 2017 but did not include a settlement boundary. Working with the Neighbourhood Planning body the Council has identified a settlement boundary for Alnwick in this Plan. The settlement boundary includes the built form of the settlement and encompasses all sites identified for development in the Neighbourhood Plan. This is a reasonable approach which accords with the spatial strategy and I am satisfied that it is sound. **MM3** modifies the supporting text to make clear the

process which has been undertaken in defining boundaries in this Plan. Neither the policy nor the modification allow qualifying bodies to define boundaries outside of the plan-making process.

70. Where settlement boundaries are defined in the Plan they are established around the built form of settlements in order to support an appropriate level of growth over the Plan period and taking account of existing commitments and proposed allocations. Where no settlement boundary is proposed, Policy STP 1 allows development within or immediately adjacent to the built form of settlements within the hierarchy subject to criteria. Policy HOU 7 (as modified by **MM41** as considered later in this report) also allows entry-level exception sites for first-time buyers adjacent to settlements and small rural exception sites for affordable housing, self-build, custom-build and community led housing adjacent or well-related to settlements. I am satisfied that the approach is positively prepared and justified.

Housing distribution

71. The evidence indicates that Northumberland, outside of the National Park, is a largely self-contained housing market area which is being planned for on the basis of its administrative boundaries. Having regard to the plans of surrounding local authorities, which are taking the same approach, and the duty to cooperate discussions, this approach is sound.
72. The Plan outlines the spatial portrait of Northumberland and identifies four Delivery Areas that have distinct characteristics, functions and needs. These are the Central Delivery Area, including the main towns of Morpeth, Ponteland, Prudhoe and Hexham; the South East Delivery Area, including the main towns of Cramlington, Blyth, Bedlington, Ashington and Amble; the West Delivery Area, including the main town of Haltwhistle and the North Delivery Area including the main towns of Alnwick and Berwick-upon-Tweed.
73. The Plan (at table 7.1) gives an indicative distribution of housing requirements within each of the Delivery Areas and for parishes within the Delivery Areas⁴. This is informed by a proportional disaggregation of the total Plan housing requirement, but also taking

⁴ Those parishes or groups of parishes which make up the Main Towns and Service Centres are specified in Table 7.1. The table includes a figure for the 'rest of' each area which applies to the total remaining parishes in each Delivery Area.

into account the status of settlements in the settlement hierarchy, the level of commitments and any physical or policy constraints to development. In order to be positively prepared and effective, the Plan needs to make clear that these are not maximum limits but instead that they provide the basis for monitoring housing delivery at parish level across the Delivery Areas. Explanatory notes to the table also need modification to ensure clarity and therefore effectiveness. These modifications are incorporated in **MM34**. The Monitoring and Implementation Framework needs to include triggers and actions to ensure that it is effective in monitoring delivery against this aspect of the Plan. This is included in **MM141** (discussed further later in this report).

74. The Strategic Housing Market Assessment (SHMA) Update 2018 (NCC.11.01) identifies some smaller housing market sub-areas within the Delivery Areas. The Central Delivery Area can be split into the Tyneside Commuter Belt (West) containing the main towns of Hexham and Prudhoe and the Service Centre, Corbridge, and the Tyneside Commuter Belt (Central), containing the main towns of Morpeth and Ponteland. This Delivery Area is constrained by Green Belt.
75. The evidence (EX/NCC/201 and EX/NCC/202) indicates that, measured against the indicative distribution of the housing requirement in the Plan, all Delivery Areas achieve a potential supply in line with the indicative requirement. This is also the case in most of the smaller sub-areas, with the exception of the Tyneside Commuter Belt (West) housing market sub-area. This sub-area has a shortfall of 196 dwellings below the indicative requirement over the Plan period once commitments and allocations are taken into account.
76. At the smaller parish level, the potential supply (including commitments and allocations) fall short of the indicative disaggregated requirement in the parishes of Newbiggin (by 128 dwellings), Seaton Valley (by 23 dwellings), Hexham (by 60 dwellings), Prudhoe (by 47 dwellings), Belford (by 6 dwellings), Wooler by (9 dwellings) and Allendale (by 54 dwellings). I note too that in the parish of Ponteland, the supply is boosted by the inclusion of 117 committed dwellings in Medburn which is a settlement which lies outside the hierarchy.
77. Nevertheless, over the Plan period the overall supply (EX/NCC/199 and EX/NCC/200) also includes other sites from the Brownfield Land

Register or other Plan compliant SHLAA sites. These additional sites (included in the overall housing supply) would reduce or eliminate these modest shortfalls identified. These sites are estimated to come forward later in the Plan period, as such the evidence of their developability is not as certain as for those sites projected to be delivered earlier in the trajectory.

78. Three existing school sites are also identified as having development potential, one in Hexham (included in the overall Plan supply figures in EX/NCC/199) and two in Ponteland (potential windfall sites not included in the overall Plan supply figures). There is evidence from the Council that these sites will be vacated and there is a reasonable prospect that they could come forward for development during the Plan period. The Hexham site and one of the Ponteland sites are not located in the Green Belt. Whilst the site at Ponteland Community High School is located in the Green Belt, it is previously developed land.
79. Whilst it is unlikely, even if it transpires that none of these Brownfield Land Register, other SHLAA sites or school sites come forward as anticipated, the evidence demonstrates that supply within each of the Delivery Areas meets or exceeds the indicative disaggregated requirement for the Delivery Area.
80. Furthermore, whilst the Plan disaggregates the overall housing requirement to parish-based areas and Delivery Areas, this is to inform a sensible distribution of housing in the County and it is indicative only. It is not therefore essential that in all cases the disaggregated requirements are precisely met. Moreover, the NPPF does not require supply to be demonstrated at this local level. What the NPPF requires is for local authorities to determine the minimum number of homes needed informed by the LHN. I have already concluded that the Plan requirement is above the LHN and I conclude below that the overall supply of housing land across the County for the Plan period is in excess of the requirement. In this respect, by ensuring the Plan would meet identified needs, it complies with the NPPF's objective of significantly boosting the supply of homes.
81. Having regard to the above, there is a reasonable prospect that the modest shortfalls at a local level are likely to be made up during the Plan period, but even if that is not the case, the extent of the shortfalls in these areas do not make the Plan unsound and there is not therefore a need to identify further allocations in these areas.

82. I acknowledge that there is a constrained housing supply in parts of the Central Delivery Area closest to the Tyne and Wear conurbation in an area of high development pressure. This affects the main towns of Hexham, Ponteland and Prudhoe and I have considered the impact of constrained supply having regard to their role as main towns in the spatial strategy. However, each of these towns is surrounded by Green Belt which is a legitimate constraint to their expansion. I address Green Belt matters below but, suffice to say that the Green Belt in the Central Delivery Area has existed for several years and was introduced with the aim of preventing the unrestricted sprawl of the Tyne and Wear conurbation. The Council has chosen the approach of meeting its needs within the constraints of the Green Belt, other than for limited release for employment purposes, and this is a sound approach.

Strategic policies

83. In addition to the policies mentioned above, the Plan contains a number of strategic policies to deliver the vision of the Plan. The identification of settlements in table 4.1 of the Plan does not make clear which Delivery Area a settlement falls within. In addition, to ensure a consistent treatment of adjacent settlements a modification clarifies that West Sleekburn is linked to Guidepost, Stakeford and Choppington; West Thirston is linked to Felton and identified as a Service Village; and Broomley is removed from the hierarchy as it is some distance from Stocksfield to which it was linked in the table. These modifications are required to ensure clarity and consistency across the hierarchy therefore ensuring that the approach is effective. **MM3** contains the necessary modifications.

84. Table 7.2 of the Plan sets out the distribution of housing requirements, commitments and minded to approve applications⁵ broken down into each of the Delivery Areas. In order to ensure that the Plan is justified and effective, a modification is required to ensure that the table incorporates the most up to date housing land supply information. This is achieved by **MM36**.

85. Policy STP 1 and its justification explains the hierarchy and the level of development supported in each tier. A number of the criteria and the supporting text are unclear particularly in relation to the type of development which will be supported in the various settlements with and without settlement boundaries. Furthermore, as well as setting

⁵ Awaiting resolution of outstanding matters and/or S106 agreement

out the strategy for Main Towns, Service Centres and Service Villages, the policy sets criteria for development within or immediately adjacent to settlements not listed in the policy. Again, the policy and its supporting text are ambiguous and therefore not effective.

86. **MM3** resolves this and provides clarity on development which will be supported within Green Belt inset boundaries, within settlement boundaries and within or adjacent to settlements without defined boundaries and the criteria which will apply. It also ensures consistency between the policy and supporting text. It includes a definition of Small Villages which are to be identified in an Appendix to the Plan (**MM133**) and clarifies the scale of development which will be supported in such areas. This ensures that the policy is clear and effective.
87. For settlements not listed in the policy, the policy includes a limit of 10% increase on the number of dwellings in the settlement over the Plan period. However, the evidence does not justify that this is a proportionate or reasonable restriction. **MM3** therefore removes this limit and instead sets criteria to ensure development reflects the size, role, character and setting of the settlement. I have added a further change to the wording of the policy and justification to clarify that development will be subject to Green Belt policy where relevant. **MM3** also alters the supporting text to clarify the approach to the identification of settlement boundaries in the Plan. These parts of **MM3** and **MM133** are necessary to ensure that the policy is justified, positively prepared and effective.
88. Policy STP 1 is negatively worded in parts, focussing on restricting and controlling development rather than managing and guiding to appropriate locations. It also includes a criterion requiring community support for major developments in smaller settlements. The NPPF gives support for Neighbourhood Planning and paragraph 40 advises that applicants for planning permission should be encouraged to engage with the local community before submitting their application. However, the NPPF does not require community support in order for development to be approved. Such a criterion may frustrate otherwise appropriate development. **MM3** includes necessary alterations to the wording to ensure that the policy is effective and consistent with national policy.
89. The policy does not reflect the approach in paragraph 84 of the NPPF to development in the open countryside. **MM3** includes a

modification to the wording of the policy and its justification to ensure consistency with national policy. In order to ensure that existing Neighbourhood Plans are not unjustifiably undermined by the policies in the Plan, **MM3** includes an alteration to Policy STP 1 to indicate support for development in the open countryside which is in accordance with Neighbourhood Plans. This is in accordance with the support for Neighbourhood Planning in national policy.

90. Policy STP 2 contains the presumption in favour of sustainable development in accordance with the NPPF. A modification (**MM4**) is necessary to clarify that Neighbourhood Plans become part of the development plan once they are approved at referendum. This ensures that the policy is effective.
91. Policy STP 4 sets out how development proposals should contribute to climate change mitigation. The policy sets out a number of considerations when determining applications. A modification is necessary to ensure that it is clear that support will be given to proposals that help to provide future resilience to climate change (**MM5**). This will ensure that the policy is effective and consistent with national policy.
92. Policy STP 5 relates to health and wellbeing. The wording of the policy and justification is unclear having regard to its requirement for Health Impact Assessments for major development. Policy STP 6 relates to green infrastructure. The wording of this policy is also unclear in relation to requiring developments to protect and enhance local environments important to affected communities. Modifications are required in order to ensure that the policies are clearly written and unambiguous and to ensure that they are applied in a flexible and proportionate manner. This is necessary to ensure that the policies are in accordance with paragraph 16d of the NPPF and this is achieved by **MM6** and **MM7** respectively.

Conclusion on issue 2

93. Subject to the modifications set out above, the Plan's overall spatial strategy and approach to the distribution of housing development is justified and consistent with national policy. It will be effective in helping to achieve sustainable development. The Plan is sound in this regard.

Issue 3 – Is the Plan's approach to the Green Belt justified and consistent with national policy?

Context

94. There are two areas of Green Belt in Northumberland. One is the established Green Belt to the south / south east of the County. The boundaries of this Green Belt have been defined in previous development plans. In this report I refer to this Green Belt as 'the established Green Belt'. The second area of Green Belt encompasses land around and to the north of Morpeth. The detailed boundaries of the majority of this Green Belt are being defined for the first time in this Plan. In this report I refer to this Green Belt as 'the Morpeth Green Belt'.
95. The Council has produced the Green Belt Review 2015 and Addendum 2018 (NCC.08.18 and NCC.08.19) which categorises land parcels surrounding Morpeth and other settlements according to the contribution they make to Green Belt purposes. Within the documents some of the land parcels are split into smaller parcels. Whilst it can be argued that other land parcels could also have been split into smaller parcels, the approach taken to the land parcel assessment has been reasonable. The Green Belt Review Technical Paper (NCC.02.03) provides the justification for the approach of the Plan to the Green Belt.

The Plan's approach to the established Green Belt

96. The northerly extent of the established Green Belt is located to the south of Morpeth. It extends to the west of Hexham and as far as the east coast to the south of Blyth. The established Green Belt surrounds the towns of Hexham, Ponteland and Prudhoe.
97. The Plan proposes the following changes to the established Green Belt:
- The release of land for employment uses in Hexham, Prudhoe and to the south east of Ponteland, near to Newcastle Airport;
 - Release of Green Belt land to become safeguarded land to the south east of Ponteland, near to Newcastle Airport;
 - Insetting settlements within the Green Belt;
 - Minor boundary changes to correct anomalies.

98. In accordance with paragraph 140 of the NPPF, I will assess whether exceptional circumstances exist to justify each of the changes proposed.

Whether exceptional circumstances exist for the release of Green Belt for employment purposes in Hexham, Prudhoe and Ponteland

99. As set out earlier in this report the County has a significant supply of existing employment land which is being taken forward into this Plan. Nevertheless, the evidence demonstrates that there is an undersupply of unconstrained, available employment sites in Hexham, Ponteland, and Prudhoe. A further 10 – 15 ha of employment land is needed in Hexham, 5 ha in Ponteland and 10 ha in Prudhoe.
100. The Employment Land and Premises Demand Study sets out that each of the rural market towns and their hinterlands are the centre of their own functional economic area each requiring their own employment sites (EX/HS/04/01 paragraph 13.4, NCC.09.01 page 5). Consequently, the supply of employment land elsewhere in the County, or further afield in neighbouring local authority areas, would not fulfil the need identified for these towns.
101. The Employment Land Review considered the availability of all sites, including brownfield sites. It identified very limited potential to intensify sites and highlighted feasibility and viability issues with this option. The later studies confirmed these conclusions. The Council's latest figures (EX/NCC/69) identify that, of the existing employment land within Hexham, only 0.519 ha of land is available. No suitable existing employment land remains in Ponteland and 1.59 ha, split over two separate sites, remains in Prudhoe.
102. In order to consider site availability, the Council carried out Site Option Appraisals to assess and score alternative sites against consistent criteria. I will go on to consider the suitability of the sites released from the Green Belt and allocated for employment purposes in Hexham, Ponteland and Prudhoe.

Harwood Meadows, Hexham

103. Just under 10 ha of land is proposed to be released to the north east of Hexham adjoining the Egger wood processing plant to the west. The site comprises relatively flat, open farmland adjoining the A69

which forms its northern boundary. Part of the site is also allocated in the Plan as an aggregate mineral site allocation for sand and gravel under Policy MIN 7. It is envisaged that the employment site would be capable of being delivered later in the Plan period following the extraction of sand and gravel.

104. Development of the site would harm the openness of the Green Belt. It would represent encroachment into the countryside and it would extend the urban edge further towards the east. The site is also in the foreground of glimpsed views towards the historic town of Hexham when viewed from the north. The site would therefore result in harm to the Green Belt purposes. However, the impacts would be limited by the proximity of the existing industrial large-scale development at the Egger plant to the west and the containment of the site within the meanders of the River Tyne to the south and east. Consequently, the harm to openness and purposes would be limited and localised and the allocation would not harm the integrity of the wider Green Belt.

Prestwick Park, Ponteland

105. Approximately 2.5 ha of land is proposed to be released from the Green Belt adjoining Prestwick Business Park. The site is located to the east of Ponteland close to Prestwick Village to its north east. The allocation comprises flat open land, currently in agricultural use, adjoining the buildings and car park for the existing business park.
106. Development of the site would harm the openness of the Green Belt in this location. It would also encroach to a degree into the open countryside, particularly that section of the allocation to the south of the existing access road where a strong boundary to the Green Belt does not currently exist. The allocation would cause some limited harm to the purpose of preventing the merger of Ponteland and Newcastle. However, the harm to all of the Green Belt purposes would be limited by the existence of the existing business park and the limited size of the site. A strong Green Belt boundary could be created by incorporating substantial landscaping into future development. Accordingly, I conclude that the Green Belt harm would be limited and localised and the allocation would not harm the integrity of the wider Green Belt.

Prestwick Pit, Ponteland

107. Around 3 ha is proposed to be released from the Green Belt close to Newcastle Airport. The site is bounded to the east by bunding and substantial planting which also extends around part of the northern boundary. It is a generally open site with areas of hardstanding.
108. The site is located close to Newcastle's administrative boundary. Whilst there is employment land available to the south east, Newcastle City Council has confirmed that this land is required to meet their own needs for employment.
109. Development of the site would harm the openness of the Green Belt in this location. It would also encroach into the open countryside to the west of the A696 where there is currently no built development in the immediate vicinity of the site. The allocation would cause some limited harm to the purpose of preventing the merger of Ponteland and Newcastle. However, the harm to all of the Green Belt purposes would be limited by the relatively small size of the site and the proximity of the site to development at Newcastle Airport. Whilst strong Green Belt boundaries already exist along parts of the boundaries, elsewhere strong boundaries could be created by incorporating substantial landscaping into future development. Accordingly, I conclude that the Green Belt harm would be limited and localised and the allocation would not harm the integrity of the wider Green Belt.
110. The NPPF states that where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed and / or is well-served by public transport. The allocated site is previously developed land having been formerly in use as a waste recycling and storage facility and now in use for the processing of construction waste. It is also served by bus services to the airport and the site is close to the airport Metro station which is within walking distance of the site.
111. Additional evidence has been provided (EX/NCC/216, 217, 221 and 222) which demonstrates that the allocation would be deliverable notwithstanding the surrounding road network, the existence of a gas pipeline running across the site and the airport flight path safeguarding zones.

112. Some of the alternative Ponteland sites score more highly than the allocated site at Prestwick Pit in the Site Options Appraisal. The Green Belt Technical Paper (NCC.02.03) summarises the reasons for discounting potential alternative sites. This includes that some alternatives are not available for employment uses, the potential for increased Green Belt sensitivity, lack of market demand and accessibility difficulties.
113. Site 10, Clickemin Farm, is also located in the Green Belt but it lies closer to Ponteland Town Centre than the allocated site at Prestwick Pit and has a higher scoring in the Site Options Appraisal. The evidence demonstrates that this site has been discounted due to doubts over its availability, as I understand that the site has previously been promoted for housing. However, the site has been promoted for employment use through the examination which suggests that it would be available.
114. Clickemin Farm is an open, undeveloped greenfield site. The Site Options Appraisal sets out that the Prestwick Pit site has a higher contribution to the purposes of the Green Belt than the Clickemin Farm site. However, the appraisal does not give weight to the fact that the Prestwick Pit site is previously developed land as shown in additional evidence submitted during the examination (EX/OTH/14 and 15). When comparing the Green Belt impact of Clickemin Farm and Prestwick Pit, this fact leads me to conclude that the allocated site would cause less harm to the Green Belt than the Clickemin Farm site. This is in accordance with paragraph 142 of the NPPF.
115. Furthermore, the Clickemin Farm site is close to existing residential development. As such, an employment use on that site would have the potential to cause harm to the living conditions of nearby occupiers. This would particularly be the case if the site were to be developed for predominantly industrial uses which is what the allocation for the Prestwick Pit site is proposed to support. Whilst this may be less of a concern if the site were to be developed for small scale offices, the allocation at Prestwick Park, which is proposed to be allocated for that purpose, scores more highly than the Clickemin Farm site.
116. On balance therefore, I am satisfied that the judgement to allocate the Prestwick Pit site over the potential alternatives is sound.

