



# Redcar & Cleveland Submission Local Plan April 2017

## Schedule of Responses & Officer Recommendations



## Publication Local Plan

001

### PLP\_001

Full Name Mr Hayes

Organisation

Agent

Agent  
Organisation

### Summary of Representation

The Council has failed to engage on the Strategic Cross Boundary issue of the East Middlesbrough Transport Corridor (EMTC). Middlesbrough Council have expressed their unhappiness to RCC regarding the EMTC. The Council therefore, cannot surely have met their Legal duty to Co-operate.

### Council Response

Construction of the approved development on land at Swans Corner has already commenced and the Council considers that it fully engaged with Middlesbrough Council in relation to the potential East Middlesbrough Bypass prior to the approval of development and sale of the site. In 2005, a study in respect of the possible implementation of an East Middlesbrough Bypass was undertaken in order to determine whether the Bypass was deliverable. This study included consultation with Middlesbrough Borough Council, Network Rail, the National Trust and Highways England. The study concluded that the scheme would not be deliverable due to the impact of the scheme on the land owned by the National Trust. Also, Network Rail raised concerns regarding the possible impact on the Esk Valley line railway bridge and the impact of closure of the line if the bridge was to be rebuilt in a wider form. In addition Highways England raised concerns regarding the slip road onto the A174. As a result of the consideration of these issues, it was judged that there was no realistic possibility of constructing an East Middlesbrough Bypass.

## Publication Local Plan

002

### PLP\_009

Full Name A W Armstrong

Organisation

Agent

Agent  
Organisation

### Summary of Representation

The legal and bureaucratic language used is impenetrable to well over 90% of the populace. The maps are also very complex. The policy sounds absolutely brilliant but has no relationship at all to what the local communities want. i.e. a meeting held in Guisborough several years ago which set out what we in Guisborough wanted. I am reminded of Moses and the tablets of stone. Developers can and do blow the whole system to pieces, as we know in Guisborough. I would like to see some reference to what local peoples' wishes are, as expressed by their local representations and public meetings. As it is, the planners and their masters seem to live in a parallel universe. I wonder just how many folk have read the report and studied the maps relating to their own town, let alone the entire document.

### Council Response

The Council has run consultation events in Guisborough as part of the Local Plan development and taking community views into account when developing the Local Plan.

## Publication Local Plan

003

### PLP\_011

Full Name Lorraine Astbury

Organisation

Agent

Agent  
Organisation

### Summary of Representation

What again, I thought this was thrown out. For goodness sake get this sorted.

### Council Response

Comment noted.

## Publication Local Plan

004

### PLP\_013

Full Name Mr Paul Fellows

Organisation North York Moors National Park

Agent

Agent  
Organisation

### Summary of Representation

We previously commented on the draft Plan on 20 July 2016, and we are pleased to see that all our suggestions have been incorporated into the draft plan. We therefore have no outstanding comments or issues with the draft and wish you well as you proceed to examination. Our previous response confirmed that in our view on going requirements under the Duty to Co-operate are being met in terms of co-operation between our two authorities. This remains the case.

### Council Response

Support welcomed.

## Publication Local Plan

005

### PLP\_015

Full Name Mr Martin Coleclough

Organisation Middlesbrough Borough Council

Agent

Agent  
Organisation

### Summary of Representation

Middlesbrough Council is supportive of the approach set out in your consultation document to deliver sustainable growth in Redcar & Cleveland and the overall benefits that this can bring for the Tees Valley as a whole.

### Council Response

Support welcomed.

## Publication Local Plan

006

**PLP\_017**

Full Name Health and Safety Executive

Organisation Health and Safety Executive

Agent

Agent  
Organisation

**Summary of Representation**

At this early stage HSE can give a general opinion regarding development compatibility based only on the outline information contained in your plan. This opinion takes no account of any intention to vary, relinquish or revoke hazardous substances consents. Planning authorities are advised to use HSE's Planning Advice Web App to verify any advice given.

**Council Response**

Comment noted.

**Publication Local Plan**

007

**PLP\_045**

Full Name Steve Wilson

Organisation

Agent

Agent  
Organisation

**Summary of Representation**

I can confirm that Scarborough Borough Council raises no objections to the Publication Local Plan and support the Plan in relation to its legal compliance, soundness and duty to co-operate.