Land at Eltringham, Prudhoe

117. Around 2.5 ha is proposed to be released from the Green Belt on the western edge of Prudhoe adjoining an existing industrial complex. The site is open land bounded by mature trees and the A695. These features would ensure that strong and permanent boundaries to the Green Belt would be created.

118. Development of the site would harm the openness of the Green Belt and would harm the purpose of protecting the countryside from encroachment. It would also reduce the gap between Prudhoe and Mickley to the south west. However, this impact would be minimised by the existence of the strong boundary created by the woodland to the west and south west of the site. Furthermore, the harm to Green Belt purposes would be limited by the small size of the site. As such, the Green Belt harm would be limited and localised and the allocation would not harm the integrity of the wider Green Belt.

Conclusion in relation to employment sites to be removed from the established Green Belt

119. As set out above, and in accordance with paragraph 141 of the NPPF, the evidence demonstrates that the strategy makes as much use as possible of suitable brownfield sites, has optimised the density of development and has been informed by discussions with neighbouring authorities about accommodating the need, albeit that the strategy seeks to meet the specific employment needs for Hexham, Ponteland and Prudhoe.

120. The Council has applied reasonable judgement to determine the most appropriate sites for allocation for the identified need. The Council's conclusions are robust and the allocated sites are sound for the reasons set out above.

121. A modification is required to Policy ECN 6 (**MM17**) to clarify the uses appropriate to each allocation, to ensure that the allocations meet the identified need. I have considered whether there is a need to further constrain the uses proposed at Prestwick Pit but agree with the Council's conclusions that this site should be restricted to main employment uses, but the policy (as modified) specifies that these should be predominantly industrial. There is no inconsistency with the supporting text (as modified) or with other policies relating to employment uses. I am satisfied that the approach to the uses on Prestwick Pit is sound.

122. **MM17** also ensures that substantial planting is incorporated along the boundaries of some of the sites where strong Green Belt boundaries do not currently exist (the Hexham and Ponteland allocations). This will reduce the impact of encroachment into the countryside and ensure that the boundaries are recognisable and permanent in accordance with the NPPF. These parts of the modification are necessary to ensure that the Plan is justified and consistent with national policy.

123. The evidence justifies the removal of sites from the Green Belt and their allocation for employment purposes to accommodate the identified need for employment land in the towns of Hexham, Ponteland and Prudhoe. Harm would result from the loss of Green Belt. However, the impact of each allocation would be primarily one of localised encroachment into the countryside and only very limited harm would be caused to the integrity of the Green Belt as a whole. There are no non-Green Belt sites available to meet the identified need.

124. If these sites were not to be allocated, new businesses would find it difficult to move into the area and existing employers would find it difficult to expand. The result could be the movement of employers away from the area, potentially out of the County to the Tyne and Wear conurbation. Existing residents could then face restricted access to employment.

125. Overall, the Council's judgement that exceptional circumstances exist to alter the Green Belt boundary in connection with these sites is sound.

Whether exceptional circumstances exist for the release of Green Belt land to become safeguarded land to the south east of Ponteland

126. The Plan seeks to safeguard a site of approximately 4 ha immediately to the south of the employment allocation at Prestwick Pit in order to meet long term employment requirements.

127. The Ponteland Neighbourhood Plan sets out an aspiration to relocate the Meadowfield industrial estate from the centre of Ponteland and allocate that site for mixed use development, including housing, to utilise brownfield land within Ponteland. The Meadowfield industrial estate remains allocated for employment purposes in the Plan. However, the rationale for the safeguarded site (as set out in the Green Belt Review Technical Paper) is that this may allow future relocation of the Meadowfield estate in a Plan review to allow for

additional housing to be developed on a centrally located, brownfield site within Ponteland.

128. As addressed above, the current need for employment land identified within the evidence documents would be met by the proposed allocations. Whilst there may be a need for further employment land in Ponteland within the next Plan period, there is no current evidence of this need. It would be very difficult to forecast such a need at this stage as the needs of businesses, both in terms of the amount of land and its location, could have changed significantly within the next 15 years.

129. The feasibility of the relocation of the Meadowfield industrial estate, and any need to utilise the Meadowfield site for mixed use, including housing, has not been demonstrated in the Plan's evidence base. If this remains an aspiration in a future Plan review, and if it can be justified, then the consequences for the need for housing and employment land can be considered and examined at that time.

130. Consequently, I am not satisfied that exceptional circumstances currently exist to justify changing the Green Belt boundaries in the established Green Belt to identify safeguarded land for employment purposes at Ponteland. A modification to the Plan is therefore required to remove the allocated safeguarded land at Prestwick Pit and to retain this site in the Green Belt. This is achieved by a modification to Policy ECN 6 and its justification (incorporated in **MM17**) and a consequential change to the Policies Map will be needed.

131. To ensure the policy is effective, Policy STP 9 and its justification also need to be modified to delete the Prestwick Pit site from the text and clarify that the remaining safeguarded land in Morpeth (addressed later in this report) is identified in Policy ECN 6. This is achieved by **MM9** and **MM10**.

Whether exceptional circumstances exist for inseting settlements within the established Green Belt

132. The Plan alters the boundaries of the established Green Belt around the villages of Broomhaugh, Fourstones, Mickley Square, Newbrough, Wall and Whittonstall to inset them in the Green Belt.

133. The detailed Green Belt boundaries in the established Green Belt were defined through various former district and borough plans. As such, the approach to settlements varies across the established Green Belt in Northumberland with some settlements washed over

and some inset. In the former Tynedale District the listed settlements were washed over by the Green Belt but included defined infill boundaries. This approach is inconsistent with national policy in the Framework which states that villages should be included in the Green Belt if their open character makes an important contribution to the openness of the Green Belt. Otherwise, the village should be excluded from the Green Belt.

134. The settlements listed above are defined as service villages or small villages within the hierarchy of settlements set out as part of the spatial strategy and policy STP 1. They are comparable in terms of scale and sustainability to other settlements which are inset in the remaining areas of the established Green Belt (those in other former district authority areas). They are also a similar scale and status within the hierarchy as villages proposed to be inset in the Morpeth Green Belt. If these villages were to remain washed over in the Green Belt, development within them would be restricted to that which is not inappropriate development as set out in the NPPF, or for which very special circumstances could be demonstrated. This would make it difficult for these villages to accept any proportionate growth which may be in accordance with the spatial strategy and it would result in an inconsistent approach across the Plan area.

135. Detailed inset boundaries have been clearly defined for these villages in accordance with a methodology set out in the Green Belt Review Technical Paper and supplemented in EX/NCC/96. The methodology is based on paragraph 143 a-f of the NPPF. Reasonable judgements have been reached to ensure that the Green Belt does not include land which it is unnecessary to keep permanently open.

136. In the light of the above, I agree with the Council's conclusion that exceptional circumstances exist for these changes and conclude that the Plan is sound in relation to the settlements it proposes to inset within the established Green Belt.

Whether exceptional circumstances exist for minor boundary changes to the established Green Belt

137. The Plan seeks to amend some minor anomalies where Green Belt boundaries in former district plans are not clearly defined. In some instances, the existing boundary cuts through buildings or curtilages. In other cases, the boundary is not clear on the ground or on OS maps. The existing boundaries therefore reduce the effectiveness of

Green Belt policy in those locations and do not comply with the NPPF to ensure that boundaries are clearly defined and permanent.

138. The Council produced document EX/NCC/95 identifying and justifying these changes. Whilst planning judgement has been used in coming to conclusions about the appropriate boundary, these judgements have been exercised reasonably. I agree with the Council's conclusion that exceptional circumstances exist to alter these existing boundary anomalies and conclude that the Plan is sound in relation to the minor boundary changes proposed.
139. The submission policies map included an alteration to the inset boundary at Ovington to align the Green Belt boundary at the rear of properties on Old Brewery Square with existing boundaries to the east and west. However, the proposed new boundary does not align with the existing garden boundaries. A change is required to the submission Policies Map to ensure that the Green Belt boundary is justified in this location.

Housing omission sites

140. I conclude later in this report that the Plan provides a sufficient supply of housing land for the Plan period in accordance with the spatial strategy, with enough flexibility to provide a good deal of certainty that the requirement will be met. Consequently, exceptional circumstances do not exist to release additional land from the established Green Belt for housing.

The Plan's approach to the Morpeth Green Belt

141. The Local Plan proposes to set the detailed Green Belt boundaries for the first time for much of the Morpeth Green Belt area. The boundaries proposed are an outer boundary, an inset boundary around Morpeth and boundaries around some villages, to inset them from the Green Belt.
142. The Morpeth Green Belt was first defined by the now saved policy S5⁶ of the Northumberland and National Park Joint Structure Plan First

⁶ Policy S5 states that "An extension to the Green Belt will extend from the existing boundary northwards to lie: to the west of Netherwitton, Hartburn and Belsay; north of Lonhorsley and west of Widdrington Station, excluding the Stobswood Opencast site; east of Pegswood; west of Ashington, Guide Post, Bedlington and the A1068; and east of Bothal, Hepscott, Nedderton and Hartford Bridge. Precise boundaries, including those

Alteration (February 2005) (the JSP). This policy remains part of the development plan and Regulation 8(4) of the Town and Country Planning (Local Planning)(England) Regulations 2012 state that the policies contained in a local plan must be consistent with the adopted development plan.

143. Policy S5 is accompanied by a Key Diagram, however this only shows the extent of the Morpeth Green Belt as an amorphous shape. It is not clear where the boundaries should be located by reference to the Key Diagram and it is the policy which sets the parameters. The policy does not make reference to the Key Diagram. There will inevitably be an element of judgement required to determine the exact location of the boundaries within the parameters of policy S5.
144. The area of land defined within policy S5 is currently within the general extent of the Green Belt as referred to in paragraph 139 of the Framework. Defining the boundaries in accordance with policy S5 does not therefore involve setting a new Green Belt. Nor does defining the boundaries involve altering boundaries as referred to in paragraph 140 of the NPPF because there are none to alter. Accordingly, exceptional circumstances are not required to define the outer boundaries of the Green Belt nor to identify the precise boundaries around settlements. Even if it could be plausibly argued that this view is not correct, defining these precise boundaries in accordance with policy S5 of the JSP would provide the necessary exceptional circumstances.

The outer boundary

145. A number of options for the detailed outer boundary are set out in the Morpeth Outer Green Belt Boundary Report 2013 (NCC.08.20) and further considered in the Green Belt Review Technical Paper. These options consist of a 'tight option' a 'medium option' and the 'Policy S5' option. The latter is also split into 'Policy S5 option 1' and 'Policy S5 option 2'.
146. The northern and western boundaries of both the 'tight option' and the 'medium option' would diverge significantly from the parameters set out in JSP policy S5 and would not therefore be consistent with

around settlements, should be defined in Local Plans having particular regard to the maintenance of the role of Morpeth as defined in Policy S7 and to the sequential approach in Policy S11" (Policies S7 and S11 have not been saved).

that policy. These options were reasonably discounted by the Council.

147. Both policy S5 Option 1 and Option 2 would result in a boundary which was consistent with policy S5. The Plan includes the Option 2 boundary which results in a wider Green Belt to the west of Netherwitton and Hartburn and to the north of Longhorsley. This provides a wider buffer between the settlements and the edge of the Green Belt to avoid development 'leapfrogging' over the Green Belt to settlements beyond which would not be in accordance with the spatial strategy. I am satisfied that the Council's judgements in relation to the chosen boundary are sound and justified by the evidence (NCC.08.20, NCC.02.03, EX/HS/03/01).

Inset boundaries

148. As set out above, the methodology for setting the detailed boundaries around settlements is justified in the Green Belt Review Technical Paper and supplemented in EX/NCC/96. For Morpeth, the inset boundary in large parts aligns with the adopted Neighbourhood Plan boundary. However, it also includes the built-up part of committed sites, allocated sites and land safeguarded for employment purposes. Some land to the north of the adopted Neighbourhood Plan boundary is excluded from the Green Belt and included within the inset. This land is not allocated for any purpose but is identified in the Plan as White Land which provides some flexibility to meet any needs not identified in the Plan which may arise during or beyond the Plan period.

149. The inset boundary for Morpeth includes a site of around 5 ha at Coopies Way which is to be safeguarded for long-term employment needs beyond the Plan period in accordance with paragraph 143d of the NPPF. As a result of the deletion of the safeguarded site at Ponteland (discussed above), and to accord with **MM9** and **MM10**, the wording of Policy ECN 6 in so far as it relates to Coopies Way is to be altered to ensure the policy is effective. In order to ensure consistency with national policy, the modification also clarifies that Coopies Way is not allocated for development but may be allocated in a future update of the Plan. This is achieved by **MM17**. I consider the employment land considerations of safeguarding this site later in this report.

150. In addition to the Morpeth inset boundary, the Plan identifies inset boundaries for the towns and villages identified in the settlement

hierarchy. Where necessary, the inset boundaries have been drawn to allow for allocations or commitments within them. This accords with the spatial strategy. Other settlements which currently have adopted settlement boundaries in the Castle Morpeth Local Plan, or those identified in Neighbourhood Plans are also excluded from the Green Belt and inset boundaries defined. Boundaries are drawn, in accordance with the methodology, so as not to include land which it is unnecessary to keep permanently open and to ensure clear, recognisable and permanent boundaries in accordance with the NPPF. I am satisfied that the Council's judgements in relation to the boundaries is sound.

151. It has been suggested that other sites should be included within the inset boundaries and excluded from the Green Belt. As concluded later, the housing supply situation is sufficient for the Plan period and beyond and there is no justification, either in terms of spatial distribution or the need for additional housing sites, to allocate additional greenfield land for housing.
152. These other sites form part of wider land parcels included within the 2015 Green Belt Review and 2018 Addendum. The sites are detailed in document EX/NCC/96. Whilst individual sites only form small parts of the wider land parcels, I am satisfied that the conclusions reached in relation to those land parcels in the Green Belt Review documents are also applicable to the smaller sites. In this respect, whilst land parcel MH07 straddles the Morpeth northern bypass, land which lies to the south of the bypass (site 6900) nevertheless serves the purposes of safeguarding the countryside from encroachment and preventing the unrestricted sprawl of Morpeth. Even though the land is contained by surrounding roads and woodland, I am satisfied that it makes a high contribution to the Green Belt in line with the wider land parcel assessment.
153. For the above reasons, I conclude that the Council's judgements are reasonable and the approach to the Morpeth Green Belt in the Plan is justified and in accordance with national policy.
154. Some minor changes will be needed to the Policies Map to align inset boundaries with the Neighbourhood Plan boundaries. This is to ensure that boundaries are justified and consistent with paragraph 143b and f of the NPPF. These changes are relatively minor and are identified on the Schedule of Proposed Main Modifications to the Northumberland Local Plan Policies Map.

The need for safeguarded land for housing and other Green Belt matters

Safeguarded land for housing

155. As I have said, I conclude later in this report that the Plan would provide sufficient land in accordance with the spatial strategy to meet the identified need for housing for the Plan period and beyond. There is therefore no justification for a further release of Green Belt land for housing. It is not possible to know at the current time whether changes will be needed to Green Belt boundaries in future reviews of the Plan as that will depend on the amount of development needed at that time, the spatial strategy for accommodating it, and the availability of non-Green Belt sites. It would be premature to attempt to make decisions about any of those factors now, and there are certainly not exceptional circumstances to justify modifying the Plan to take additional land out of the Green Belt in order to safeguard it to meet unknown development needs after the end of the Plan period.

156. I have noted above the existence of unallocated White Land in Morpeth which can accommodate development needs which are not identified in this Plan; it may come forward during or beyond the Plan period. The Council has used its judgement to establish the boundaries of the White Land and there is no evidence to suggest that this is not reasonable.

157. It is not possible to predict with any certainty what development needs will be in 15-20+ years. Having regard to the considerations which exist at this time, the Council's housing land supply for the Plan period and the inclusion of unallocated White Land in the Morpeth inset provide the necessary justification to enable me to find that the Plan complies with paragraph 143e of the NPPF.

Previously developed sites

158. There are some previously developed sites in the Green Belt which are promoted for development or have been redeveloped. These are identified in EX/NCC/96 and are located both in the established Green Belt and in the Morpeth Green Belt. In the established Green Belt, exceptional circumstances would need to be demonstrated to remove these sites from the Green Belt in accordance with paragraph 140 of the NPPF.

159. Given my conclusions below regarding the housing land supply, there is no need to identify further housing sites. In addition, these sites are in locations where development would not be consistent with the spatial strategy. The Framework is clear that such sites can exist within the Green Belt and can be redeveloped subject to meeting national Green Belt policy. Accordingly, there is no need for these sites to be removed from the Green Belt and I am not therefore satisfied that exceptional circumstances exist.
160. Two previously developed sites are located in the Morpeth Green Belt; St Mary's and Hepscott Park. I have set out above my conclusion that defining the boundaries around settlements in the Morpeth Green Belt does not require exceptional circumstances. Alternatively, if that is not the correct interpretation, setting the boundaries in accordance with policy S5 would provide the exceptional circumstances.
161. However, these two sites in the Morpeth Green Belt are both housing developments with very limited services. I do not therefore consider that they are settlements for the purposes of policy S5. They are also detached and separate from other settlements within the settlement hierarchy. That being the case, insetting these developments would not be in accordance with policy S5. Even if it could be argued that these are settlements, the same considerations apply to these sites as to those in the established Green Belt: there is no need to identify further housing sites; these sites are in locations where development would not be consistent with the spatial strategy and the Framework is clear that previously developed sites can exist within the Green Belt.
162. Accordingly, there is no need for these sites to be removed from the Green Belt. The Council's judgement that these sites should be washed over in the Morpeth Green Belt is therefore sound.

Compensatory improvements and other Green Belt matters

163. Policy ECN 6 refers to compensatory improvements where there is a loss of Green Belt. Whilst this is in accordance with paragraph 142 of the NPPF, the policy requires improvements to Green Belt adjoining the development site which may not be in the control of the developer seeking planning permission. The policy is also ambiguous about what improvements are to be sought and how these would be secured. As such, this part of the policy is not effective. Further evidence has been submitted (EX/NCC/127) and a modification is

required to the wording of the policy and supporting text which clarifies that other land (not just adjoining land) can form part of the compensatory improvements. The modification also clarifies the type of improvements which will be sought and the mechanism to secure them. **MM17** includes this modification and ensures that the policy is effective and justified.

164. Policy STP 7 sets the strategic approach to the Green Belt which is defined on the Policies Map. Whilst the policy is sound, some very minor changes to the Green Belt boundaries identified on the Policies Map are needed to correct cartographic errors. These changes are in addition to the changes addressed above and are detailed in the Schedule of Proposed Main Modifications to the Northumberland Policies Map (June 2021). This will ensure that the policy is justified and effective.

165. Policy STP 8 relates to development in the Green Belt. Its wording in places does not comply with the NPPF and modifications are therefore required to ensure consistency with national policy. The policy contains a definition of limited infilling. Whilst there is nothing in the NPPF which defines limited infilling, neither is there anything which prevents such a definition in a Local Plan. I am satisfied that the evidence justifies the inclusion of this policy. However, the policy appears to place unjustified restrictions on the redevelopment of previously developed land in conflict with NPPF paragraph 149g. The wording of the policy and supporting text should therefore be modified to clarify that it relates to limited infilling in villages in accordance with NPPF paragraph 149e. **MMS** is necessary to ensure consistency with national policy.