**Council Response**

Comments noted.

**Publication Local Plan**

008

**PLP\_046**

Full Name Louise Tait

Organisation Environment Agency

Agent

Agent  
Organisation

**Summary of Representation**

Consider that the Publication version of the Local Plan is legally and procedurally compliant and sound and complies with the Duty to Co-operate. However, we have additional general comments to make in respect of the Publication version of the Local Plan as set out below.

**Council Response**

Comment noted.

**Publication Local Plan**

009

## PLP\_056

Full Name D Brough  
Organisation Plans to Expand  
  
Agent  
  
Agent  
Organisation

### Summary of Representation

To reiterate that Land at Wilton Bank, Saltburn should be considered for housing development, for self-build dwellings.

### Council Response

The Council considers that sufficient land has been identified to meet assessed housing requirements over the course of the plan period, including a generous supply buffer. As such, no further allocations are needed. As the availability of the site has previously been recorded in the Strategic Housing Land Availability Assessment, it will be included for consideration in future plan reviews.

## Publication Local Plan

010

## PLP\_077

Full Name  
Organisation West Midlands Metropolitan Authority Pension Fund  
Agent David Staniland  
Agent Planner Knight Frank LLP  
Organisation

### Summary of Representation

Provides a summary of the background to the Land to the South of Marske site. The Council's decision to refuse the application was appealed by our client (APP/V0728/W/15/3134502). A Public Inquiry took place between 11 and 21 October 2016 (an eight day Inquiry). Given the timings of the pending Appeal decision described above, our client considers this consultation on the Publication Local Plan, and the Council's aspiration to submit the Local Plan to the Secretary of State in March 2017, to be premature. The Council cannot have any certainty that the Secretary of State will side with them and dismiss the Appeal. The Appeal site is for 821 dwellings. The sites inclusion would also likely have wider implications on the Council's strategy for growth and distribution and it may be necessary to review other parts of the Local Plan. Consider that the sensible approach would have been for the Council to await the Secretary of State's decision on the Appeal on our client's site, before progressing the consultation on the Publication Local Plan.

### Council Response

Background to the Land to the South of Marske site is noted. It is noted that the appeal decision has been delayed until 25th May. The Council cannot delay the Local Plan process until the decision has been made on this application.

## Publication Local Plan

011

## PLP\_078

Full Name  
Organisation West Midlands Metropolitan Authority Pension Fund  
Agent David Staniland  
Agent Organisation Planner Knight Frank LLP

### Summary of Representation

The Regeneration Masterplan Delivery Plan (2012-2017) advises at paragraph 4.2 that the area south of Marske-by-the-Sea has been identified as a potential area for housing growth in the Local Development Framework. The Publication Local Plan does not propose housing growth to the south of Marske-by-the-Sea. The Publication Local Plan is therefore contrary to one of the key aims and aspirations in the Regeneration Masterplan.

### Council Response

The Council has assessed all sites that have been submitted for inclusion in the plan and has selected what it considers to be the most sustainable, appropriate and deliverable package of sites to meet the housing requirement and the Locational Policy (SD2).

## Publication Local Plan

012

## PLP\_082

Full Name  
Organisation West Midlands Metropolitan Authority Pension Fund  
Agent David Staniland  
Agent Organisation Planner Knight Frank LLP

### Summary of Representation

Comment provides a summary of all the reps submitted by the consultee. The Policies Map (November 2016) still shows no development allocations within or surrounding the settlement of Marske. No justification has been provided by the Council to explain their approach. Paragraph 1.100 of the Publication Local Plan identifies that the greatest unmet affordable housing needs are demonstrated within the Guisborough, Saltburn and Marske / New Marske sub-areas. Marske is identified as a coastal area, on the second tier of the settlement hierarchy. Question how development can be directed towards Marske, which the Council identify as being their focus, when the Publication Local Plan Policies Map (November 2016) does not identify any land, either within the settlement or surrounding it, for residential development. Publication Local Plan Policy LS 2 (Coastal Area Spatial Strategy) identifies Marske as a settlement which forms a part of the Coastal Area Spatial Strategy. Point g identifies that the Council and its partners will aim to promote new housing development on other sites (ie not older housing areas which is covered by point a). Question how the Council are going to achieve the aim of promoting new housing in Marske when no land is identified within it for residential development.