Conclusion on Issue 3

166. On the basis of the above, and subject to the main modifications identified, I conclude that the Plan's approach to the Green Belt is justified and consistent with national policy and is otherwise sound.

Issue 4 - Does the Plan identify sufficient land to ensure that the identified need for housing during the Plan period can be met and that a five year supply can be maintained?

Overall supply

167. As set out above Policy HOU 2 sets out the housing requirement over the Plan period. The Northumberland Strategic Housing Land Availability Assessment 2019-2036 (SHLAA) sets out the site assessment methodology and 5 year supply at March 2019. The SHLAA is produced using input from the SHLAA Partnership and Site Assessment Panel which include representatives from private sector housebuilders, registered social landlords and estate agents / surveyors.
168. During the examination the Council updated its evidence relating to housing land supply to a base date of March 2020 (EX/NCC/201, 202, 203, 199 and 200). In updating the supply, the Council used updated information in relation to completions, lapsed planning permissions, minded to approve sites⁷, sites with outline permission which had subsequently been granted reserved matters approval and new sites granted or minded to approve since the SHLAA base date. Additional developer information was also sought to inform the forecast delivery of homes on some sites and site visits were carried out by Council officers on targeted sites to sense-check the information.
169. The updated evidence takes account of PPG advice in relation to deliverable and developable housing sites. Sites which are deliverable in principle have been included within the 5 year supply where verified by the updated evidence. A number of sites which the PPG advises would be deliverable in principle have been discounted from the 5 year supply where the evidence indicates that these sites will be unlikely to come forward within the 5 year period. These sites have instead been included in the developable supply to come forward later in the Plan period. All site allocations in the Plan and in made Neighbourhood Plans (which do not already have planning permission) are included within the developable supply for years 6-10 or 11-15 of the Plan period.

⁷ Awaiting resolution of outstanding matters and/or S106 agreement

170. I am satisfied that the updated evidence is proportionate and justifies the housing land supply trajectory in the Plan. To ensure that the Plan is justified and effective, a main modification is required to Appendix C (formerly B) to update the housing trajectory in order to reflect this updated information (**MM135**) and to Appendix B (formerly A) to update the information regarding Neighbourhood Plan housing site allocations (**MM134**).

171. The overall Plan supply is made up of completions since the start of the Plan period, sites with planning permission, sites which the Council is minded to approve, allocated sites, other potentially developable sites (sites on the Brownfield Land Register or other SHLAA sites without planning permission) and a small sites windfall allowance. The latter is set at 100 dwellings per year from small sites (less than 5 dwellings). This represents a reasonable average from previous years (2011 to 19) and future supply is likely to be realistic given the size of Northumberland and policies which allow for development outside settlement boundaries or adjacent to settlements with no boundary. Realistic build out rates, lead in times and lapse rates have been applied.

172. The updated evidence demonstrates an overall housing supply for the Plan period of **25,100** dwellings. This provides a good measure of flexibility when set against a requirement of **17,700** dwellings over the Plan period such that, if some sites do not deliver within the expected timescale, there is a significant buffer which provides a good deal of certainty that the Plan requirement will be met.

Allocated housing sites

173. Policy HOU 4 identifies the sites to be allocated in the Plan for housing by Delivery Area. The evidence shows that two of the allocated sites are unlikely to be deliverable over the Plan period for the reasons set out below. These have been removed from the overall supply of housing and the allocations need to be deleted from the Plan in accordance with the updated evidence. These sites are:

- HOU 4b.iii – Telephone Exchange, Gairrigg, Hexham: this site is in active use and unlikely to be available over the Plan period;
- HOU 4d.xii – West Woodburn Filling Station, A68, West Woodburn: there is no interest from the landowner in redeveloping this site.

174. Other sites have been removed from the supply due to heritage impact concerns. These considerations will be addressed later in this report but, as a result, the sites need to be removed from the allocations in HOU 4. These sites are:

- HOU 4d.x – Land West of Smithy, A696, Otterburn;
- HOU 4d.xi – Land South of Westmor, A696, Otterburn.

175. The site areas and capacity on other sites are also altered as follows:

- HOU 4a.v – Land north-west of Spital House Farm, North Seaton Road, Newbiggin-by-the-Sea. The capacity on this site is increased from 20-35 dwellings as set out in HOU 4 to 55-85 dwellings due to the expansion of the site area;
- HOU 4b.iv – Former Police Houses, Fairfield, Tynedale Terrace, Hexham. The site area is reduced but capacity remains the same at 15-20 dwellings;
- HOU 4d.vii – Land at Station Road, Haydon Bridge. Site area is reduced and capacity reduced accordingly from 15-20 dwellings to 9 dwellings.

176. It is necessary to modify Policy HOU 4 and make corresponding changes to the Policies Map to reflect the updated position on site allocations. The settlement boundary on the Policies Map also needs to be altered for Otterburn to exclude the two deleted sites referred to above. The modification also includes flexibility in the requirements for development on allocated sites to be guided by masterplans and in the type of evidence required to demonstrate local housing needs. The need to have regard to the Heritage Impact Assessments (discussed below) is also included in the modification. These changes are incorporated in **MM37** and are necessary to ensure that the Plan is justified and effective.

177. I have considered the criticism that the housing supply in the Plan is, to a large degree, made up of commitments and there are only relatively few allocations in the Plan. Sites with planning permission or with a Council resolution to grant permission for residential development totalled over 14,000 units in March 2020 (EX/NCC/202). There is no evidence to show that the majority of commitments are unlikely to be built. It is therefore clear that existing commitments form a large proportion of the overall supply. There is nothing inherently unsound with this approach and indeed it gives greater certainty that the supply will be deliverable.

178. The number and distribution of housing allocations in the Plan clearly had to take account of the existing commitments. As a result, there are limited or no allocations in some areas, including in some Main Towns, where the level of commitments is sufficient to deliver the indicative disaggregated requirement over the Plan period for each Delivery Area. Whilst this may result in housing development in some areas slowing down over the Plan period as commitments are built out, this does not make the Plan unsound. The fact that the Council has granted planning permission for a large number of sites shows a positive intent in relation to meeting housing needs. There is no requirement for the Council to allocate additional sites where those committed sites are projected to meet the identified need for the Plan period.

5 year supply

179. As set out above, the minimum requirement in the Plan is for **17,700** dwellings over the plan period or **885** dwellings per year if the requirement is divided up equally over the full Plan period.

180. For plan-making, the NPPF requires plans to meet the development needs of their area and that strategic policies should, as a minimum, provide for objectively assessed needs for housing (paragraph 11). In the case of Northumberland, the policies and allocations in the plan are sufficient to ensure a high degree of confidence that the requirement will be met and potentially exceeded. In this respect the Plan does what the NPPF requires.

181. The NPPF goes on to say (at paragraph 68) that planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period. When the start of the plan period is in the past, there would be no benefit in identifying a retrospective supply. Accordingly, it is important that plans identify a 5 year supply of deliverable housing sites at the point of adoption. This would accord with paragraph 75 of the NPPF which confirms that a 5 year supply can be demonstrated where it has been established in a recently adopted plan.

182. In calculating the 5 year housing requirement the Council has taken account of completions since the start of the Plan period in 2016. From the beginning of the Plan period in 2016 to March 2020

completions have totalled 6,580⁸ against a requirement of 4,425 dwellings over that time period (885 dwellings per year).

Consequently, there has been an over-supply of housing against the annual requirement since the beginning of the Plan period. These completions have been deducted from the minimum Local Plan requirement of 17,700 dwellings to give a residual requirement of 11,120 dwellings needed for the remainder of the Plan period to 2036. The Plan reasonably assumes a 5% buffer at this time, in accordance with the NPPF, giving an estimated 5 year requirement for the remainder of the Plan period of **3,649** dwellings or 730 dwellings per year. The evidence demonstrates that there will be a supply of **7,466** dwellings over the 5 year period 2020-2025, equating to a **10.2 years' supply** (figures from EX/NCC/119).

183. On this basis the Plan demonstrates that there will be well in excess of a 5 year supply of deliverable sites on adoption when measured against the housing requirement of 17,700 dwellings. This is in accordance with both paragraph 68 and paragraph 74 of the NPPF.

184. I have considered whether this method of taking account of an over-supply in the early years of the Plan and calculating a residual requirement is a sound approach. I note that what could be considered to be different views have been taken elsewhere both by local authorities and by Inspectors at appeal⁹. However, these previous decision makers had to determine the planning application or appeals before them, whereas my role is to examine whether the approach taken in the Plan is sound, which involves a consideration of the approach taken to setting the requirement.

185. The NPPF is silent on whether past over-supply against a notional annual requirement, based on dividing the whole plan requirement by the total number of plan years, can be used to reduce the requirement over the remaining years of the plan. PPG does acknowledge that past over-supply should not be ignored and that it

⁸ This includes estimated forecast completions from 1 Jan to 31 March 2020 due to the date of production of the updated supply evidence.

⁹ EX/OTH/12 and 13: Sunderland City Council Annual Position Statement July 2020 including references to appeal decisions and Inspector's Report on the Council's Annual Position Statement. In EX/OTH/13, in confirming the 5 year supply, the Inspector notes that the Council changed their method of calculation so that they no longer reduce the requirement for the remaining plan years to take account of an over-supply in earlier years. However, the Inspector does not make any comment on that alternative approach.

can be used to offset any shortfalls against requirements from previous years. However, it does not directly address this point.

186. The NPPF states that plans should look ahead over a minimum 15 year period from adoption (paragraph 22). The Plan period runs for a 20 year period from 2016 to 2036 and the housing requirement is calculated over that period. Where the start of the Plan period is in the past, as in Northumberland, it is entirely reasonable that the amount of housing completed in the earlier years before adoption is taken into account in determining the residual amount of housing to be planned for in the remaining Plan period. In this way the Plan will ensure that the supply is focussed on meeting the minimum requirement over the Plan period, and looks ahead 15 years, as required by the NPPF. If there had been an under-supply in the earlier years of the Plan, this would need to be made up in future years of the Plan in order to ensure that it meets its need. It is therefore logical to also take into account any over-supply against a notional annual target applied retrospectively to past years. Neither the Framework nor the PPG preclude this.
187. I have considered whether the approach taken in the Plan would support the Government's objective of significantly boosting the supply of homes. This is set out in paragraph 60 of the NPPF where it states that to support this objective "it is important that a *sufficient amount* (my emphasis) and variety of land can come forward where it is needed". It must be noted that the NPPF does not say that in order to significantly boost housing supply the Plan must identify land sufficient to ensure that the minimum requirement for the Plan period is exceeded.
188. The NPPF goes on to set out how land for homes should be identified and how supply and delivery can be maintained. As long as the Plan meets these requirements it can be said to be supporting the objective of significantly boosting the supply of homes. As set out above, the Plan meets these requirements to identify sufficient land and to maintain supply and delivery.
189. The Plan requirement should be seen as a minimum. However, this does not mean that there is a need for authorities to plan to exceed their requirement. What is needed is for authorities to seek, as a minimum, to meet the area's objectively assessed needs (paragraph 35a). Nothing in the Plan would prevent the minimum requirement from being exceeded and indeed the supply in the Plan is significantly more than the requirement.

190. If I were to ignore the over-supply of housing since the start of the Plan period and require the Plan to provide for the annual total of 885 dwellings every year, this would effectively require the Plan to exceed the identified need of 17,700 dwellings over the Plan period. It would mean that even with an overall supply of 25,100 dwellings over the Plan period, which is well in excess of the 17,700 requirement, the Council might not be able to demonstrate a 5 year supply towards the end of the Plan period. To find the Plan unsound on this basis would be illogical. Ultimately, this would penalise local authorities where there has been a healthy delivery in the early years of the Plan period. It could therefore act as a perverse disincentive to over-delivery in the early years, or indeed in any of the individual years, of the Plan. This approach is consistent with a recent judgement on this issue (albeit in the context of an appeal) that the decision whether or not to reduce the residual annual requirement having regard to previous over-supply is for the planning judgement of the decision maker¹⁰.

191. In order to ensure that the Plan is justified and effective it is necessary to set out how the 5 year supply is calculated including the residual requirement and identification of a 5% buffer. This is done by adding a footnote to existing text through **MM38**.

Conclusion on Issue 4

192. I conclude that the Plan does identify sufficient land to ensure that the identified need for housing during the Plan period can be met and that a 5 year supply can be maintained as required by national policy. Subject to the main modifications identified above, it is therefore sound in this respect.

¹⁰ Tewkesbury Borough Council and SoS for Housing Communities and Local Government and JJ Gallagher Ltd and Richard Cook [2021] EWHC 2782 (Admin)

Issue 5 - Does the Plan contain justified and effective policies to help ensure that the housing needs of different groups in the community can be met throughout the Plan period?

Housing types and mix

193. In order to ensure a good mix of small and medium sites for housing, Paragraph 69 of the NPPF seeks to ensure that local planning authorities identify land to accommodate at least 10% of the housing requirement on sites no larger than 1 ha. Updated evidence was provided during the course of the examination which demonstrates that this is achieved (EX/NCC/117). **MM38** alters existing text within the housing chapter of the Plan to reflect the updated evidence. This is required to ensure that the Plan is justified.

194. Policy HOU 5 sets out the need for a range of homes to be provided. A main modification is required to make clear that developments should contribute to meeting identified need and to allow flexibility in the type of evidence to demonstrate local housing need. The policy also sets out the support for community-led self-build and custom housebuilding. A main modification is required to make it clear that stand-alone plots will be encouraged in addition to plots set aside by commercial housebuilders. These modifications are included in **MM39** and are necessary to ensure that the Plan is effective.

Affordable housing

195. The SHMA identifies a need for 151 affordable homes per year based on analysis carried out in accordance with PPG advice (NCC.11.01 Technical Appendix B). This is equivalent to 17% of the annual average housing requirement of 885 dwellings per year.

196. In order to help meet the need, Policy HOU 6 requires all major development proposals, or proposals for 5 or more units in the Northumberland Coast Area of Outstanding Natural Beauty (AONB), to provide affordable homes. The amounts to be provided range from 30% in the highest value areas to 10% in low value areas. Tenures are to reflect local housing need.

197. The Council has produced a draft Housing Strategy for Northumberland 2019-2021 (EX/NCC/29) which explains the means of funding and developing affordable housing, including Council-

owned properties. In addition, in order to help address the affordable housing needs of rural communities, Policy HOU 7 gives support to Rural Exception Sites adjacent or well-related to an existing settlement subject to criteria. In order to ensure that this policy is effective a main modification is required (**MM41**) to allow flexibility in the type of evidence to demonstrate local housing need.

198. Affordable housing completions have averaged around 19% of net housing completions since the start of the Plan period (NCC.11.11). Annual delivery of net housing completions is projected to be above the annual average 885 dpa requirement up to 2031 (EX/NCC/200) and many developments are predicted to be of a size above which Policy HOU 6 would expect affordable housing contributions. As such it is likely that a good level of affordable housing will continue to be delivered. On this basis I am satisfied that the Plan sets out a proportionate approach to affordable housing which is justified by the housing need and viability evidence.
199. The evidence (EX/NCC/119, EX/NCC/203) demonstrates that in some of the larger settlements in the Green Belt, sites within the supply include the provision of affordable housing. Some sites which are projected to be developed later in the Plan period are also of a size where affordable housing would be expected under Policy HOU 6. Nevertheless, I acknowledge that the chosen strategy and approach to the Green Belt means that opportunities for affordable housing in some settlements in the Green Belt are limited. Where there are areas of Green Belt, inevitably a balanced approach must be taken between the need for affordable housing and the need to protect the Green Belt. I have set out above my conclusions on the soundness of the approach to the Green Belt, the spatial strategy and the distribution of housing. The evidence in relation to affordable housing does not change my conclusions.
200. In order to reflect the viability evidence and ensure that the Plan is justified and effective and consistent with national policy, a number of modifications to Policy HOU 6 and its justification are necessary. These are incorporated in **MM40** and consist of a modification to the affordable housing contribution to exclude developments of between 10 and 30 dwellings in low and medium value areas; reduced affordable housing contributions if justified due to specific scheme viability; a modification to the policy to clarify that robust justification is needed for off-site provision and confirmation that off-site provision should help to create mixed and balanced communities; greater flexibility in the evidence required to demonstrate local

housing needs; and reference to monitoring is removed from the policy as this is set out in the justification.

201. Policy HOU 6 refers to the calculation for a commuted sum for off-site provision as being in accordance with the Council's commuted sum protocol, but this is not included in the Plan contrary to paragraph 34 of the NPPF. In order to ensure that the Plan is consistent with national policy **MM136** incorporates the methodology for calculating the level of contributions required for off-site affordable housing into Appendix D of the Plan.
202. The Policies Map identifies the different value areas. A change to the delineation of the value areas in parts of Cramlington and Blyth is required to reflect the methodology set out in the evidence. This has the effect of moving some areas from low value to medium value areas with the result that these areas will be subject to higher affordable housing contributions. This change is necessary to ensure that Policy HOU 6 is justified.

Older persons housing and accessible housing

203. Footnote 46 of the NPPF states that planning policies for housing *should* (my emphasis) make use of the Government's optional technical standards for accessible and adaptable housing where this would address an identified need for such properties. PPG advises that where an identified need exists, plans are expected to make use of the optional technical housing standards to help bring forward an adequate supply of accessible housing (para 09 Ref ID: 63-009-20190626). The PPG states that it is for local planning authorities to set out how they intend to approach demonstrating the need for accessible and adaptable dwellings and reference is made to a wide range of official statistics which authorities can consider.
204. The number and proportion of older residents in Northumberland is identified in the SHMA update as one of the key strategic challenges facing Northumberland. The number of households who are headed by a person aged 60 and over is projected to increase by 32% over the Plan period. In addition, disability rates in Northumberland are generally higher than for England as a whole. The SHMA update therefore concludes that "there is a compelling case" for the adoption of both M4(2) and M4(3)¹¹ dwellings. The viability assessment (NCC

¹¹ M4(2) Category 2: Accessible and adaptable dwellings; M4(3) Category 3: Wheelchair user dwellings.

18/01) demonstrates that many developments remain viable with the M4(2) and M4(3) standards.

205. Nevertheless, despite the identified need and the evidence of viability, the Plan does not include a policy requiring accessibility and adaptability standards. This approach conflicts with the NPPF and is not in line with the Public Sector Equality Duty (PSED) which, amongst other things, aims to eliminate discrimination and advance equality of opportunity for persons with a 'relevant protected characteristic'. Such characteristics include age and disability.

206. The Council has subsequently produced further evidence of need (Appendix B & C to EX/NCC/189) to justify a main modification to Policy HOU 11 (**MM45**) to introduce a requirement for 20% of new open market dwellings and 50% of affordable dwellings to meet or exceed the M4(2) standards¹². I am satisfied that this evidence is proportionate and in accordance with the PPG and that it justifies the need for the M4(2) standard.

207. The requirement has been subject to additional viability testing in the Viability Addendum June 2020 (EX/NCC/133) where it has been tested alongside other updated policy requirements including affordable housing and open space. The results show that most developments remain viable with the additional costs of this policy requirement. There are recognised viability issues for developments of below 30 dwellings in low value areas. The main modification policy wording reflects this in making exceptions for developments of less than 30 dwellings in low value areas, or where site specific factors would make the site unsuitable for older persons or those with mobility difficulties. I have introduced additional changes to allow for other factors which may make a development unviable to be taken into account and to delete the requirement for a Design and Access Statement to demonstrate that the site is not suitable.

208. **MM45** is therefore necessary to ensure that the Plan is effective and consistent with national policy.

Accommodation for Gypsies, Travellers and Travelling Showpeople

209. Policy HOU 12 sets out the need for between 4 and 8 transit pitches and up to 8 permanent pitches to meet need identified in the

¹² The evidence shows that a policy requirement for M4(3) dwellings would not be justified or effective.

Northumberland Gypsy, Traveller and Travelling Showpeople
Accommodation Assessment 2018 Update (the GTAA).

210. Whilst the GTAA was updated in 2018, the base survey data was collected in 2014 and has not been subsequently updated. Consequently, it cannot be said to be sufficiently up to date to be reflective of the needs of the current population. In addition, the GTAA does not address any need arising from private sites in the County and the supply of sites is derived entirely from pitch turnover with no supporting information to establish that this is a robust and realistic form of supply. This does not constitute a robust and up to date understanding of need as required by Planning Policy for Traveller Sites (PPTS). Furthermore, despite identifying an immediate need for transit pitches the Plan does not allocate a site for this. This is not a sound approach.
211. In order to overcome this, an updated GTAA is needed and, to comply with PPTS, a 5 year supply of specific deliverable sites would need to be allocated to meet any identified need. This would be a substantial piece of work which would result in significant delay in the examination and adoption of the Plan. Such a delay would have adverse effects on housing delivery and the provision of affordable and accessible housing.
212. Accordingly, a main modification is required to Policy HOU 12 and its justification which sets out the commitment to undertake a new GTAA and submit for examination a separate Gypsy, Traveller and Travelling Showpeople Local Plan within 18 months of the adoption of this Plan. In the meantime, Policy HOU 12 sets out the short, medium and longer term need as currently identified and includes criteria for the consideration of development proposals which may come forward on unallocated sites. The policy could therefore help to meet need in the short term, before the updated Plan is adopted.
213. The task of rectifying this matter through further work and main modifications to this Plan would be unlikely to be completed much quicker than this timescale of 18 months from adoption. Having regard to these factors, I consider it pragmatic to allow the Plan to proceed to adoption on this basis and have had regard to my duties under the Public Sector Equality Duty in reaching this decision. This is in line with the Government's deadline for all authorities to have an

up to date plan in place by December 2023 and accords with the Dacorum judgement¹³.

214. Main modifications are required to the text and criteria of the policy to ensure that it complies with PPTS. These modifications are incorporated in **MM46** and **MM1** and are necessary to ensure that the Plan is justified, effective and consistent with national policy.

Other housing policies

215. Policy HOU 8 relates to residential development in the open countryside. It places unjustified restrictions on conversions and changes of use, the re-use of buildings and extension of buildings. In addition, restrictions on demolition and rebuilding are akin to constraints which would be expected in Green Belt areas. The policy criteria do not therefore reflect national policy in paragraph 80 of the NPPF which refers to the avoidance of isolated homes in the countryside unless a number of circumstances apply. **MM42** is required to rectify this to ensure consistency with national policy.

216. Policy HOU 9 relates to various aspects of residential development management. It contains a requirement to comply with the Northumberland Design Guide. However, this Guide has not yet been prepared or consulted on. It is not therefore effective for the policy to require compliance with it. **MM43** makes necessary alterations to the wording. The modification also adjusts the title of the 'Building for a Healthy Life' document to reflect the updated document and clarifies the approach to assessing the impact of a development on the existing dwelling or surrounding area. These parts of the modification are necessary to ensure the policy is effective and consistent with national policy.

217. Policy HOU 10 relates to second and holiday homes. It requires a restriction to be imposed on new dwellings in certain areas to ensure that they are occupied as a principal residence. In order to be consistent with paragraph 55 of the NPPF, **MM44** clarifies that this can be secured by condition or a S106 agreement.

¹³ Grand Union Investments Ltd. V Dacorum Borough Council [2014] EWHC 1894 (Admin)

Conclusion on issue 5

218. With the above main modifications, I am satisfied that the Plan contains justified and effective policies to help ensure that the housing needs of different groups in the community can be met throughout the Plan period.

Issue 6 – Are the strategic employment site allocations and policies relating to various forms of economic and town centre development justified, effective and consistent with national policy?

219. I deal above with considerations relating to the quantity of employment land and allocations within the Green Belt. Here I consider the strategic employment allocations and detailed considerations relating to employment, tourism and town centres. The evidence to justify the approach is set out in various topic based Technical Papers.

Strategic employment sites

220. The following sites are allocated for large-scale, specialised or strategic purposes to meet regional or sub-regional business needs:

Blyth Estuary

221. Policy ECN 2 allocates the Blyth Estuary for port related uses, energy generation, specialist research and advanced manufacturing. In order to ensure that the policy is consistent with national policy **MM13** modifies the wording to reflect changes to the Use Classes Order (explained below) and to reflect the approach in national policy to biodiversity and heritage. I have made a minor correction to the name of the Northumberland Shore Site of Special Scientific Interest in this policy.

West Hartford

222. Policy ECN 3 allocates 32 ha at West Hartford, Cramlington as a 'Prestige Employment Area', to meet the needs of businesses requiring a high quality environment or of a scale that cannot easily be accommodated within existing employment areas. I am satisfied that the need for the allocation is adequately justified by

proportionate evidence (NCC.02.04, NCC.09.01, NCC.09.05, NCC.09.06).

223. The site is currently owned by Homes England who contend that it is not viable as an employment site. During the examination Advance Northumberland, the Council's development company, entered into discussions with Homes England with the view to acquiring the site. A number of funding mechanisms have been identified by the Council for site development (EX/NCC/79). Whilst the allocation may not be deliverable under current site ownership, I am satisfied that there is a reasonable prospect that it could be delivered over the Plan period. In addition, given my conclusions above regarding the adequacy of the housing land supply, there are no fundamental soundness issues with this employment allocation.

224. In order to ensure that Policy ECN 3 is effective and consistent with national policy, **MM14** provides greater clarity on acceptable uses on the site, reflects changes to the Use Classes Order (explained below), reflects the approach to the sequential test in the NPPF, clarifies the role of a masterplan, reflects the approach in the NPPF to biodiversity and heritage and corrects the reference to the Plessey Woods Local Wildlife Site, deleting reference to the Bedlington Country Park.

'Round 2' Enterprise Zones

225. These comprise the Ramparts Business Park in Berwick upon Tweed; Fairmoor, north of Morpeth and Ashwood Business Park. The sites are allocated for various uses with the aim of attracting small and medium enterprises in specific growth sectors. In order to ensure that Policy ECN 4 is consistent with national policy, **MM15** includes modifications to reflect changes to the Use Classes Order and to reflect the approach to the sequential test in the NPPF (both of which are explained below).

Other allocated general employment sites

226. Policy ECN 6 allocates general employment sites which are identified on the Policies Map. In Morpeth, the majority of employment sites are allocated in the Morpeth Neighbourhood Plan and shown on the Policies Map for information. However, a further site is allocated in this Plan to the south of the Fairmoor Enterprise Zone. I have considered the soundness of this allocation having regard to the potential for allocating the safeguarded land south of Coopies Way for employment purposes during the Plan period.

227. The Morpeth Employment Land Site Option Appraisal (NCC.02.07) compares the two sites against consistent criteria and concludes that the site adjacent to Fairmoor is the preferred option primarily due to its better links to the strategic road network and lesser impact on traffic in the centre of Morpeth. I am satisfied that reasonable judgements have been reached in the site comparison and that this allocation is sound.
228. I note that the level of occupation on the existing industrial estate on Coopies Way appears healthy. However, the evidence demonstrates that the existing Neighbourhood Plan allocations, together with the allocation in this Plan, will be sufficient to meet the need in Morpeth for the Plan period (NCC.09.01, NCC.09.02, NCC.09.03 and NCC.02.04). There is no need to allocate additional land to the south of Coopies Way. The Council's conclusion to safeguard the site for future employment needs beyond the Plan period is therefore sound.
229. I have considered whether land at the Bassington Industrial Estate should be deallocated for employment purposes and reallocated for housing. The site adjoins an existing large industrial estate to the west and north west, a housing development to its east and open land to the north. Evidence has been provided of the need and take-up of land for employment purposes in Cramlington (NCC.09.05 and NCC.09.06), demonstrating the need to retain existing employment allocations. I note evidence relating to marketing of the site over the last 5 years, however, I am not satisfied that this demonstrates that there is no reasonable prospect of the site coming forward for employment purposes over the Plan period. Furthermore, given my conclusions above regarding the adequacy of the housing land supply, there is no compelling supply reason that requires the site to be allocated for housing. Policy ECN 10 would allow the loss of employment land to other uses subject to certain criteria and so provides flexibility, for example, should circumstances change over the Plan period. I am satisfied that the allocation of this site is sound.
230. In order to ensure that Policy ECN 6 is consistent with national policy, **MM17** includes modifications to reflect changes to the Use Classes Order (explained below), reference to Neighbourhood Plan employment sites is moved to supporting text to ensure that the policy is consistent with paragraph 16d of the NPPF. The main modification also includes changes to the supporting text to refer to the Heritage Significance Assessment of general employment sites undertaken as part of the Employment Land: Strategy Considerations and Assessment of Sites Technical Paper (NCC.02.04). This ensures

that the employment land policies and allocations are justified and effective.

Other policies for economic development

231. Policy ECN 1 sets out the strategy for the economy. In order to ensure that the policy is effective, **MM11** modifies the wording to make clear that development should be compatible with the spatial strategy and to give support to existing and new businesses. Policy ECN 5 supports large scale windfall employment development subject to criteria. The wording of the supporting text, in relation to the Green Belt 'very special circumstances' test, is not consistent with the NPPF. **MM16** rectifies this.
232. **MM19** and **MM20** include clarification to the criteria in Policy ECN 8 and Policy ECN 9 respectively to ensure that the policies relating to wider employment-generating uses and flexibility in general employment areas are clear and unambiguous and therefore in accordance with paragraph 16d of the NPPF.
233. Policy ECN 10 relates to the loss of employment land. In order to ensure consistency with national policy, to ensure that the policy is clear and unambiguous and that regard is had to neighbourhood plan policies, **MM21** is necessary.
234. Policies ECN 13 and ECN 14 support rural employment and diversification. **MM22** modifies Policy ECN 13 to introduce a criterion to support development for existing rural businesses. **MM23** modifies Policy ECN 14 to clarify that new dwellings in the countryside can be considered if they are necessary for a rural worker. Tourism and visitor development is supported through Policy ECN 15. **MM24** gives specific support to Kielder Water and Forest Park as a strategic tourism destination and introduces a new criterion relating to the protection of key routes for tourists and visitors. These modifications are necessary in order to ensure consistency with paragraph 84 of the NPPF.
235. Policy ECN 16 relates to tourism development in the Green Belt whilst Policy ECN 17 relates to military establishments. **MM25** and **MM26** ensure that the wording of both policies is consistent with national Green Belt policy.

Use Classes Order changes

236. In September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force. This revoked many of the former use classes including A1 (shops) and B1 (offices) and created a new 'commercial, business and service' use class (Class E).

237. A number of policies have been modified to reflect these changes and some of these are identified separately in this report. The supporting text to Policy ECN 6 sets out definitions for main (formerly 'B class' employment uses) employment uses and wider employment generating uses to differentiate between the types of uses supported in different areas and referred to in various Plan policies. In order to ensure that the Plan is effective, **MM17** modifies these definitions to reflect changes to the Use Classes Order. The Glossary is also updated to reflect the new definitions in **MM132**.

238. Changes to other policies or parts of the Plan to ensure effectiveness in relation to the Use Classes Order are included in **MM12, MM13, MM14, MM15, MM16, MM18, MM19, MM27, MM28, MM30, MM31** and **MM132**.

Approach to town centre development

239. The document 'Policy Approach for Northumberland's Twelve Main Town Centres, based on Evidence – Technical Paper' (NCC.02.10) and Addendum 'Hexham Section' (EX/NCC/24) sets out the need for additional retail and leisure over the Plan period. Policy TCS 3 and supporting information in EX/NCC/87 sets out the locations within the relevant town centres where additional retail and leisure could be accommodated. Whilst the Plan does not allocate specific sites, this is due to the current decline in retailing affecting town centres generally and uncertainties surrounding funding and deliverability of schemes.

240. The Council has set out a number of ways in which it is working with partners and through Advance Northumberland to support town centre development. I am satisfied that the approach in the Plan will support and protect the role of town centres and that the approach is justified and therefore sound.

241. Policy TCS 1 sets out the hierarchy of town and village centres. In addition to Use Classes Order changes addressed above, **MM27** alters supporting text for clarity and therefore effectiveness. **MM28** contains a modification to the wording of Policy TCS 3, which seeks to maintain and enhance the role of centres, and to its supporting text to ensure the protection of valued facilities and services in accordance with paragraph 93 of the NPPF.
242. Policy TCS 6 seeks to restrict hot food takeaway uses in certain areas linked to childhood obesity and the number of existing takeaway uses in that area. Additional evidence was submitted during the examination in support of this policy (EX/NCC/97). The approach of the policy is in accordance with paragraph 92c of the NPPF and PPG (ID:53-004-20190722). In order to ensure that the policy is justified and effective, **MM31** modifies the policy and supporting text.

Sequential and impact testing for town centre uses

243. The Plan's policies for the protection of town centres contain requirements for sequential testing which is not consistent with national policy in paragraph 87 of the NPPF. This affects some of the employment and town centre policies. In order to ensure consistency with national policy, the approach to the sequential test for main town centres is modified in **MM14, MM15, MM16, MM29** and **MM132**. **MM29** also clarifies how the Council will consider impact on town centres and is necessary to ensure the approach is effective.

Conclusion for issue 6

244. With the main modifications outlined above, the strategic employment site allocations and policies relating to various forms of economic and town centre development are justified, effective and consistent with national policy.

Issue 7 – Are policies relating to Quality of Place, the Environment, including historic environment, Water Environment and Pollution and Land Quality justified, effective and consistent with national policy?

Quality of Place

245. A number of the policies relating to 'Quality of Place' require developments to be in accordance with the Northumberland Design Guide. As set out above, this document has not yet been produced or consulted on and it is not therefore effective for the policies to require compliance with it. Modifications are therefore required to a number of the policies / supporting text to clarify this (**MM47, MM48, MM49, MM50, MM51, MM52**).
246. In order to make the policies clear and therefore effective, wording from Policy QOP 2 is moved to Policy QOP 1 through **MM47** and **MM48**. To ensure that it is effective and consistent with national policy, **MM47** also modifies Policy QOP 1 to clarify what will be assessed in determining applications and to ensure consistency with national policy regarding biodiversity. I have removed a criterion, introduced through the modification, relating to poor design. This repeated the 2019 version of the NPPF and is no longer consistent with the wording in the 2021 NPPF. Whilst the implications of the 2021 NPPF will be dealt with in the partial review of the Plan, because they emerged at a late stage in the Plan's examination, it is important not to introduce a conflicting element through the main modifications.
247. In order to ensure that Policy QOP 2 is effective and consistent with national policy, the supporting text is modified to contain further flexibility and explanation of aspects of the policy and how they will be assessed. The policy wording should be modified to ensure consideration of criteria can be undertaken in accordance with the balanced approach in the NPPF, to remove repetition and to include flexibility. These modifications are included in **MM48**. Similarly, **MM49** introduces further flexibility in Policy QOP 3 in order to ensure that the policy is effective.
248. Policy QOP 4 relates to landscaping and trees. So that the policy is effective and consistent with national policy, **MM50** includes modifications to clarify the use of conditions or legal agreements, to ensure balanced consideration of criteria and to avoid unnecessary repetition of other legislation.

249. Policy QOP 5 contains a number of criteria relating to sustainable design and construction. In order to ensure that the policy is effective, justified and consistent with national policy, the wording of the policy and justification are modified in **MM51**. I have altered the wording of the supporting text to add further flexibility in relation to the use of materials to reflect the policy wording.

Environment

250. The Plan sets out the number of natural and heritage designations at Table 10.1 and Figure 10.1. However, it does not comply with the requirement at paragraph 179a of the NPPF to identify and map specified areas. **MM62** and **MM138** rectify this.

251. Policy ENV 1 does not reflect national policy in relation to conserving the natural and historic environment by conflating these issues. **MM63** is necessary to resolve this. Similarly, **MM64** ensures that Policy ENV 2 is consistent with national policy in relation to the natural environment. The modification also provides clarity regarding the measures developers will be expected to have regard to and the supporting text clarifies the Coastal Mitigation Service referred to in the policy. These aspects of the modification are required to ensure that the policy is effective. Changes are also required to the Policies Map to reflect that some sites no longer have the designation identified on the map and to add the Berwick to St Mary's Marine Conservation Zone. I have also altered Appendix F of the Plan (in **MM138**) to include this Marine Conservation Zone.

252. In relation to biodiversity, **MM2** contains a modification to the wording of supporting text in the Spatial Vision, Objectives and Outcomes part of the Plan (Chapter 3) to reflect the requirement in paragraph 174d of the NPPF to provide net gains for biodiversity. This is required for consistency with national policy. **MM65** ensures that Policy ENV 3 in relation to landscape protection is consistent with national policy, clear and flexible therefore ensuring that it is effective.

253. Policy ENV 4 seeks to protect tranquillity, dark skies and a sense of rurality. A main modification is required to ensure that the policy is only applicable in areas where protection of these features is important. Further clarity and flexibility is also introduced to this policy. **MM66** contains the necessary modifications to ensure that the policy is justified and effective.

254. Policies ENV 5 and ENV 6 require full planning applications to be submitted in the Northumberland Coast and the North Pennines AONBs. This is not in accordance with national policy. Main modifications are also required for consistency with the approach in the NPPF to major development in the AONB and to clarify the support for tourism development. To ensure consistency with national policy, the wording of the policies and supporting text is modified through **MM67**.

Historic and built environment

Allocated housing sites Otterburn

255. In consultation with Historic England, the Council carried out a Heritage Impact Assessment to consider the likely effects of allocated sites on designated and non-designated heritage assets (EX/NCC/51). As set out earlier in this report, two allocated housing sites are to be removed from the Plan as a result of this assessment: Land West of Smithy, Otterburn (allocation HOU 4d.x) and Land South of Westmor, Otterburn (allocation HOU 4d.xi). Historic England objected to the allocation of these sites.

256. Both sites are located on land which forms part of the registered battlefield of the Battle of Otterburn 1388, between the Scots and the English (EX/NCC/183). The sites form part of open, agricultural land along the valley bottom to the north of the River Rede. Land west of Smithy contains well-preserved ridge and furrow earthworks which are thought to be unaltered from the time of the battle.

257. Whilst the battle itself was not fought on either of these sites, the sites are located on land where the English mustered their troops and escaped across as they later lost the battle. As the open character of the land has been preserved, it allows an understanding of the topography and layout of the battle site. Both sites would therefore be located on land which forms an important part of the significance of the heritage asset.

258. Allocation of the sites would cause less than substantial harm to the significance of the asset and there is no mitigation possible which would overcome that harm. Whilst there would be public benefits to the allocations, in that they would provide opportunities for housing in a service village which would support local services and facilities, these benefits would not outweigh the harm caused to the heritage asset.

259. Paragraph 190 of the NPPF requires plans to take into account the desirability of sustaining and enhancing the significance of heritage assets. The allocation of these sites would not be consistent with this aim. As set out above **MM37** deletes these sites from the housing site allocations and this is necessary to ensure consistency with national policy.