### Council Response

The Council has assessed all sites that have been submitted for inclusion in the plan and has selected what it considers to be the most sustainable, appropriate and deliverable package of sites to meet the housing requirement and the Locational Policy (SD2).

## Publication Local Plan

013

## PLP\_084

Full Name  
Organisation West Midlands Metropolitan Authority Pension Fund  
Agent David Staniland  
Agent Organisation Planner Knight Frank LLP

### Summary of Representation

Reference to the Regeneration Masterplan is made throughout the Publication Local Plan. The Regeneration Masterplan identifies land to the south of Marske as a potential area for housing growth in the Local Development Framework. This particular section of the Regeneration Masterplan has been ignored in the Publication Local Plan. The Local Plan must be based on a robust evidence base. If the Regeneration Masterplan is to be used as a part of the Council's evidence base, the Council cannot promote certain aims and aspirations, whilst ignoring others without justification. We question the Council's decision to include new residential sites within the green wedge, particularly given the issues they faced during the preparation of the abandoned Local Plan. The extent of the area identified within the strategic gap should be amended to ensure that the land shown within it fulfils the purpose of a strategic gap. The strategic gap should only include the land directly between Marske, New Marske and Saltburn, but should not include land between these settlements and the open countryside / open space. The designation of a green wedge to the west of Marske and strategic gaps to the east and south suggests that the Council will not accept any form of residential growth in the settlement. We question whether this is really the Council's aspiration? Indeed the fact that no sites are identified within or surrounding Marske directly conflicts with Publication Local Plan Policy SD2 (Locational Policy) which states that development will be directed to the most sustainable locations, with the majority of development being focused in the urban and coastal areas, of which Marske is such a settlement. The Publication Local Plan identifies a minimum housing requirement of 234 dpa over the Development Plan period, which equates to 3,978 dwellings over 17 years. Publication Local Plan Policies H3 (Housing Allocations) and REG3 (Skelton), only identify provision for 3,010 dwellings over the Development Plan period. Given the Council have set themselves a minimum target of 3,978 dwellings in the Development Plan period, we would question where they expect this shortfall (968 dwellings) will be delivered? Finally, and most importantly, given the timings of the decision of the Appeal on our client's site by the Secretary of State, we would suggest that this consultation on the Publication Local Plan is premature

### Council Response

Comments noted. Representation is in relation to other policies and summarises the other reps submitted by the consultee, which have been responded to separately.

and should have been delayed until the decision was received. Were the Appeal allowed, it is likely the Council will have to rewrite their Local Plan for its inclusion.

## Publication Local Plan

014

### PLP\_085

Full Name Mark Rushworth  
Organisation North Yorkshire County Council  
Agent  
Agent Organisation

### Summary of Representation

The main area of interest for NYCC relates to potential cross boundary/strategic issues with North Yorkshire. In particular, as an upper tier authority, infrastructure implications.  
The Plan does not appear to pose any specific concerns for the County Council. Technical officer comments are attached, We trust you find these helpful.  
We welcome the opportunity to continue to liaise with Redcar & Cleveland Borough Council as part of our Duty to Co-operate on the Local Plan as it progresses.

### Council Response

Comments noted.

## Publication Local Plan

015

### PLP\_086

Full Name Mark Rushworth  
Organisation North Yorkshire County Council  
Agent  
Agent Organisation

### Summary of Representation

The North Yorkshire Council Plan sets out our ambitions for the county up to 2020. This includes a commitment to sustainable growth that enables our citizens to fulfil their ambitions and aspirations.  
Regional economy - the Northern Powerhouse Independent Economic Review identifies important functional linkages between the Tees Valley City Region and North Yorkshire (and the York, North Yorkshire and East Riding LEP). The North Yorkshire Strategic Transport Prospectus 2015 sets out how North Yorkshire County Council would like to work with the government, Transport for the North and the Northern City Regions to ensure that improved transport connections allow the county to both contribute to and share in the economic benefits of the Northern Powerhouse. The emerging issues from Transport for the North include possible improved connections across the wider region.

### Council Response

Comments noted.

## Publication Local Plan

016



**PLP\_087**

Full Name Mark Rushworth

Organisation North Yorkshire County Council

Agent

Agent  
Organisation

**Summary of Representation**

The following comments are made on behalf of the Local Highways Authority (LHA) for North Yorkshire. NYCC, as a neighbouring authority, would ask that any traffic impact upon our local highway network that could arise from site allocations be identified and considered. Where it is clear that the development will have a material impact on North Yorkshire's local highway network NYCC, as LHA, request to be included in agreeing the scoping for the transport Assessment (TA) and Travel Plan (TP).

**Council Response**

Comment noted.

**Publication Local Plan**

017

**PLP\_088**

Full Name Mark Rushworth

Organisation North Yorkshire County Council

Agent

Agent  
Organisation

**Summary of Representation**

Children and Young People's Service - We have no comment, as we are not anticipating any impact on NYCC schools. If there were we would seek developer contributions where appropriate.

Heritage Services - We don't have any ecology comments to make.

**Council Response**

Comments noted.

**Publication Local Plan**

018

**PLP\_089**

Full Name Matthew Good

Organisation Home Builders Federation Ltd

Agent

Agent  
Organisation

**Summary of Representation**

The HBF is keen to work with the Council to ensure that a sound plan which assists the Council in meeting its growth objectives can be produced. The Council will be aware that the HBF has made previous comments upon the emerging plan. We are pleased to note that this version has addressed a number of our concerns. However we still have a number of concerns which relate to the soundness of the plan. To ensure that our concerns are discussed at the examination of the plan we have re-iterated and provided additional comments upon many of our previous points. The HBF would like to attend the examination hearing sessions to discuss these matters further.

**Council Response**

Comments noted.

**Publication Local Plan**

019

**PLP\_091**

Full Name Matthew Good

Organisation Home Builders Federation Ltd

Agent

Agent Organisation

**Summary of Representation**

There is significant reference to the use of SPD in various policies throughout the plan (e.g. SD5 and H2). The Council will have to review any existing SPDs post Local Plan adoption to ensure they are still in conformity and assist in the interpretation of Local Plan policies. The Council should also resist utilising SPDs as a vehicle for introducing policy requirements and burdens outside of the formal plan making process. The NPPF (paragraph 153) clearly states; Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on developments.

**Council Response**

Comment noted.

**Publication Local Plan**

020

**PLP\_130**

Full Name Barbara Hooper

Organisation Historic England

Agent

Agent Organisation

**Summary of Representation**

Heritage considerations have been embedded across all areas of policy, including Sustainability and Design, Local Spatial Strategies, Economic Development and Regeneration. However, it is not clear from the plan which are the strategic policies for the plan. In addition, there still appears to be no reference to any evidence base relating to the historic environment, used to support the strategy. Given the positive approach we have comments upon above, it is clear that the council has a good understanding of its assets, but there is nothing listed either within the Plan, or on the longer list of evidence on the supporting website. The only reference we have found is to the Historic Environment record in paragraph 8.18. This may need greater referencing in the plan. More fundamentally, there appears to still be no evidence to demonstrate how the site allocations have been evaluated for impact upon the historic environment. As above, the positive approach taken towards the historic environment would suggest that this evaluation has been done - but without any evidence, either within the plan or the supporting evidence, we are concerned that the plan is unsound.

**Council Response**

The Council has taken heritage considerations into account when preparing the Plan. This is set out in Section 8 Historic Environment. The Council has prepared an evaluation of the site allocations since Publication stage to demonstrate that there are no significant impacts on the historic environment.

**Publication Local Plan**

021

## PLP\_194

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd  
Agent  
Agent  
Organisation