Policies

260. Policy ENV 7 is aimed at development which will affect the historic environment and heritage assets, Policy ENV 8 relates to the Hadrian's Wall World Heritage Site and Policy ENV 9 relates to conservation areas. **MM68**, **MM69** and **MM70** include modifications to ensure consistency with the approach to designated and non-designated heritage assets in the NPPF. I have altered the wording of **MM68** to ensure that it adequately reflects the NPPF. In order to ensure consistency with national policy **MM70** also removes the requirement to submit full applications in conservation areas and ensures that it does not conflict with the Planning (Listed Buildings and Conservation Areas) Act 1990. A change to the Policies Map is needed to identify the Beadnell Conservation Area.

Water environment

261. Policy WAT 1 seeks to protect water quality. A main modification (**MM71**) is necessary to ensure consistency with paragraph 174e of the NPPF. In terms of water supply and sewerage, Policy WAT 2 as written seeks to minimise the need for new infrastructure. This is not justified or consistent with national policy and **MM72** contains necessary alterations to the wording. The modification includes the correct reference to British Standard for small wastewater treatment systems. This is required to ensure that the policy is effective.

262. Policy WAT 3 relates to flooding. **MM73** includes necessary alterations to the wording to ensure that the policy and supporting text is consistent with the approach to flood risk in the NPPF. **MM74** modifies the wording of supporting text to Policy WAT 4, relating to Sustainable Drainage Systems. The modification ensures that the application of the policy is clear and therefore effective and is consistent with paragraph 169 of the NPPF.

263. Policy WAT 5 relates to the management of coastal erosion and change. **MM75** includes modifications to the wording of the policy and supporting text to clarify the application of the policy and the

requirement for temporary structures / permissions. This is necessary to ensure the policy is effective. A change to the Policies Map is needed to reflect up to date mapping and ensure that the policy is effective.

Pollution and Land Quality

264. Policy POL 1 relates to unstable and contaminated land. Policy POL 2 relates to pollution, air, soil and water quality. To explain the circumstances where assessments may be necessary, **MM76** and **MM78** include changes to the supporting text of the policies. I have altered the wording of **MM78** to include more flexibility for site specific circumstances. **MM77** removes references to biodiversity and the natural and built environment from Policy POL 1 which are covered in other policies in the Plan. These modifications are required to ensure that the policies are effective.

265. Policy POL 3 relates to development on best and most versatile agricultural land. **MM79** alters the wording in order to ensure the policy is consistent paragraph 174b and footnote 58 of the NPPF.

Conclusion on issue 7

266. I conclude that with the main modifications set out above, the policies relating to Quality of Place, the Environment, including historic environment, Water Environment and Pollution and Land Quality are justified, effective and consistent with national policy.

Issue 8 – Are policies relating to Connectivity and Movement justified, effective and consistent with national policy?

267. The evidence documents to support the approach to connectivity and movement in the Plan are summarised in the Transport Technical Paper (EX/NCC/162).

268. Policies TRA 1 and TRA 2 provide detailed criteria for development proposals. In order to ensure that Policy TRA 1 is effective and consistent with national policy, **MM53** includes clarification regarding enabling plug-in charging facilities, clarifies the use of Transport Assessments, Statements and Travel Plans where appropriate, ensures the needs of people with disabilities and reduced mobility is

considered and clarifies the use of delivery and service plans for commercial development.

269. **MM54** ensures that Policy TRA 2 is consistent with paragraph 110 and 111 of the NPPF relating to the impact of development on the highway network and introduces flexibility into the policy. These modifications are needed so that the policy is effective and consistent with national policy.
270. Policy TRA 3 sets out a number of improvement schemes to the core road network. The need for these schemes is set out in the Northumberland Highways Improvements Lines Saved Policy Review Paper (NCC.02.16) and in the Technical Paper. The schemes are also identified in the Infrastructure Delivery Plan (NCC.01.23). It is therefore justified for the policy to seek to prevent proposals which could potentially prejudice the development of these highway schemes in the future.
271. However, Policy TRA 3 seeks to safeguard land at specific locations even though there is not yet sufficient detail to identify specific alignments or funding. The current policy wording is not therefore justified and needs to be modified. **MM55** includes the necessary modifications to make clear that development which will potentially prejudice the network improvements will not be supported. I have altered the wording of this modification to allow for flexibility where development could overcome any potential harm to future development of the highway schemes.
272. The policy and supporting text need to be updated to reflect advances in the preparation of some of these schemes since submission of the Plan, to correct omissions from the existing network and to reference evidence documents which justify the policy. The supporting text for the policy is also altered to clarify that conditions, obligations and highway agreements will be used to mitigate impacts from development. Changes are also needed to the Policies Map to reflect the changes to this policy.
273. Whilst the Council is undertaking work to identify potential routes for the Blyth Relief Road, this is in its early stages. Figure 9.1 which illustrates potential alignments of that road needs to be removed from the Plan as it does not reflect the up to date position. Main modifications to the policy and supporting text are included in **MM55** and are required to ensure that the policy is justified and effective.

274. Policy TRA 4 relates to parking provision. **MM56** is necessary to ensure greater flexibility in the policy wording so that it is effective. The parking standards have been revised to reflect changes to the Use Classes Order referred to earlier in this report. **MM137** includes the changes to ensure effectiveness.
275. The Plan encourages the development of rail transport through Policy TRA 5. The policy and supporting text set out the key priority of the Council to reintroduce passenger services on the Northumberland Line. Funding has been secured for the development of this project. In order to ensure the Plan is effective, the policy and supporting text are updated to reflect the up to date situation (**MM57** and **MM58**). A change to the Policies Map is also necessary to reflect the up to date locations of potential station sites.
276. The policy also seeks to protect the potential for the reintroduction of passenger rail on other local lines. In order to ensure that the policy is justified, **MM58** removes reference to linking the North Pennines AONB and South Tynedale with the Tyne Valley Line at Haltwhistle as this is not deliverable along its entire route. The modification also clarifies that other disused railway lines will be protected for leisure purposes unless development meets specified criteria. Throughout the policy reference to safeguarding of land is removed where this land has not been identified on the Policies Map. The modification ensures that the policy is justified and effective.
277. Policy TRA 6 supports development at Newcastle International Airport and allocates around 25 ha of land north of the airport for future expansion and supplementary activities in accordance with the Airport Masterplan. The issues relating to the employment and safeguarded land allocations near to the airport have been discussed above. During the examination the Council and Highways England commissioned further work to determine whether the capacity of the A696 roundabout, which serves the airport, could accommodate the growth within the Plan (EX/NCC/217). This further work took into account the allocations at Prestwick Pit and Prestwick Park, allocations around the airport, both in this Plan and in Newcastle's Local Plan, and future growth aspirations of the airport. No capacity issues were identified. In order to ensure that the Plan is effective, **MM59** modifies supporting text to clarify the need for transport assessments in order to safeguard capacity at this roundabout.
278. Aerodrome Safeguarding Areas are protected through Policy TRA 7. **MM60** includes the non-official Aerodrome Safeguarding Zone at

Eshott Airfield into the policy and supporting text. This will also require a change to the Policies Map. I understand that the process of consulting the operator of Eshott Airfield is already in place and such consultation is encouraged in The Town and Country Planning (safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002.

279. The modification also clarifies that the safeguarding areas are not put forward by the local authority, but the Civil Aviation Authority (CAA). The main modification makes clear the type of development which will be subject to consultation with the operator of the relevant aerodrome and sets out the need for consultation on development exceeding a specified height threshold in order to ensure that consideration is given to the safety of aircraft using that airfield. This is in accordance with national policy and CAA guidance and **MM60** is required to ensure that the policy is effective.

280. Policy ICT 2 gives support to development that provides full fibre broadband connections. Given the rural nature of much of Northumberland, this requirement is justified and in accordance with paragraph 114 of the NPPF. So that the policy is effective, **MM61** includes modifications to the wording to clarify that it is the necessary infrastructure to allow connections to be made which should be provided in new developments and to allow flexibility where this is not possible or viable.

Conclusion on issue 8

281. With the main modifications identified above, I am satisfied that policies relating to Connectivity and Movement are justified, effective and consistent with national policy.

Issue 9 – Whether policies and allocations for open space and policies relating to infrastructure and delivery are justified, effective and otherwise sound?

Open Space

282. Policy INF5 limits development on areas of Protected Open Space which are identified on the Policies Map. As written, the policy does not comply with NPPF paragraph 99a as it does not allow for development of open space, sport and recreational buildings, land or playing fields where an assessment shows the land to be surplus to

requirements. Instead, it requires an excess of provision to be clearly demonstrated. In addition, in seeking to protect other areas not identified as Protected Open Space on the Policies Map, the policy is ambiguous and creates uncertainty. **MM129** rectifies these issues to ensure compliance with paragraph 16d of the NPPF. I have altered the wording of criterion 1a to reflect paragraph 99a of the NPPF, which does not require assessments of open space to be 'independent'.

283. As set out below, development contributions, which include open space standards, are included in **MM140**. These are justified by evidence in EX/NCC/223. **MM129** alters the wording of Policy INF 5 to make reference to and be consistent with the open space standards in **MM140**. The modification is necessary in order to ensure that the policy is effective and consistent with national policy.

284. The background evidence to support the policy is set out in the PPG17 open space, sport and recreation assessment May 2011 (NCC.18.06) (the 2011 OSA) and the subsequent Review of Open Space in Northumberland Technical Paper December 2018 (NCC.02.21). The 2011 OSA is now of some age and during the examination it became clear that there were a number of sites which had been allocated as Protected Open Space but where the allocations were no longer justified by the evidence (EX/HS/08/01 and EX/NCC/134).

285. The evidence does not therefore constitute a robust and up to date assessment of need as required by paragraph 98 of the NPPF. Nevertheless, the task of reassessing all of the sites identified for designation across the County, and assessing opportunities for new provision, would be a time intensive one. Undertaking that task during the examination would result in a significant delay in the adoption of the Plan. As set out earlier in this report, this would have adverse effects on housing delivery and the provision of affordable and accessible housing and is not justified.

286. **MM129** and **MM1** therefore include a commitment to undertake an early partial update to the Plan in relation to open space, sport and recreation and the allocated Protected Open Space sites. I consider it pragmatic, but justified, to allow the Plan to proceed to adoption on this basis. As set out above, this will help achieve the Government's deadline for all authorities to have an up to date plan in place by December 2023 and accords with the Dacorum judgement.

287. In the meantime, prior to the update, a number of allocations would need to be **deleted** from the Policies Map as set out below as they are not justified by more recent evidence which shows that they no longer meet the purposes for which they were allocated:
288. **Site: 1161 Disused Quarry, Newton-on-the-Moor.** The site was identified as Natural and Semi-natural Greenspace in the 2011 OSA. In reassessing this site the Council has concluded that it would not meet the criteria for designation, which includes being publicly accessible. The site is privately owned and is not accessible to the public. Being a former quarry, its condition would fail to meet the quality standards for this type of open space set out in the 2011 OSA. Furthermore, the 2011 OSA identified an over-supply of Natural and Semi-natural Greenspace in the North area, in which this site is located, compared to the standard for the County as a whole. The allocation of the site is therefore no longer justified by the evidence.
289. **Sites: 1164, 1165, 1166, 1167, 1171, 1172, 1173, 1174 and 1176 Swarland.** The sites are identified as Natural and Semi-natural Greenspace in the 2011 OSA. In reassessing these sites the Council have concluded that they would not meet the criteria for designation. The sites are all privately owned and not accessible to the public. The allocations for these sites are not justified by the evidence.
290. **Site: 1278 Duchess High School, Alnwick.** The school has been relocated and alternative sports field provision has been created on the new school site. Allocation of the site would not follow the methodology set out in the Technical Paper. The allocation of the site is therefore no longer justified by the evidence.
291. **Site: 1314 Land at Dukes School Alnwick.** The site is allocated in the Alnwick and Denwick Neighbourhood Plan for a mix of residential, community education, open space and recreational uses. The allocation of the site for open space would be in conflict with that designation and no justification is advanced for that conflict. Designation of the site as open space would not follow the methodology set out in the Technical Paper. The allocation of the site is therefore no longer justified by the evidence.
292. **Site 1414 RAF Boulmer.** The site was identified as Outdoor Sports Facilities in the 2011 OSA. As the site is not available for community

use, it does not meet the definition or comply with the methodology for this typology. The allocation of this site is no longer justified.

293. **Site 3012 Procter and Gamble Field, Seaton Delaval.** The site was identified as Outdoor Sports Facilities in the 2011 OSA. Planning permission has subsequently been granted for an alternative use on the site of former playing fields such that the site is no longer available. The allocation of the site is therefore no longer justified by the evidence.
294. **Site: 3350 land at Plantation Farm, Cramlington.** The site was identified as Natural and Semi-natural Greenspace in the 2011 OSA. In reassessing this site the Council has concluded that it would not meet the criteria for designation as Natural and Semi-natural Greenspace due to its current condition, its recent agricultural use and limited accessibility into the site. The site is not allocated as open space in the emerging Cramlington Neighbourhood Plan. The allocation of this site is no longer justified by the evidence.
295. **Site: 4050 Longhorsley Playing Field.** The site is already designated as Local Green Space in the Longhorsley Neighbourhood Plan. Designation of the site as open space under Policy INF 5 would not follow the methodology set out in the Technical Paper. The allocation of the site is therefore no longer justified by the evidence.
296. **Site: 5235 Tyneview Terrace Allotments, Prudhoe.** Whilst this site was occupied by allotments, these are no longer in use and there is a history of planning permissions on this site for alternative uses. As part of the most recent planning permission the allotments have been replaced at an alternative location within the town. The allocation of this site as allotments is no longer justified as it is not available.
297. **Site: 5240 Prudhoe Hospital Playing Field.** The site is subject to a subsequent development application and a S106 contribution has been made towards improving the provision of outdoor sports facilities in Prudhoe. The site is no longer available and its allocation would not follow the methodology set out in the Technical Paper. The allocation of the site is therefore no longer justified by the evidence.
298. **Site: 6149 Land at Earth Balance, Bomarsund.** The site was identified as Natural and Semi-natural Greenspace in the 2011 OSA. A Cancer Centre has subsequently been constructed on part of this

land. In reassessing this site the Council has concluded that it would not meet the criteria for designation as Natural and Semi-natural Greenspace due to its current condition and limited accessibility. The allocation of this site is no longer justified by the evidence.

299. **Site: 6240 Land adjacent to the Leisure Centre, Seahouses.** A football pitch which was to be created on the land is no longer proposed and the land is in agricultural use. The allocation of this site is no longer justified as it is not deliverable.
300. **Site: 6269 Allendale Primary School.** The site is designated Local Green Space in the Allendale Neighbourhood Plan. Designation of the site as open space under Policy INF 5 would not follow the methodology set out in the Technical Paper. The allocation of the site is therefore no longer justified by the evidence.
301. Sites allocated as Cemeteries and Churchyards are to be **deleted** from the Policies Map. These were not protected in any of the former District Council plans and the methodology set out in the Technical Paper states that these will not be specifically allocated in the Plan.
302. The following sites are to be **added** as they were erroneously missed off the Policies Map:
303. Site: 3338 Airship Estate/South Nelson, Cramlington (the eastern portion is to be reinstated on the Policies Map); Site: 6255 Land between Acomb Avenue and Staward Avenue, Seaton Delaval; Site 6350 Eastwoods Road Allotments, Prudhoe; Site: 6351 Dalton Avenue, Lynemouth; Site: 6352 Ingoe Village Green.
304. The boundaries of the following sites are to be **altered** on the Policies Map to align with existing land uses on the ground:
305. Site: 1121 Amble Allotments; Site: 1395 Embleton Quarry; Site: 6142 Choppington Woods.
306. These changes to the Policies Map are required in order to ensure that Policy INF 5 is justified and effective.
307. No change is proposed to Site: 4058 Stamfordham Riverside. The site was identified as Natural and Semi-natural Greenspace in the 2011 OSA. The primary purpose of Natural and Semi-natural Greenspace in that study is identified as 'providing access to wildlife,

environmental education and awareness, biodiversity and nature conservation'. There is access across part of this area along a public footpath which crosses the land from north to south and in that context the site does provide the opportunity to gain access to and enjoy the natural environment. The Council's latest assessment notes that the site comprises open grassland and meadow interspersed with mixed mature, primarily deciduous tree cover, hedges verging watercourses and small open drainage systems. It is therefore likely to provide a diverse habitat. I am satisfied that the allocation of this site is justified by the evidence and is sound.

308. The review of open space will provide the opportunity to consider further the need for all types of open space in the County and to address any under-provision or potential sites for allocation. With the main modifications and Policies Map changes identified above, I am satisfied that Policy INF 5 as modified is sound.

Other infrastructure policies

309. To ensure that Policy INF 1, relating to infrastructure provision, is effective, **MM128** clarifies that infrastructure should be provided when required to serve the development.

310. Policy INF 6 sets out when planning obligations will be required and the types of infrastructure that may be sought. However, the actual level of contributions expected from development is not set out in the Plan, instead being left to Supplementary Planning Documents. This is not in accordance with paragraph 34 of the NPPF. In addition, the policy does not reflect Regulation 122(2) of the Community Infrastructure Levy Regulations or paragraph 57 of the NPPF. It also needs to be modified to reflect the requirement in the Plan for accessibility and adaptability standards (addressed earlier in this report) which may be secured by planning obligation.

311. In order to ensure that the Plan is effective and consistent with national policy, **MM130** and **MM140** modify the policy and supporting text and introduce Appendix H which contains the detailed requirements for development contributions comprising, open space, education, healthcare and coastal mitigation service. Further evidence was submitted in support of the contributions now set out in the Plan (EX/NCC/130, EX/NCC/223). NCC.02.17 sets out the justification for the Coastal Mitigation Service. I am satisfied that the development contributions are reasonable and are justified by proportionate evidence.

312. In order to clarify that any Community Infrastructure Levy costs which may be introduced would not duplicate S106 costs, an alteration to the wording of the justification to Policy INF 6 is included in **MM131**. This is necessary to ensure that the policy is effective.
313. To set out the definition of phrases used in the Plan and its policies, the Glossary is updated in **MM132**. This is required so that the Plan is effective.
314. Monitoring of the effectiveness of the policies needs to take place and triggers and actions identified if monitoring demonstrates that the policies are not effective. Whilst the Council has a Monitoring and Implementation Framework (MIF) this did not include the triggers for monitoring some of the policies in the Plan. In order to ensure that the Plan is effective the MIF needs to be included in the Plan and this needs to be updated to reflect the Plan's policies. This will ensure that there is a direct link with the policies and that the Plan is effective. The MIF has been updated and added to the Plan as **MM141** and will ensure that the Plan is effective.

Conclusion on issue 9

315. With the above main modifications, I am satisfied that the policies and allocations for open space and policies relating to infrastructure and delivery are justified, effective and otherwise sound.

Issue 10 - Are the policy requirements in the Plan justified and consistent with national policy and guidance relating to viability?

316. The Plan was subject to viability assessments during its preparation (NCC/18/01 and NCC/18/02). These were supplemented during the examination with further evidence (EX/NCC/133 and EX/NCC/193).
317. The Council's assessments were based on a range of hypothetical residential development sites in four different value areas (low, medium, high and highest) to reflect the different sales values across the County.
318. Actual site appraisals were also included for 5 of the housing site allocations which reflect a mix of locations, site types and sizes.