### Summary of Representation

Whilst Gladman recognise that the Duty to Cooperate is a process of ongoing engagement and collaboration it is clear that it is intended to produce effective policies on cross-boundary strategic matters. In this regard Redcar & Cleveland must be able to demonstrate that it has engaged and worked with its neighbouring authorities. The DtC Statement usefully explains the background to the approach that is being taken by the Council in determining its claimed OAN and the associated allocation of housing land to meet this proposed requirement (Paragraphs 2.5 to 2.13). Where necessary, evidence should be provided to explain that any shortfall in meeting the needs of these districts can be supported by the delivery of housing in appropriate neighbouring areas and vice versa. The Department for Communities and Local Government Study into the Geography of Housing Market Areas, Centre for Urban and Regional Development Studies (CURDS) (2010) concluded that much of Redcar & Cleveland Borough (including its main centres of population), form part of a wider Housing Market Area (HMA) that covers Middlesbrough, Stockton-on-Tees, Hambleton and Hartlepool. However, it appears evident that local authorities across this recognised Strategic Housing Market Area are now looking to advance local plans that are based on more localised housing markets that operate within their own local authority boundaries. The Councils Duty to Cooperate Statement, November 2016 indicates that the wider a Tees Valley Housing Market Area would have been an equally justified housing market area (paragraph 2.12). On the contrary, it is our view that the wider area is the Strategic Housing Market Area and that a proportionate evidence base required for a new local plan would need to be based on a comprehensive understanding of development needs within it.

### Council Response

Through the production of an Objective Assessment of Housing Need (OAN) and a Strategic Housing Market Assessment (SHMA), the Council has considered the extent to which housing is a strategic, cross-boundary matter. In particular, consideration has been given as to whether there is a requirement for the Local Plan to accommodate unmet housing need from neighbouring areas and, conversely, whether the Council requires an element of its own housing needs to be met by one or more neighbouring authority. The SHMA describes Redcar and Cleveland as a broadly self-contained housing market and concludes that Redcar and Cleveland is an appropriate housing market area for the purposes of Local Plan policy making and this is reflected in the Local Plan. An alternative market geography that included Redcar & Cleveland in a wider 'Tees Valley Housing Market Area' would have been an equally justified Housing Market Area. Such a wider Housing Market Area would have had to include Middlesbrough, because it is the local authority most closely linked to Redcar & Cleveland through migration and commuting. However, Middlesbrough has a new Local Plan that was adopted in 2015, and therefore is not currently in a position to progress a review of housing needs. It would not be sensible to define an Housing Market Area involving Redcar & Cleveland that involved other boroughs, but excluded Middlesbrough. In these circumstances the pragmatic approach is for Redcar & Cleveland to proceed alone, on the basis that its level of migration self-containment satisfies the benchmark set in the PPG. This has been discussed with the neighbouring authorities and they are all satisfied with the Council's approach. It should also be noted that none of the adjacent LPA's are struggling to meet their own needs and have not formally approached Redcar and Cleveland to do so. This matter has also not been raised at any of the meetings with neighbouring authorities where the Local Plan was discussed nor has any of the consultation responses from neighbouring authorities highlighted a need for for a joint housing market area or a need for Redcar and Cleveland to provide housing to help meet the housing needs of other areas.

**PLP\_090**

Full Name Matthew Good

Organisation Home Builders Federation Ltd

Agent

Agent Organisation

**Summary of Representation**

The HBF is pleased to note that the Council has produced a Duty to Co-operate Statement (DtC Statement) in relation to the plan. The key concerns of the HBF relate to housing need and delivery. In this regard there has been consideration of whether needs from neighbouring authorities should be met in Redcar and Cleveland and vice versa. It is noted that the Council has not been approached to meet the needs of neighbouring authorities or requesting any neighbouring authorities seek to meet the needs of Redcar and Cleveland. The Council will, therefore as a minimum have to meet its housing needs in full. It is, however, worth noting that whilst the Council's 2016 Strategic Housing Market Assessment (2016 SHMA) identifies the area can be described as self-contained there are strong relationships with Middlesbrough and other Tees Valley authorities. Indeed the 2016 SHMA does recognise that the wider Tees Valley area could in itself be justified as a housing market area (HMA). Given these close relationships and the fact that at the Tees Valley authorities are at different stages of plan making the plan should retain flexibility, where possible to deal with any unmet needs from other Tees Valley authorities, be this through a review mechanisms or the inclusion of additional sites. The HBF is concerned that the plan and its evidence base does not appear to give adequate consideration to the Tees Valley Strategic Economic Plan. This will inhibit the economic potential of the area and may give rise to the need for additional housing. Further consideration of this issue is discussed within our comments upon Policy H1.

**Council Response**

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. In order to ensure continued delivery, and choice of sites, the identification of a 20% buffer in addition is considered to provide sufficient flexibility in meeting this requirement. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period.