Different policy requirements were considered, and a series of sensitivity tests carried out. Residual land values were compared to benchmark land values intended to represent the minimum return to incentivise a willing landowner to sell their land. The benchmark land values assumed by the Council are based on existing use values plus an uplift to provide a premium for the landowner. An allowance for abnormal costs has been included and the appraisals have also tested higher abnormal costs. This methodology is in accordance with PPG advice and I am satisfied that the conclusions reached are reasonable.

319. Whilst abnormal costs may be encountered on some sites to varying degrees, if necessary, this can be reflected in the price paid for the land and the type of development that is brought forward. The Plan also includes flexibility for viability assessments to be submitted to justify schemes which are not compliant with the Plan, to reflect different site circumstances. In order to be effective and justified, the wording of the Plan needs to be more permissive of such viability assessments and this is achieved through **MM130** which also refers to the updated viability assessments which justify the Plan.
320. It is acknowledged in the viability evidence that schemes of 300+ dwellings will require specific viability assessment at the planning application stage as such sites are likely to have different development economics. **MM130** modifies the supporting text to Policy INF 6 to reflect this but makes clear that viability assessments are only required if the development is not policy compliant. I have altered the wording to introduce more flexibility. However, I am satisfied that this part of **MM130** is necessary to ensure that the Plan is effective.
321. As set out above, Policy INF 6, Appendix H (as modified by **MM140**) and Appendix D (as modified by **MM136**) set out the need for planning obligations to secure necessary infrastructure including open space, education, healthcare and affordable housing. These costs are included in the viability assessments as a fixed sum. The viability evidence has been updated to incorporate the up to date policy costs.
322. As set out above, the SHMA and subsequent evidence sets out the justification for inclusion of optional accessibility standards in the Plan. The Viability Assessment November 2018 (NCC/18/01) estimated a cost of incorporation of the accessibility standards from around £1,100 to £1,600 per dwelling (after RPI indexation) and

concluded that the cost of providing 25%¹⁴ of new build properties on a 100 dwelling scheme to M4(2) standard would be minor at around £25,000. The Viability Assessment includes a conservative cost of £2,000 per dwelling as a precautionary approach. The assessment concludes that a policy requiring M4(2) standards does not have a significant impact on scheme viability as the cost impact is relatively small and would not be sufficient to change the viability outcome of a project.

323. The viability assessments show that development viability varies depending on development size and location with the greatest viability pressure for developments of less than 30 dwellings in low and some medium value areas, although a 'low cost' developer model improves viability for some sites in the low value areas. As set out above in relation to affordable housing and accessible housing standards, the policies in the Plan have been modified to reflect the viability evidence.

324. **MM130** also includes clarification that a review mechanism for S106 agreements only applies where development is not fully compliant with the Plan due to viability constraints. This is necessary to ensure that the Plan is effective. To ensure clarity and therefore effectiveness, **MM131** explains the distinction between S106 contributions and any charges through the Community Infrastructure Levy, should that be introduced in Northumberland. I have made an additional change to the wording of this MM to clarify that funding through S106 would not duplicate any CIL.

Conclusion on issue 10

325. With the above main modifications, I am satisfied that the policy requirements in the Plan are justified and consistent with national policy and guidance relating to viability.

¹⁴ the policy as modified by **MM45** proposes 20% of market dwellings

Issue 11 - Whether the Plan's approach to Minerals, Waste and Renewable and Low Carbon Energy Development and Associated Energy Storage is justified and consistent with national policy and is otherwise sound.

Issue 11A – Whether the environmental criteria for assessing minerals proposals (Policy MIN 1) and criteria for assessing the benefits of minerals proposals (Policy MIN 2) of the Plan are sound and provide an appropriate basis for meeting the future demand for minerals sustainably.

326. The Plan recognises that minerals are an important resource which form the raw materials which are necessary to provide infrastructure and buildings that both society and the economy needs to support sustainable economic growth. The most significant minerals in Northumberland are carboniferous limestone, igneous rock, sand and gravel, coal, sandstone and brick-making clays.

327. The policies in 'Chapter 13 – Managing Natural Resources' aim to deliver the strategic objective to manage the prudent use of natural resources whilst minimising the adverse impacts of mineral extraction and transportation on both communities and the environment. To achieve this strategic objective the Plan seeks to ensure that finite mineral resources are not unnecessarily sterilised; that existing, planned and potential infrastructure associated with the transportation, handling and processing of minerals are safeguarded; that high quality restoration and aftercare is provided at the earliest opportunity; that land is made available to ensure a steady and adequate supply of minerals; and that extraction, processing and the transportation of minerals does not have unacceptable adverse impacts on the environment and local communities.

328. Paragraph 210f of the NPPF identifies that planning policies should set out the criteria to ensure that permitted and proposed mineral operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account any cumulative effects from individual sites and/or a number of sites in the locality.

329. Policy MIN 1 of the Plan sets out the environmental criteria for assessing minerals proposals in Northumberland. Whilst the overall text of this policy is generally consistent with Paragraph 210f, it is

not sufficiently precise by failing to identify the potential effects that will be required to be considered in the submission of mineral development proposals. Furthermore, although the policy requires mineral development proposals to consider the impact on climate change it fails to recognise the national targets to reduce greenhouse gas emissions which contribute to the achievement of net-zero carbon emissions by 2050.

330. **MM80** addresses these matters and is necessary to ensure that the Plan is consistent with national policy, is positively prepared and effective.
331. In considering of planning applications for mineral development, Paragraph 211 of the NPPF states that "...great weight should be given to the benefits of mineral extraction, including to the economy". However, footnote 71 of the NPPF identifies that the requirements of this paragraph do not apply to proposals for the extraction of coal.
332. Policy MIN 2 of the Plan sets out the criteria to be considered in assessing the benefits of individual proposals for mineral extraction, except where the proposal relates to coal extraction. Whilst criterion 'c' of this policy identifies that 'environmental enhancements' will be considered, the question arises whether sufficient guidance is provided regarding what may be considered to constitute such enhancement. In addition, the policy does not adequately reflect the fact that mineral development proposals can provide an opportunity to assist in the mitigation of and adaptation to climate change and targets to reduce greenhouse gas emissions.
333. Paragraph 13.8 of the Plan provides part of the supporting text to Policy MIN 2 which also sets out that benefits can include environmental enhancements associated with a 'high quality' restoration. However, it provides no further guidance or examples of what enhancements may be considered suitable or, how a 'high quality' restoration is to be considered.
334. Paragraph 13.10 also provides supporting text to Policy MIN 2 and identifies that the benefits of mineral development need to be given great weight in the decision making process. However, this paragraph does not reflect the requirements of footnote 71 of the NPPF in not explaining the exception that the great weight to be given to the benefits does not apply to proposals for coal extraction.

335. **MM81** introduces a new criterion 'h' to Policy MIN 2 that recognises the benefits that minerals proposals can have in assisting in meeting binding carbon budgets and targets to reduce greenhouse gas emissions. This can be achieved primarily through the provision green infrastructure on restoration and the use of lower emissions vehicles for the transportation of minerals. In addition, this modification also provides amendments and additional text to the supporting text provided in paragraphs 13.8 and 13.10 of the Plan.

336. In respect of Paragraph 13.8, **MM81** replaces 'high quality' restoration with an 'appropriate site restoration' and provides some examples of environmental enhancements as comprising habitat creation, new green infrastructure and improved flood storage capacity. With regard to paragraph 13.10, the modification provides additional text to explain that the great weight to be given to mineral development proposals does not apply to coal extraction where such development will be considered in the context of Policy MIN 9 of the Plan. This policy is considered later in this report. This modification is necessary for the Plan to be effective and consistent with national policy.

Conclusion on issue 11A

337. Subject to the identified main modifications, I am satisfied that the environmental criteria for assessing minerals proposals (Policy MIN 1) and the criteria for assessing the benefits of minerals proposals (Policy MIN 2) of the Plan are sound and provide an appropriate basis for meeting the future demand for minerals sustainably.

Issue 11B - Whether the Plan makes adequate and practical provision for the restoration of mineral and landfill sites.

338. Policy MIN 3 sets out a number of criteria that proposals for mineral extraction should include to ensure the appropriate restoration, aftercare and after-use of the proposed site. The policy refers to a need for a 'high quality' restoration to be provided. However, as outlined above, it does not explain how a high quality restoration is to be considered.

339. Whilst the policy identifies that restoration proposals should deliver improved public access and expansion of the public rights of way network where appropriate, it does not explain that these should ensure that opportunities are provided for access by all user groups.

In addition, where mineral extraction affects the best and most versatile agricultural land, the policy fails to recognise that it may not always be appropriate to seek to restore land back to such condition as local biodiversity or recreational enhancements, for example, may be more appropriate. It also fails to recognise that some mineral developments may be subject to progressive restoration work.

340. **MM82** addresses the above matters. This modification also provides for an amendment to paragraph 13.12 of the Plan, which forms part of the supporting text to the policy, to refer to the need for 'appropriate' restoration to be undertaken.

341. In addition, this modification also provides two new paragraphs to the supporting text of Policy MIN 3. These explain how appropriate restoration should be considered, having regard to the characteristics of the site and surrounding area, and that it may be appropriate for waste materials to be imported as part of site restoration proposals. This modification is necessary for the Plan to be effective

Conclusion on issue 11B

342. I am satisfied that the Plan, when considered with the recommended main modification, makes adequate and practical provision for the restoration of mineral and landfill sites and is sound in this regard.

Issue 11C - Whether the Plan adequately balances the safeguarding of mineral resources and infrastructure and the needs of competing development.

343. Policy MIN 4 of the Plan seeks to ensure that non-mineral development does not unnecessarily sterilise mineral resources. This approach is generally consistent with criterion 'c' of paragraph 210 of the NPPF.

344. The mechanism in the Plan for balancing the needs of competing non-mineral development with the need to protect the resource is through the identification of Mineral Safeguarding Areas (MSA). The approach taken to define MSAs is primarily based on the British Geological Survey Mineral Resource Information for Development Plans: Northumberland and Tyne & Wear (NCC.17.19) and the Mineral Resources Maps for Northumberland and Tyne & Wear (NCC.17.20). With regard to coal, the MSAs were informed by the Coal Authority Surface Coal Resources Map (NCC.17.18).

345. The boundaries of the MSAs are identified on the Policies Map (NCC.01.05) and cover known deposits of carboniferous limestone, clay (including brick clay, brick shale and fireclay), coal, igneous rock, sandstone and sand and gravel. Policy MIN 4 states that these mineral resources are required to be safeguarded from unnecessary sterilisation by non-mineral development.
346. The question arises whether the supporting text to Policy MIN 4 and the policy itself are sufficiently clear to provide unambiguous guidance and whether the 'agent of change' principle, as set out in paragraph 187 of the NPPF, is adequately reflected. This indicates that where the operation of an existing business or community facility could have a significant effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed.
347. **MM83** provides a new 'Part 4' to Policy MIN 4 that specifically requires new development in the vicinity of active, mothballed, dormant or proposed mineral extraction sites to not place unreasonable restrictions on mineral extraction operations. This modification also provides additional supporting text to explain how the agent of change principle is to be applied.
348. Whilst Policy MIN 4 requires that applications for non-mineral development in a MSA need to assess the effect of the proposed development on mineral resources, there is no explanation contained within the policy or any supporting text to explain what such assessment should contain or consider. **MM83** also provides for additional supporting text to Policy MIN 4. This explains that some types of development may occur in a MSA that will not pose a threat to mineral safeguarding. These development types are identified in Part 3 (f) of the policy and are exempt from the safeguarding provisions under Policy MIN 4.
349. The additional supporting text also sets out that non-exempt development within a MSA will be required to be accompanied by a 'mineral resource assessment'. The text broadly explains the content of such assessment. **MM83** also provides for corresponding changes to Part 2 of Policy MIN 4 to be consistent with this supporting text.
350. Although the Plan requires consideration of possible prior extraction of minerals ahead of the proposed non-mineral development taking place, there is no specific policy that relates to the prior extraction of

minerals. **MM83** also provides for a new policy (MIN 4A) that specifically relates to the prior extraction of minerals and identifies the factors to be taken into account in determining whether prior extraction would be feasible.

351. **MM83** is necessary to ensure that the Plan is effective and consistent with national policy.

352. Policy MIN 5 of the Plan seeks to safeguard minerals related infrastructure from unnecessary loss to non-minerals related development. It requires non-mineral development proposals in the vicinity of a safeguarded site to demonstrate that proposed development would not prevent or prejudice the current or future use of mineral infrastructure. Table 13.1 identifies the existing minerals infrastructure sites/facilities in Northumberland which are to be safeguarded in accordance with the policy. This includes transportation infrastructure such as wharfs, railheads and rail links, sites for concrete batching, the manufacturing of coated materials and sites for the processing of recycled and secondary aggregate material.

353. Paragraph 13.19 of the Plan provides part of the supporting text to Policy MIN 5. However, it does not explain how the 'agent of change principle' is to be taken into account in considering non-mineral development in the vicinity of mineral infrastructure or how suitable mitigation should be considered. **MM84** provides additional text to this paragraph to address these matters and is necessary for the Plan to be effective.

354. **MM85** provides an additional paragraph to the supporting text of Policy MIN 5 to explain that non-mineral development proposals in the vicinity of mineral infrastructure should be accompanied by a 'Mineral Infrastructure Assessment'. This explains that non-mineral development proposals should provide sufficient evidence to enable the decision-maker to assess whether the proposed development would have an adverse effect on the operation of the infrastructure, including the identification of mitigation measures. This modification is necessary for the Plan to be effective.

355. Mineral infrastructure sites/facilities are also identified on the Policies Map (NCC.01.05) in addition to Table 13.1. However, Table 13.1 does not show all of the infrastructure sites/facilities that are identified on the Policies Map. In particular, two sites for the manufacture of concrete at Battleship Wharf, Cambois and FP

McCann at Littlehoughton and two sites for the processing of recycled and secondary aggregates at Coopies Haugh, Morpeth and the Hadston Recycling Centre are shown on the Policies Map but are absent from Table 13.1. **MM86** addresses this discrepancy by adding these sites to Table 13.1 and is necessary to ensure that the Plan is justified and effective.

Conclusion on issue 11C

356. I am satisfied that the Plan, when considered with the recommended main modifications, adequately balances the safeguarding of mineral resources and infrastructure and the needs of competing development. It is therefore sound in this regard.

Issue 11D - Whether the provision made in the Plan for the future supply of aggregate minerals would deliver a steady and adequate supply.

357. The NPPF looks to Minerals Planning Authorities (MPAs) to plan for a steady and adequate supply of aggregates by preparing a Local Aggregates Assessment (LAA) based on a rolling average of ten years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources).

358. The approach to planning for the provision of aggregates in the Plan is underpinned by the Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear Local Aggregates Assessment – December 2018 (NCC.17.02). In line with paragraph 213 (a) of the NPPF and the PPG, the Local Aggregate Assessment presents the ten years sales average and uses this as the basis of understanding demand. It also assesses other relevant local information such as proposed housing delivery and future infrastructure projects that would result in demand for aggregate minerals. It additionally calculates three years sales averages in order to understand the trends in demand over the Plan period as advised in the PPG (Minerals, Paragraph 064, Reference ID: 27-064-20140306).

359. The LAA provides a comparison of both the ten year sales averages and the most recent three year sales averages. It shows that for both sand and gravel and crushed rock the three year sales average is higher than the ten year sales average. This reflects that the ten year period includes a number of years of depressed sales

(particularly 2009 to 2013) as a result of the economic downturn. The three year sales average includes a period (2015 to 2017) where sales have increased as a result of increased demand. This indicates a trend of increased sales in recent years over and above those levels experienced during the economic downturn.

360. The analysis in the LAA (Chapter 5, page 47) recommends that the three year sales average is used to calculate the future demand for aggregates in the Plan area over the Plan period. This approach is justified by the evidence base contained within the LAA and is sound. The three year sales average is more representative of demand likely to be experienced in future years.
361. Based on Table 5.6 of the LAA, the Plan identifies that the proposed annual demand requirement for land-won sand and gravel that should be supplied from Northumberland is 420,000 tonnes. For crushed rock the annual demand requirement is identified as 1,650,000 tonnes.
362. In comparing the ten year sales average and the three year sales average for the Joint LAA area as a whole the crushed rock three years sales average is 19.1% higher than the ten year sales average and the sand and gravel three year sales average is 13.26% higher than the ten year sales average. Accordingly, use of the three year sales average as the basis for identifying demand would in effect represent an uplift over and above the ten year sales average.
363. The question arises whether there would be an under-provision of aggregate resources over the Plan period in the event of any increased demand caused by economic growth in the region. However, without dismissing the possibility of significant future growth in the region, I consider that the annual LAA should be able to identify the consequences and impact of such growth and any effect there might be on aggregate resources, reserves and landbanks and whether a review of part of the Plan would be triggered earlier than might otherwise be the case. Consequently, at this time, I see no convincing reason to depart from the basis of the supply figures outlined above.
364. In setting out the annual demand for aggregates, the Plan does not identify that the three year sales figure has been used as the basis for calculating future demand nor does it explain the reasons for this. **MM87** provides additional text to be inserted after paragraph 13.23

of the Plan to explain the basis for the calculation of future aggregate demand. This modification is necessary for the Plan to be justified.

365. Policy MIN 6 of the Plan sets out the general approach to provision of aggregate minerals in the Plan area over the Plan period. This policy sets out the Council's support for aggregate extraction from preferred areas identified in Policies MIN 7 and MIN 8, which are considered later in this report, and how proposals for aggregate extraction outside of the preferred areas are to be considered.
366. Part 3 of Policy MIN 6 provides support for aggregate extraction outside of the preferred areas in circumstances where the proposal would help maintain the production capacity in the County to meet aggregate demand. Part 4 of the policy provides support for development that would contribute to the supply of secondary and recycled aggregates and the use of 'Borrow Pits' to supply aggregate minerals for nearby construction projects. These parts of the policy provide sufficient flexibility to maintain supply and ensure that there is opportunity to provide aggregates from sources located in close proximity to major construction projects, thereby reducing transportation distances and minimising the use of the primary resource from active quarries.
367. However, in seeking that provision is made in the Plan 'towards a steady and adequate supply of aggregate minerals', Policy MIN 6 is inconsistent with paragraph 213 of the NPPF which requires that MPAs should 'plan' for a steady and adequate supply. In addition, the approach contained within the policy to secondary and recycled aggregates is unclear and there is considerable repetition of the requirements of Policies MIN 1 and MIN 3. **MM95** addresses these matters and is necessary for the Plan to be effective and consistent with national planning policy.

Sand and Gravel Provision

368. Table 13.3 of the Plan sets out the balance between supply from existing reserves and the demand for sand and gravel over the Plan period. However, the table does not adequately identify the calculation basis that has been used to arrive at the figures contained in the table.
369. **MM89** provides for a new replacement Table 13.3 that more clearly identifies how the difference between existing supply and future demand has been calculated over the Plan period. This modification

is necessary for the Plan to be justified. Demand is calculated in the table from 2018 as the reserves as at 31 December 2017 have been used as the basis of the calculations. It identifies that the demand for sand and gravel from 2018 to 2036, based on an annual demand of 420,000 tonnes, is 7,560,000 tonnes (420,000 x 18). Taking into account a need to maintain a landbank of at least 7 years for sand and gravel, as required by criterion 'f' of paragraph 213 of the NPPF, requires an additional 2,940,000 tonnes (420,000 x 7) to be met. Therefore, the total supply of sand and gravel to be provided in the Plan is 10,500,000 tonnes.