**PLP\_064**

Full Name Laura Kennedy

Organisation Northumbrian Water

Agent

Agent Organisation

**Summary of Representation**

We have reviewed the Publication Local plan in detail and we set out comments below on a range of topics which we feel are of relevance or have an impact on us, as the statutory water and sewerage undertaker. Welcome the vision identified for the Local Plan, particularly with regard to the commitment to sustainable development in the Borough that is demonstrated in this section, together with the aim to protect and enhance the natural environment. Further support focus upon the re-use of previously developed land with regard to new housing development, as the redevelopment of brownfield sites can often offer the opportunity for betterment in terms of surface water management and associated flood risk.

**Council Response**

Support welcomed.

**Introduction - Vision**

024

**PLP\_092**

Full Name Matthew Good

Organisation Home Builders Federation Ltd

Agent

Agent Organisation

**Summary of Representation**

The vision and themes are generally supported and provide a positive framework for the plan policies.

**Council Response**

Support noted.

**Introduction - Vision**

025

**PLP\_145**

Full Name Mr Nick McLellan

Organisation Story Homes

Agent

Agent Organisation

**Summary of Representation**

Story Homes considers that the Vision for Redcar and Cleveland is unsound as it is not effective or consistent with national policy. This is primarily due to two principal matters; firstly, the vision does not take account of the locational strategy which underpins where development will be located in the Local Plan. Policy SD2 sets out that development will be directed to the most sustainable locations in the borough, and outlines that the majority of development will be focused in both the urban and coastal areas and the rural areas which comprise of Guisborough and the East Cleveland Towns. However, the Vision omits any reference to development taking place in the rural area.

**Council Response**

As 60% of development will take place in the urban and coastal area so the majority of development will take place in these areas. Policy SD2 states that within the rural area, the majority of development will take place in Guisborough and East Cleveland towns. Agree with comment on NPPF which encourages PDL.

We urge the Council to amend the vision to ensure that it aligns with Policy SD2 which states that no more than 40% of all new development will take place in the rural area. The Vision should also be revised to include reference to development taking place in sustainable rural locations as well as urban and coastal areas. Secondly, Story Homes considers that the reference to "...maximise the re-use of previously developed land and limit the unnecessary development of greenfield sites is inconsistent with national policy. Whilst the National Planning Policy Framework (NPPF) encourages the re-use of previously developed land (PDL) it does not seek to prioritise this over sustainable greenfield sites. Whilst we acknowledge that PDL which is deliverable, available and suitable should form part of the housing land supply it is important that a range of sites, including greenfield, are included in the Local Plans housing supply to ensure that housing can be delivered at the required rate over the plan period. Moreover, where there is an explicit need to re-use PDL in certain areas of the Borough we consider that the Council should demonstrate that there is significant housing need for development to come forwards on such sites. Story Homes therefore recommends that the Council revises the wording of the Vision and makes the necessary amendments to ensure that it is both consistent with national policy and effective. Story Homes suggests the following revisions: "...The provision of a range of good quality housing will allow our younger and economically active people to remain in the borough, whilst the needs of a changing population will be met. The majority of development will take place in the most sustainable locations in both our urban and coastal areas and within Guisborough and the East Cleveland towns in the rural area. We will [maximise] encourage the re-use of previously developed land and [limit] the [unnecessary] development of sustainable greenfield sites. Settlements will continue to maintain their individual identities, protected from coalescence.

## PLP\_168

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent Organisation

### Summary of Representation

Support the stated vision. Wish to assist in the delivery of sustainable development within the Borough by making a significant contribution towards meeting housing needs through the development of high quality family housing at the Flatts Lane site. The vision of providing the majority of development in the most sustainable locations in the urban area is broadly supported. However, whilst we recognise the benefits of re-using previously developed land, this should not be at the expense of meeting, in full, the housing and employment needs of the borough. Theakston Estates also supports a vision for growth, but in respect of providing a range of good quality housing and the growth of a successful and resilient economy. For reasons explained in this response, however, the draft Plan is fundamentally flawed by failing to properly plan for growth in order to boost significantly the supply of housing and to meet the objectively assessed needs for housing throughout the plan period. Expand upon this in response to draft Policy H1.

### Council Response

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. In order to ensure continued delivery, and choice of sites, the identification of a 20% buffer in addition is considered to provide sufficient flexibility in meeting this requirement. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period.

## Introduction - Vision

027

## PLP\_196

Full Name Richard Crosthwaite

Organisation Gladman Developments Ltd

Agent

Agent Organisation

### Summary of Representation

Gladman note the vision for Redcar and Cleveland, which seeks to ensure that, by 2032, the needs and aspirations of communities will be met through the delivery of sustainable development across the borough. It will be vital that the housing needs of an ageing population supported through the policies of the Plan and this should therefore also be acknowledged within the vision and outcomes section. The Plan should not discount the role that sustainable rural settlements can play in supporting the local economy, particularly where they are well served by services and facilities. There may also be rural settlements where net gains can be achieved in sustainability terms through the introduction of an appropriate level of new housing to address the need for services. To ensure alignment with paragraph 17 of the Framework, the vision and strategy should be to encourage the effective use of land and the reuse of brownfield land. It should not however seek to prioritise brownfield land above sustainable greenfield sites. The overall vision should reflect the presumption in favour

### Council Response

The Local Plan encourages all types of housing to meet the needs identified in the SHMA. Outcome 2 refers to the particular need of an ageing and retired population. The Council has assessed all sites that have been submitted for inclusion in the plan and has selected what it considers to be the most sustainable, appropriate and deliverable package of sites to meet the housing requirement and the Locational Policy (SD2). The Local Plan encourages the effective use of land.

of sustainable development. The objectives should also take account of the need to pay careful attention to viability and deliverability in plan-making and decision-taking. In order to achieve this ambitious vision for Redcar and Cleveland, it is vital that the Local Plan is formulated on a proportionate evidence base. This must include a thorough understanding of the development needs of the Housing Market Area and the Functional Economic Area. This is an issue that extends beyond the geography of local authority boundaries and this should therefore be acknowledged within the Plan.

## Introduction - Para. 1.64

028

### PLP\_197

Full Name Richard Crosthwaite  
 Organisation Gladman Developments Ltd  
 Agent  
 Agent Organisation

### Summary of Representation

Outcome 1: Grow our economy and create more jobs  
 Gladman supports the intention of Redcar and Cleveland to prioritise business growth and secure jobs. The intention to get local people into jobs is also noted and is clearly a positive aspiration that will need to be supported through a strategy that must also ensure that sufficient housing is delivered to meet the current and future needs of the borough and support improved prosperity across the wider Housing Market and Functional Economic Area.

### Council Response

Comment noted.

## Introduction - Para. 1.85

029

### PLP\_146

Full Name Mr Nick McLellan  
 Organisation Story Homes  
 Agent  
 Agent Organisation

### Summary of Representation

Story Homes considers that Outcome 2: Develop great places to live is unsound as it is not effective. We broadly support the three Local Plan Priorities which are listed, however, we advise that the Council should include an additional point which sets out that new development should be located in the most sustainable locations in the Borough. This amendment would be in keeping with the content of the rest of the Plan. Story Homes suggests the following revisions: Local Plan Priorities · Good range and quality of housing · Development focused in the most sustainable locations · Clean, safe and attractive neighbourhoods · Top quality schools.

### Council Response

Outcome is about developing great places to live. The location of development is discussed in other areas of the plan.



## Introduction - Para. 1.86

030

### PLP\_198

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd  
Agent  
Agent  
Organisation

### Summary of Representation

It is important that this priority acknowledges the national policy emphasis contained in paragraph 47 of the Framework to boost significantly the supply of housing and in paragraph 159 of the Framework to have a clear understanding of the housing needs of the area. This additional recognition would result in an objective that will ensure that the borough is fully supporting its commitment to meet the needs of current and future residents through the provision of much needed new housing.

### Council Response

Consider that the Plan has been developed in line with the NPPF. Outcome 2 is about developing great places to live. Boosting the supply of housing is discussed in other areas of the Plan.

## Introduction - Para. 1.90

031

### PLP\_002

Full Name Mr William James Kelly  
Organisation  
Agent  
Agent  
Organisation

### Summary of Representation

At Item 1.90, the text talks of "more people living alone", but the need for their housing is not addressed. Instead, the document talks about "aspirational housing" as a need which does not make sense. When you have a defined need, ie smaller dwellings for single people, surely this must be addressed in the plan, rather than the aspiration to collect more council tax from bigger (unnecessary) housing.