370. Table 13.2 of the Plan identifies the existing permitted quarries in Northumberland with planning permission for sand and gravel and crushed rock extraction together with their existing reserves as at 31 December 2017. These figures have been incorporated into the revised Table 13.3 and identify that permitted reserves for sand and gravel are 5,409,638 tonnes. Therefore, the shortfall in reserves to meet the demand over the Plan period plus the requirement for a 7 year landbank is 5,090,362 tonnes.
371. Paragraphs 13.24 and 13.25 provide supporting text to explain Table 13.3 and also identify that three sites have been identified in the Plan to meet the identified shortfall. However, the text in paragraph 13.24 is now inconsistent with the revisions made to Table 13.3 as a consequence of **MM89**. In addition, the West Wharmley site is identified as a potential site for sand and gravel extraction. This site was deemed to be undeliverable during the examination hearings and the replacement site at Ebchester is not identified.
372. **MM88** addresses the above matters and provides amended text to paragraphs 13.24 and 13.25 and is necessary for the Plan to be justified and effective. These paragraphs identify three sites to be allocated for sand and gravel extraction over the Plan period at Anick Grange Haugh, Ebchester and Wooperton Quarry east extension. These sites have reserves of 5.8, 2.2 and 1 million tonnes respectively which can meet the identified demand requirement over the Plan period and maintain a landbank of at least 7 years.
373. Each allocation has been subject to a comprehensive site assessment process set out in the 'Aggregate minerals site allocations selection and appraisals Technical Paper – December 2018' (NCC.02.19). This Technical Paper was further updated in April 2020 (EX/NCC/226). These documents provide an appropriate and robust methodology for the identification of the allocated sites.

374. Policy MIN 7 of the Plan sets out the support for proposals for the extraction of sand and gravel from the allocated sites. However, the policy refers to the undeliverable West Wharmley site and does not refer to the replacement Ebchester allocation. In addition, the policy contains considerable repetition with the requirements of Policies MIN 1 and MIN 3 of the Plan. **MM97** addresses these matters and is necessary for the Plan to be effective. A corresponding change to the Policies Map is also necessary to provide for the deletion of the West Wharmley site and the addition of the replacement Ebchester site.
375. Paragraph 13.29 provides supporting text to Policies MIN 7 and MIN 8 of the Plan. However, this paragraph does not adequately reflect the fact that proposals for sand and gravel and crushed rock extraction from the allocated sites will be supported in principle but will be subject to detailed assessment at planning application stage. In addition, the paragraph does not explain that the most relevant policies that will be used to assess the environmental acceptability of such proposals are Policy MIN 1 (Environmental criteria for assessing minerals proposals) and Policy MIN 3 (Site restoration, aftercare and after-use). **MM96** addresses these matters and is necessary for the Plan to be effective.

Crushed Rock Provision

376. Table 13.4 of the Plan sets out the balance between supply from existing reserves and the demand for crushed rock over the Plan period. However, similar to Table 13.3 in respect of sand and gravel, the table does not adequately identify the calculation basis that has been used to arrive at the figures contained in the table.
377. **MM91** provides for a new replacement Table 13.4 that more clearly identifies how the difference between existing supply and future demand has been calculated over the Plan period. This modification is necessary for the Plan to be justified. The modification identifies that the demand for crushed rock for aggregate use over the Plan period, based on an annual demand of 1,650,000 tonnes, is 29,700,000 tonnes. In order to maintain a landbank of at least ten years for crushed rock aggregate, as required by criterion 'f' of paragraph 213 of the NPPF, an additional 16,500,000 tonnes is required. Therefore, the total supply of crushed rock aggregate required over the Plan period is 46,200,000 tonnes.
378. As identified above, Table 13.2 of the Plan identifies the existing permitted quarries in Northumberland with planning permission for

sand and gravel and crushed rock extraction together with the existing reserves as at 31 December 2017. These figures have been incorporated into the revised Table 13.4 and identifies that permitted reserves for crushed rock are 81,015,832 tonnes. Therefore, the surplus in reserves to meet the demand over the Plan period plus the requirement for a ten year landbank is 34,815,832 tonnes.

379. Paragraph 13.26 provides supporting text to Table 13.4 and identifies that there would be no shortfall in the permitted reserves to meet the forecast demand up to the end of the Plan period and maintain a landbank of at least ten years. However, the Plan does not recognise that the annual production capacity of existing active crushed rock sites would fall below the forecast annual demand of 1,650,000 tonnes during the Plan period.

380. This matter was identified in the LAA and is due to the fact that the number of sites that are currently active is expected to decrease as permitted reserves contained within some of the sites are exhausted. In addition, there is some uncertainty of the production capacity of sites that are currently inactive.

381. The LAA recommends that additional land be allocated for crushed rock aggregate extraction over the Plan period. This approach maintains production capacity but also avoids large landbanks at a limited number of sites that may stifle competition and would therefore ensure consistency with paragraph 213g of the NPPF. In addition, this approach provides for a more appropriate geographical balance in supply between quarries in the north and east of Northumberland and those in the south and west. **MM90** provides additional text to paragraph 13.26 to reflect the above recommendations contained within the LAA. This modification is necessary for the Plan to be effective and consistent with national planning policy.

382. Paragraph 13.27 identifies four sites to be allocated in the Plan for crushed rock aggregate extraction. These are Belford Quarry which is an extension of the existing quarry (reserves of 5 million tonnes); extensions to Divethill Quarry from which current permitted reserves are anticipated to be worked out in 2022 (reserves 6.6 million tonnes); Longhoughton Quarry east extension (reserves 1.75 million tonnes); Northside (reserves 4 million tonnes) which is a new site that is unlikely to commence extraction until the latter part of the Plan period.

383. Each allocation has also been subject to a comprehensive site assessment process set out in the 'Aggregate minerals site allocations selection and appraisals Technical Paper - April 2020 (EX/NCC/226). This document provides an appropriate and robust methodology for the identification of the allocated sites.
384. **MM92** provides modifications and additional text to paragraph 13.27 and includes a new site 'Shiel Dykes' (reserves 3 million tonnes). The Shiel Dykes site was originally identified as an allocation in the Regulation 18 Draft Local Plan but was deleted due to highway safety concerns which can now be overcome. The inclusion of this site ensures that there is a more even geographical split between reserves in the north and south of the County.
385. In addition, **MM92** provides more information of the locations of the allocations, these also explain that the site allocations are necessary to ensure a steady and adequate supply of crushed rock over the Plan period and to ensure that productive capacity can meet the identified annual demand. This modification is necessary for the Plan to be justified. A corresponding change to the Policies Map is also necessary to provide for the inclusion of the Shiel Dykes site.
386. Harden Quarry, which is located in the Northumberland National Park, also contributes to the supply of crushed rock for aggregate use within Northumberland as a whole. This quarry provides a resource that is recognised for its red colour and is not found elsewhere in Northumberland. Although the Plan has no land use planning responsibility for development within the National Park, the resource nonetheless contributes to aggregate supply within Northumberland and is not referred to in the Plan. **MM93** provides a new paragraph to explain the importance of Harden Quarry to the supply of crushed rock in the County and is necessary for the Plan to be justified.
387. Policy MIN 8 of the Plan sets out the support for proposals for the extraction of crushed rock from the allocated sites identified in paragraph 13.27. However, the policy does not refer to the new Shiel Dykes allocation and unnecessarily contains considerable repetition with the requirements of Policies MIN 1 and MIN 3 of the Plan. **MM98** addresses these matters and is necessary for the Plan to be effective.

Conclusion on issue 11D

388. Subject to the recommended main modifications, I am satisfied that the provision made in the Plan for the future supply of aggregate minerals would deliver a steady and adequate supply, is fully justified by the evidence and is sound.

Issue 11E - Whether the Plan makes sufficient provision for the use of secondary and recycled aggregates.

389. Part 1 (c) of Policy MIN 6, as amended by **MM95**, provides support for proposals that would contribute to the supply of secondary and recycled aggregates. However, the Plan provides no guidance as to how proposals for secondary and recycled aggregates production are to be assessed in the context of Policy MIN 6 or the relationship with the Plan's policies for waste recycling, which are discussed later in this report.

390. **MM94** provides two new paragraphs of supporting text to Policy MIN 6. This modification is necessary for the Plan to be justified and effective. These explain that in Northumberland recycled aggregates are primarily produced from construction and demolition projects whilst secondary aggregates are produced from industrial by-products including ash derived from Lynemouth Power Station. The text also explains that aggregate quarries also provide opportunities for the production of recycled aggregates, which need to be considered in the context of Policy WAS 1 of the Plan, and waste that may be considered for landfilling may be able to be recycled in the context of Policy WAS 3 of the Plan. Both these policies are considered later in this report.

391. The text also recognises that data capture of secondary and recycled aggregate production is not well developed and therefore no target or current production level is identified in the Plan. However, monitoring arrangements for the quantity of secondary and recycled aggregates produced in the County are proposed and are considered later in this report.

Conclusion on issue 11E

392. I am satisfied that the Plan, when considered with the recommended main modifications, makes adequate provision for the use of

secondary and recycled aggregates and is fully justified by the evidence and is sound.

Issue 11F - Whether the Plan makes adequate provision for other minerals of significance in Northumberland.

Coal

393. Figure 13.1 of the Plan identifies the coal resources that are found extensively in the County. The figure identifies the 'principal' resource area, where coal seams are closely spaced, and the 'subsidiary' resource area where seams are more widely spaced.
394. Policy MIN 9 provides the basis for consideration of coal extraction proposals and sub-divides the principal resource area into a number of sub-areas. For each sub-area the policy sets out a number of locational criteria that will be used in the assessment of coal extraction proposals. These have been informed by the 'Landscape Character Assessment' (NCC.14.01), the 'Northumberland Key Land Use Impact Study – Part C – Landscape Sensitivity to Key Land Uses' (NCC.14.15) and the 'Environmental Considerations and Mineral Resources Study' (NCC.17.01).
395. Paragraphs 13.31 and 13.32 provide supporting text to Policy MIN 9. Paragraph 13.31 explains that the resources have been shown as 'principal' and 'subsidiary' areas and that the principal resource represents the most important coal resource in the County due to the closely spaced nature of the coal seams and the quality of the coal.
396. Paragraph 215c of the NPPF requires that MPAs should indicate any areas where coal extraction may be acceptable. The Plan does not identify any areas where coal extraction may be acceptable. **MM99** therefore provides additional text to paragraph 13.31 to explain that proposals for coal extraction are expected to come forward from within the principal resource area during the Plan period.
397. Paragraph 217 of the NPPF sets out how the environmental acceptability of proposals for the extraction of coal should be considered and whether there are any national, local or community benefits which would clearly outweigh the impacts. This is adequately reflected in Policy MIN 9. However, the supporting text provided in paragraph 13.32 does not adequately explain how Policy MIN 1 (Environmental criteria for assessing minerals proposals) and

Policy MIN 2 (Criteria for assessing the benefits of minerals proposals) should be considered in the context of Policy MIN 9. **MM99** also provides additional text to paragraph 13.32 to address this matter. This modification is necessary for the Plan to be effective and consistent with national planning policy.

398. Preparation of the Plan pre-dates recent Government announcements regarding the cessation in the use of coal from 1 October 2024 to generate electricity. However, the possibility of proposals for coal extraction for other uses, such as metallurgical coal, cannot be ruled out but would be considered in the context of Policy MIN 9 and other policies within the development plan as a whole including Policy MIN 1 and Policy STP 4 (Climate change mitigation and adaptation).
399. Subject to the main modification identified above, the Plan is effective and sound in the way that it has dealt with coal extraction.

Clays

400. The clay resources that are found in Northumberland include fireclays, coal measures mudstone, brick shale and glacial clay. The Plan does not explain that all of these types of clay resources can be used for brick-making and that they have been collectively referred to in the Plan as brick clays. In order for the Plan to be effective, **MM101** addresses these matters and provides additional text to paragraph 13.34. This paragraph provides part of the supporting text to Policy MIN 10.
401. The NPPF requires that a stock of permitted reserves of at least twenty-five years is provided for brick clay to support new or existing plants (brickworks). Currently, there are no brick manufacturing plants in Northumberland and no dedicated brick clay extraction sites. Brick clays have been predominantly extracted as an ancillary mineral (fireclay) to coal from surface coal sites.
402. It is not economically viable to extract fireclay as a resource in its own right due to its thin nature and low price. In addition, the existing brick manufacturing plants in the North East Region, which includes the Throckley Brickworks in Newcastle located relative close to the County boundary, can demonstrate a sufficient land bank of permitted reserves.

403. Given the absence of any brick manufacturing plants in the County and the geological nature of the resource, the Plan does not provide for a landbank of brick clay. In the circumstances, this approach does not materially conflict with the requirements of the NPPF. However, the Plan does not adequately explain why a landbank of permitted reserves of brick clay is not identified. **MM102** addresses this matter and is necessary for the Plan to be justified.
404. Although the extraction of brick clay has historically occurred as an ancillary operation to surface coal mining, Policy MIN 9 (Coal) does not recognise that proposals for coal extraction should include, where practicable, the extraction of brick clays. **MM100** addresses this matter by providing an additional part (Part 3) to Policy MIN 9 requiring that proposals for coal extraction include the provision for brick clay extraction where practicable. This modification seeks to ensure that the clay resource is not unnecessarily sterilised and is necessary for the Plan to be effective.
405. Whilst there are currently no brick manufacturing plants in the County, the prospect of such plant being developed in the Plan area and in the Plan period cannot be ruled out. Policy MIN 10 provides the basis for the consideration of clay extraction proposals. However, the policy contains considerable repetition with the requirements of Policies MIN 1 and MIN 3 of the Plan. **MM103** deletes this repetition and is necessary for the Plan to be effective.

Natural building stone and roofing stone

406. The sandstone resource in Northumberland has historically been used as a building material and makes an important contribution to the character and appearance of the County's built environment. Many of the existing building stone quarries are small scale and are only worked intermittently by responding to the demand from specific building or restoration projects.
407. Whilst it is difficult to predict demand, Policy MIN 11 seeks to ensure a steady, adequate and diverse supply of building and roofing stone by providing a criteria based approach that supports extensions to existing quarries or new sites. However, the policy only provides support for proposals that provide material specifically for the repair of identified heritage assets. As such, the policy fails to recognise that the use of such stone may be specified in development projects where it is necessary to maintain the character and appearance of an

area in circumstances where local sandstone is the predominant building material used in built development in the locality.

408. **MM104** addresses this matter by providing additional text that supports proposals for building and roofing stone extraction in circumstances where this would provide material required to maintain the character of a settlement and that the mineral is primarily used as building and roofing stone rather than for aggregate use.
409. Similar to other policies relating to mineral development as identified above, the policy also contains considerable repetition with the requirements of Policies MIN 1 and MIN 3 of the Plan. **MM104** deletes this repetition and is necessary for the Plan to be effective.

Peat

410. Peat has been previously extracted in Northumberland. The NPPF makes it clear that local plans should neither identify new sites nor extensions to existing sites for extraction. Policy MIN 13: 'Peat' sets out the Plan's approach to the consideration of peat extraction. The policy clearly sets out that proposals for new sites or extensions to existing sites will not be permitted. However, proposals for the extensions of time to work existing permitted sites may be permitted where it is necessary to enable restoration to be implemented and that biodiversity and ecological enhancements are provided. Policy MIN 13 is consistent with the NPPF and is sound without modification.

Conclusion on issue 11F

411. I am satisfied that the Plan, when considered with the recommended main modifications, provides an appropriate basis for the provision of minerals of significance (other than aggregates which are covered separately in the Plan) in Northumberland and is sound in this respect.

Issue 11G - Whether the Plan strikes the appropriate balance between the exploration and supply of conventional and unconventional oil and gas and the protection of the environment and the living conditions of nearby residents.

412. Policy MIN 12 of the Plan sets out the criteria to consider proposals for both conventional (where the oil or gas reservoir is sandstone or

limestone) and unconventional (where the oil or gas comes from sources such as shale or coal seams) hydrocarbons.

413. In terms of conventional oil and gas, there are currently no Petroleum Exploration and Development Licences (PEDL) issued by the Oil and Gas Authority (OGA) in the County. Such licence grants exclusive rights to explore, drill and produce oil and gas within a small, specified area.
414. Generally, the prospects for the recovery of gas from coal seams and former coal mines and underground coal gasification are likely to be poor due to previous working of the coal resource and low methane content. The carboniferous rocks in Northumberland are identified as having the potential for conventional oil and gas recovery but this potential has not been previously realised as a viable resource. In addition, the geology of the County has the potential for shale gas extraction through hydraulic fracturing but this potential is currently untested and it is not known whether an extractable resource is present.
415. Paragraph 13.45 of the Plan provides part of the supporting text to Policy MIN 12. This acknowledges that there are uncertainties regarding the future prospects for oil and gas extraction. It explains that the policy provides a criteria based approach for the consideration of proposals for conventional and unconventional oil and gas development and that the environmental issues will also need to be assessed against the requirements of Policy MIN 1.
416. However, the paragraph does not explain that the impacts on the underlying integrity of the geological structure, induced seismicity and the visual impact and illumination of the night sky associated with the flaring of any gas need to be considered. **MM105** addresses these matters by providing additional text to paragraph 13.45. This modification is necessary for the Plan to be effective.
417. Policy MIN 12 addresses the three phases of conventional and unconventional oil and gas development (exploration, appraisal and production) as required by paragraph 215 of the NPPF. However, the policy does not reflect the need for development proposals to demonstrate the measures necessary to avoid induced seismicity. **MM106** is therefore required to provide additional text to Policy MIN 12 to address this matter. This modification is necessary to ensure that the Plan is effective and that the policy is consistent with

the modifications made to paragraph 13.45 as a consequence of **MM105**.

418. The question arises whether Policy MIN 12 should include a 'set-back distance' between residential dwellings and shale gas extraction sites. However, the need or otherwise for any set-back would be determined in the context of the criteria provided in Policy MIN 12 and Policy MIN 1 (Part 2, a). Consequently, I consider that the Plan is consistent with the advice provided in the PPG (Paragraph: 018 Reference ID: 27-018-20140306).

419. The question also arises whether Policy MIN 12 should explicitly refer to the impact of conventional and unconventional oil and gas development on climate change. However, such development would be assessed against the policies of the development plan taken as a whole, including Policy MIN 1 and Policy STP 4 (Climate change mitigation and adaptation). I am satisfied that these policies, subject to the main modifications identified above, provide an appropriate basis for the consideration of climate change when assessing proposals for conventional and unconventional oil and gas development.

Conclusion on issue 11G

420. I am satisfied that the Plan, when considered with the recommended main modifications, strikes the appropriate balance between the exploration and supply of conventional and unconventional oil and gas and the protection of the environment and the living conditions of nearby residents.

Issue 11H - Whether the Plan makes appropriate provision for the future management of waste.

421. Figure 3.1 sets out the Strategic Objectives of the Plan. These include the objective of managing the prudent use of Northumberland's natural resources, including minerals, energy, land, existing built fabric and water, while producing less waste and minimising the adverse impacts on communities and the environment.

422. Paragraph 13.50 provides an 'Introduction to Waste' section of the Plan by explaining that waste is a resource rather than a material that needs to be disposed of and that the role of the Plan is to

provide a network of facilities to drive waste management up the waste hierarchy. However, this introductory text does not adequately explain how the Plan is intended to support sustainable waste management to meet the above strategic objective.

423. **MM107** is therefore necessary to provide additional text to paragraph 13.50. This explains, amongst other things, how the waste management policies in the Plan are intended to deliver a net self-sufficiency in waste management capacity within the Plan area, move the treatment of waste up the waste hierarchy, ensure that waste is managed close to the source of arisings and ensure that waste management facilities do not cause harm to the environment, residential amenity or human health. This modification is necessary for the Plan to be effective.
424. The 'Model of Waste Arisings and Waste Management Capacity' study (NCC.17.07) provides the substantive evidence base which has informed the waste management policies of the Plan. This was published in July 2012 and provides detailed projected arisings of waste and current and planned waste management facility capacity in Northumberland and other local authority areas in the North East up to 2030. This identifies if there is any capacity gap for the management of various waste streams.
425. In January 2016 an update note to NCC.17.07 was prepared - 'New Waste Management Capacity permitted in the North East since the Urban Mines Baseline' (EX/NCC/74). This updated the capacity calculations to take into account new and planned waste facilities. The note supported the conclusions of the earlier study that Northumberland has significant capacity at waste transfer stations and materials recycling facilities to manage the forecast waste arisings that would need to be managed at these facilities. In addition, the note confirms that there remains sufficient capacity across the region to facilitate the ongoing sustainable management of waste. Despite the fact that the update note was prepared in 2016, there has no been significant material changes in local circumstance to suggest that its content is unreliable.
426. Tables 13.5, 13.6 and 13.7 of the Plan provide a summary of the relevant data contained in the above study and show the projected arisings and management of Local Authority Collected Waste (LACW), Commercial and Industrial Waste (C&I) and hazardous waste respectively. The data presented is shown at 5 yearly intervals from

2014/15 to 2029/30. However, these dates do not extend to the end of the Plan period in 2036.

427. **MM109** provides revisions to Tables 13.5, 13.6 and 13.7 that shows the projected waste arisings and management of the waste types outlined above at 5 yearly intervals commencing in 2015/16 and ending in 2035/36. This has involved the extrapolation of the waste arisings figures to 2036 using the methodology set out in the study. This modification ensures that the waste arisings and management routes are shown to the end of the Plan period and is necessary for the Plan to be justified and effective.
428. Paragraphs 13.57 and 13.58 of the Plan set out the approach to waste prevention and minimisation over the Plan period. However, this text is currently located after Tables 13.5, 13.6 and 13.7. As the projected waste arisings shown in the tables are influenced by the extent to which the amount of waste generated is minimised, it is necessary to move these paragraphs to form part of the supporting text to the tables and appear before Table 13.5. **MM108** and **MM111** provide for this and are necessary for the Plan to be justified and effective.
429. Although the projected waste management capacity is set out in the study (NCC.17.07) and update note (EX/NCC/74), this is not adequately reflected in the Plan. **MM109** therefore also provides additional text to explain the capacity of waste management facilities in Northumberland and the North East. The modification also provides for a new Table (Table 13.8) that sets out the capacity of facilities for organic waste recycling, household recovery centres, metal recycling and end of life vehicle facilities, recycling and recovery facilities and inert waste recycling.
430. Whilst there is an intention to deliver a net self-sufficiency in waste management capacity within the Plan area, there is no explanation in the Plan of how this is to be achieved. Although there is sufficient waste management capacity in the region to achieve net-sufficiency, there is no reference to the need for cross boundary waste movements to occur. **MM110** addresses this matter by providing new text that explains, amongst other things, that a quantity of LACW is transported to an energy from waste facility on Teesside.
431. The Plan has been prepared on the basis that across the Plan area, there is already a well-established and appropriately distributed network of sites to manage the forecast waste arisings for re-use,

recycling and recovery over the Plan period. As such, the strategy of the Plan is not to make specific allocations for new waste sites.

432. Whilst no specific allocations are made, the Plan recognises that facilities may be required for development that supports more sustainable waste management, assists in moving the management of waste up the waste hierarchy and responds to the proximity principle requiring facilities to be located close to the source of waste generation.
433. Therefore, Policy WAS 1: 'Principles for the location of waste re-use, recycling and recovery facilities' sets out a broad spatial strategy for the location of new waste management development. It identifies a sequential approach with a focus on main towns and service centres, encourages co-location on sites with an existing waste management use and utilising employment sites and previous developed land.
434. Paragraphs 13.59 to 13.63 provide part of the supporting text to Policy WAS 1. However, these do not adequately explain the reasons why the Plan makes no specific site or area allocations. Furthermore, they do not explain the aim of continuing to move waste management up the hierarchy or how Policy WAS 1 addresses the proximity principle and the principle of net self-sufficiency. **MM112** provides amendments and additions to these paragraphs to address these matters and is necessary for the Plan to be effective.
435. Policy WAS 2: 'Development management criteria for waste re-use, recycling and recovery facilities' provides the development management criteria for the consideration of new or enhanced facilities. Policy WAS 4: 'Safeguarding waste management facilities' seeks to ensure that existing waste management facilities are safeguarded from other development that would prejudice their use. These policies are sound without modification.
436. Paragraph 13.69 provides supporting text to Policy WAS 4 and identifies that Appendix 'C' of the Plan provides the details of the waste management facilities to be safeguarded. However, the table provided in this appendix includes the Prestwick Pit Waste Facility which is currently not operational and subject to an alternative land use allocation in the Plan. **MM139** provides for the deletion of the Prestwick Pit from the table of Existing Waste Management Facilities shown in the appendix. In addition, this modification also provides for the renumbering of Appendix 'C' to 'G'. This modification is necessary for the Plan to be effective.

437. A corresponding change to the Policies Map is also necessary to reflect the deletion of the Prestwick Pit Waste Facility site from the Plan.
438. Waste disposal is viewed as the last option for managing waste in the waste hierarchy. However, it will remain necessary to manage a small quantity of waste by means of disposal over the Plan period. This is to manage waste which is not currently recyclable, including residues that remain after recycling and recovery has occurred. Tables 13.5 and 13.6 of the Plan demonstrate that the quantity of material expected to be managed by means of disposal over the Plan period is expected to reduce.
439. Policy WAS 3 sets out a sequential and criteria-based approach to the consideration of development proposals for hazardous and non-hazardous waste disposal. It identifies that the focus of disposal over the Plan period will be at the existing Ellington Road Landfill Site. However, new locations for disposal will be considered where it can be demonstrated that there are no other solutions to managing the waste higher up the hierarchy and where these are more sustainable in terms of their proximity to the main sources of waste arisings.
440. Paragraphs 13.64 to 13.66 provide the supporting text to Policy WAS 3. However, these do not explain how the quantity of materials expected to be managed by means of disposal are expected to reduce over the Plan period. Furthermore, they do not explain the strategic role of the Ellington Road Landfill Site for the disposal of non-hazardous waste. This site has remaining capacity sufficient to manage the residual waste from Northumberland over the Plan period.
441. However, the Ellington Road site also accepts waste from Newcastle and North Tyneside. As such, there is a risk that the remaining capacity could be utilised before the end of the Plan period. Furthermore, the supporting text does not explain that no new sites for waste disposal were put forward for consideration during the preparation of the Plan. As a consequence of these matters, the supporting text does not adequately explain that additional waste disposal facilities may come forward during the Plan period which will need to be considered in the context of Policy WAS 3.
442. **MM113** addresses these matters by providing additional text to paragraphs 13.64 and 13.66 and two new paragraphs. This modification is necessary for the Plan to be justified and effective.

443. Overall, the Plan's approach to the location of new waste management development is consistent with paragraph 4 of the National Planning Policy for Waste (NPPW).

Conclusion on issue 11H

444. I am satisfied that the Plan, when considered with the recommended main modifications, provides appropriate provision for the future management of waste in Northumberland and is sound in this respect.

Issue 11I - Whether the Plan strikes the appropriate balance between development for renewable and low carbon energy and the protection of the environment and the living conditions of nearby residents.

445. The introductory section of the Plan to renewable and low carbon energy reflects the general principles of paragraph 155 of the NPPF. This recognises the need for the planning process to assist in the delivery of an increase in the use and supply of renewable and low carbon energy and heat. It also recognises that this does not automatically override environmental considerations such as landscape, heritage and amenity matters.

446. Policy REN 1: 'Renewable and low carbon energy and associated energy storage' sets out the approach to the consideration of all proposals for renewable and low carbon energy and energy storage and includes developments such as anaerobic digestion, biomass, commercial heat pumps, hydroelectricity, onshore wind and solar photovoltaics. Policy REN 2: 'Onshore wind energy development' sets out additional criteria for the consideration of such development proposals and will be discussed later in this report.

447. Although Policy REN 1 requires consideration of the impact of development proposals on landscape character and visual receptors, it does not adequately reflect that the sensitivity of the landscape also needs to be considered including landscapes and views that are demonstrated to be of importance at the local community level. **MM114** addresses this matter and provides additional text to section 3, part a of the policy. This modification also provides for a minor corresponding change to paragraph 13.76 which forms part of the supporting text and is necessary for the Plan to be effective.

448. Paragraph 13.80 provides part of the supporting text to Policy REN 2. This identifies that Northumberland has experienced considerable interest in recent years for onshore wind turbine development. **MM115** provides additional text to this paragraph which explains that such pressure for new development is unlikely to decrease if the Government's target for the UK to produce 'net zero' carbon emissions by 2050 is to be met. This modification is necessary for the Plan to be justified.
449. Paragraphs 13.82 to 13.87 also provide supporting text to Policy REN 2 and set out the approach to the consideration of potentially suitable areas for onshore wind energy development. Paragraph 155 of the NPPF requires that development plans should consider identifying suitable areas for development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts). Footnote 54 of the NPPF sets out that a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan. The question arises whether the Plan adequately identifies areas suitable in Northumberland for onshore wind energy and whether landscape and visual considerations are appropriately considered.
450. Paragraph 13.82 explains that in the preparation of the Plan the Council produced a technical document 'Potentially suitable areas for wind energy development – December 2018' (NCC.02.20) (Technical Document). This mapped a number of environmental and planning constraints to wind turbine development including residential amenity, nature conservation designations, historic environments and landscape sensitivity. The Technical Document aimed to provide an indication, at the strategic, Countywide level, where areas may be potentially suitable or unsuitable for wind energy development and was informed by a consultancy report, 'Assessment of the Sensitivity of the Landscapes of Northumberland to Wind Energy Development – January 2018' (NCC.17.12) (Sensitivity Assessment).
451. Section 5 of the Technical Document clearly sets out that the potentially suitable areas identified do not provide a definitive assessment of the suitability of a particular location for wind energy development. As such, any proposals for wind turbine development in these areas would require more detailed assessment to inform and assess the acceptability of a proposal as part of a more detailed site appraisal. The technical paper recommends that the identification of potentially suitable areas for wind energy is accompanied by policy criteria to assess the merits of the proposal at a site level.

452. Paragraph 13.82 of the Plan does not adequately explain the limitations of the broad strategic approach to the mapping exercise used in the technical paper to inform the Plan and that further detailed assessment would need to be taken into account at planning application stage. **MM116** provides additional text to the paragraph to address this matter and is necessary for the Plan to be effective.
453. **MM117** provides additional text to paragraphs 13.83 and 13.84. These explain the definition of landscape sensitivity to be considered in the context of Policy REN 2. This is based on the definition of Landscape Sensitivity found in the Natural England Publication, 'An approach to landscape sensitivity assessment – to inform spatial planning and land management (2019)' (EX/NCC/76).
454. The additional text to paragraph 13.84 explains that the Northumberland Landscape Character Assessment (2010) (NCC.14.01 to NCC.14.12) provides the baseline for the Sensitivity Assessment. This examines each landscape character area and assesses its sensitivity to five wind turbine typologies as either 'high', 'moderate-high', 'moderate', 'low-moderate' or 'low'. **MM117** also identifies that ancillary infrastructure such as grid connections and access tracks also need to be taken into account in the consideration of landscape and visual impact. This modification is necessary for the Plan to be effective.
455. The Plan's approach to the consideration of the suitability of an area for onshore wind energy development is that where a character area is assessed as being of 'high' or 'moderate-high' landscape sensitivity to a particular scale of wind turbine development, those areas are considered to be 'unsuitable' or 'unsuitable in principle' to such development respectively. Paragraph 13.85 explains that the areas without identified constraints at a strategic scale are considered to be potentially suitable for wind turbine development of a specified height and are shown on the Policies Map.
456. **MM118** provides additional text to paragraph 13.85 to explain that at this strategic scale, the Council's approach cannot be prescriptive at individual site level and further detailed evaluation will be required at the planning application stage. The modification also sets out that the potentially suitable areas shown on the Policies Map do not purport to provide guidance on the acceptability of any proposal for wind energy development. Therefore, the identified suitable areas should be seen as a starting point for the consideration of individual proposals. This modification is necessary for the Plan to be effective.

457. **MM123** provides additional text to paragraph 13.89 and a new paragraph to explain that detailed assessment at local level will be required to determine whether a proposal can be successfully accommodated into a potentially suitable area. Of particular importance is an assessment of local landscape effects and visual sensitivities of the host landscape. Further guidance on the content of landscape assessments to accompany onshore wind energy development is also provided by the modification. This modification is necessary for the Plan to be effective.
458. The evidence in the Sensitivity Assessment and Technical Document has led to a conclusion in paragraph 13.86 of the Plan that there are not any significant sized areas within the County without identifiable constraints to larger scale wind turbines (those over 40 metres in height). Consequently, no areas are identified as being potentially suitable for such development. However, paragraph 13.86 does not adequately explain how proposals for wind turbines over 40 metres in height would be considered in the context of Policy REN 2 or how the repowering of existing wind turbines of this height would be considered.
459. **MM119 and MM120** provide additional text to paragraph 13.86 and new paragraphs to address the above matters. These explain that a proposal for turbines over 40 metres in height will not be supported unless it involves the repowering of existing turbines, which will be subject to consideration of the impacts and cumulative effects. They also reinforce that the acceptability of individual proposals within potentially suitable areas will need to be subject to detailed assessment. In addition, the text provided by **MM120** appropriately recognises the role that Neighbourhood Plans may have refining suitable areas. These modifications are necessary for the Plan to be effective.
460. The question arises whether the approach in the Plan to restrict new onshore wind energy development to less than 40m in height is contrary to national policy which supports the transition to a low carbon future and encourages the use of renewable energy. However, the evidence base outlined above has demonstrably considered whether wind turbines of 40m in height and above can be accommodated. The evidence demonstrates there are no significant sized areas in the County where such development could be accommodated. In these circumstances, the approach of the Plan is not inconsistent with national policy. The identification of potentially suitable areas in the Plan, and the scale of development that is

considered to be unsuitable in such areas, is consistent with paragraph 155 of the NPPF.

461. To further explain how proposals for wind energy development will be assessed under Policy REN 2, **MM121** provides a flowchart to demonstrate the planning considerations that will be used by the Council to determine whether a proposal is likely to be supported or not. This modification is necessary for the Plan to be effective.
462. Part 1 'a' of Policy REN 2 is consistent with Footnote 54 of the NPPF which, amongst other things, requires demonstration that the planning impacts of wind energy development identified by the affected local community have been fully addressed and the proposal has their backing. However, the supporting text to Policy REN 2 does not adequately explain how such community backing should be demonstrated.
463. **MM122** and **MM124** provide amendments to paragraphs 13.88 and 13.90 along with seven new paragraphs to address the above matter. These require demonstration of how community views have been taken into account in a consultation exercise at pre-application stage and require the preparation of a consultation strategy. They also set out the basic principles of how the Council will consider whether a proposal has community backing and set out the intention to provide more detailed guidance in a Supplementary Planning Document. These modifications are necessary for the Plan to be effective.
464. Part 1 of Policy REN 2 reflects Footnote 54 of the NPPF in that proposals for repowering of existing wind turbines do not need to be located within an area identified as suitable for wind turbine development or to demonstrate that the planning impacts identified by the affected local community have been fully addressed and that the proposal has their backing. Paragraph 13.91 provides part of the supporting text to Part 1 of the policy. However, it does not adequately explain that repowering proposals do not need to demonstrate that the planning impacts identified by the affected local community have been fully addressed. **MM125** provides additional text to paragraph 13.91 to address this matter and is necessary for the Plan to be effective and consistent with national policy.
465. Part 2 of Policy REN 2 provides a criteria-based approach to the consideration of individual and cumulative planning impacts of on shore wind energy development. However, notwithstanding the fact that repowering proposals do not need to demonstrate that the

planning impacts identified by the affected local community have been fully addressed, it is necessary for them to meet the requirements of Part 2 of the policy.

466. Criterion 'f' of Part 2 of Policy REN 2 requires that proposals for on shore wind energy development include provision for the decommissioning of the turbines and associated infrastructure once the operations have ceased and for the subsequent restoration of the site. **MM126** provides new supporting text to the policy to explain that decommissioning and restoration details should be provided in any planning application for onshore wind energy development and that these details would be controlled through the use of relevant planning conditions. This modification is necessary for the Plan to be effective.

467. Policy REN 2 does not adequately make it clear that the criteria identified in Part 2 of the policy also relate to proposals for the repowering of existing turbines. Furthermore, criterion 'g' of Part 2 of the policy does not adequately explain that harm to landscape and visual receptors also needs to be considered. In addition, there is no criterion that requires an assessment of the capacity of the landscape to accommodate the proposed development taking into account its character, qualities and value to the affected communities. Therefore, **MM127** is necessary to address these matters and is necessary for the Plan to be effective.

Conclusion on issue 11I

468. Subject to the recommended main modifications, I am satisfied that the Plan strikes the appropriate balance between development for renewable and low carbon energy and the protection of the environment and the living conditions of nearby residents. It is therefore sound in this respect.

Issue 11J - Whether the implementation and monitoring of the Plan will be effective in relation to Minerals, Waste and Low Carbon Energy Development and Associated Energy Storage.

469. Appendix I of the Plan comprises the Monitoring and Implementation Framework (MIF) (inserted by **MM141** addressed below) and sets out the principal measures and indicators that will be used to monitor the delivery and effectiveness of the sustainability objectives and planning policies of the Plan. This lists the key indicator targets and thresholds for corrective and/or mitigation measures to monitor the

effectiveness of the Plan and to help identify whether any contingency actions may be required, or relevant policies reviewed.

470. Whilst the LAA also provides a monitoring mechanism specific to aggregate landbanks, the MIF does not adequately identify how the production of crushed rock and sand and gravel will be monitored in relation to the calculated annual demand figure. In addition, the MIF provides no monitoring indicators to determine the production of recycled and secondary aggregates. Additions to MIF in **MM141** are provided to monitor these matters.

471. The Ellington Road Landfill Site has capacity to accommodate the residual waste arising from Northumberland that is required to be managed by means of disposal throughout the Plan period. However, the extent to which this capacity may be displaced by residual waste arising from other parts of the North East is a key matter in determining whether any additional landfill capacity may be needed during the Plan period.

472. There is no indicator in the MIF to monitor remaining landfill capacity to monitor the level needed to manage residual waste from Northumberland over the Plan period. An additional indicator is therefore proposed to address this matter and this is also included in **MM141**.

Conclusion on issue 11J

473. I am satisfied that, subject to **MM141**, the Monitoring and Implementation Framework provides a comprehensive, effective and robust framework for monitoring the delivery of the Minerals, Waste and Low Carbon Energy Development and Associated Energy Storage policies of the Plan and is soundly based.

Conclusion on issue 11

474. With the main modifications identified above, I am satisfied that the Plan's approach to Minerals, Waste and Renewable and Low Carbon Energy Development and Associated Energy Storage is justified and consistent with national policy and is otherwise sound.

Overall Conclusion and Recommendation

475. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

476. The Council has requested that we recommend main modifications to make the Plan sound and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix the Northumberland Local Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Susan Heywood and Stephen Normington

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.