### Council Response

The Local Plan aims to deliver a mix of housing to meet the needs identified in the SHMA.

## Introduction - Para. 1.95

032

### PLP\_003

Full Name Mr William James Kelly  
Organisation  
Agent  
Agent  
Organisation

### Summary of Representation

The para states that there is a "relatively low provision of detached properties", reportedly from data ex the SHMA. With population still decreasing, and in my experience there being many detached properties for sale (but not selling) within the borough, then there seems no justification to "raise more detached properties" . The essential need is for "paying customers" (paying council tax themselves) rather than "paid customers" (who have their council tax paid for them) - the former are the ones who can afford the detached properties that you are proposing to build. There are not that many people in the borough, as the analysis in 1.90 states.

### Council Response

The Local Plan aims to deliver a mix of housing to meet the needs identified in the SHMA.

## Introduction - Para. 1.99

033

### PLP\_004

Full Name Mr William James Kelly

Organisation

Agent

Agent  
Organisation

### Summary of Representation

Table 2, at page 26 needs a better explanation: my reading of it seems to conclude that the only shortfall is in "affordable 3 bedroom homes", without definition of "affordable", the later on the plan seems to focus on "detached 3 and 4 bedroom homes". Doesn't seem very sensible to me, so I would appreciate help to gain understanding.

### Council Response

The Local Plan aims to deliver a mix of housing to meet the needs identified in the SHMA. It does not concentrate on the delivery of just detached 3 and 4 bedroom homes.

## Introduction - Para. 1.101

034

### PLP\_199

Full Name Richard Crosthwaite

Organisation Gladman Developments Ltd

Agent

Agent  
Organisation

### Summary of Representation

Gladman notes the local plan priorities to improve quality of life for residents. This is a very important objective which cuts across a number of local plan requirements. Indeed, an outcome that seeks to improve quality of life is fundamentally linked to requirement to plan for housing and economic development to meet the full needs of the area alongside the infrastructure necessary to support it.

### Council Response

Comment noted.

## Introduction - Para. 1.113

035

### PLP\_065

Full Name Laura Kennedy

Organisation Northumbrian Water

Agent

Agent  
Organisation

### Summary of Representation

Moving on to infrastructure provision within the introductory section of the Local Plan, we welcome that the importance of infrastructure and planning to support growth is recognised within paragraph 1.113, and we encourage early consultation regarding proposed developments to ensure that sustainable drainage strategies can be identified and appropriately phased. We would however, like to highlight the importance of surface water management in sewer flood risk, rather than necessarily the age of a sewer. Therefore, sustainable water management following the principles of separate, minimise and control is a critical component of ensuring foul flows from new developments can be accommodated in the sewer network. This could involve the removal of surface water from the sewer network, either through specific

### Council Response

Comment noted.

schemes or as a result of brownfield redevelopment.

## Introduction - Para. 1.120

036

### PLP\_018

Full Name Mr Andy Stephenson  
Organisation National Farmers Union  
  
Agent  
  
Agent  
Organisation

### Summary of Representation

It is our firm belief that the Community Infrastructure Levy should remain at 0 for agriculture and related buildings. Development within farm holdings is often done to help strengthen the existing farm business, with the existing business often operating on low margins. Any addition costs for development can effectively make growth unachievable. I note that the potential introduction of CIL is mentioned in section 2.39, however, I would hope that this relates to large infrastructure projects not rural development.

### Council Response

Comment noted.

## Introduction - Para. 1.121

037

### PLP\_066

Full Name Laura Kennedy  
Organisation Northumbrian Water  
  
Agent  
  
Agent  
Organisation

### Summary of Representation

With regard to new development, water and waste water, we welcome the approach taken in paragraphs 1.121 onwards, with the use of available information to plan the most sustainable locations for new development. Within discussion around the Water Cycle Study in paragraph 1.123, we note that it is recognised that waste water infrastructure is not a constraint to growth. At this point, we consider that it would be useful to confirm our approach to investment and new development. Northumbrian Water are actively engaged in the forward planning process, and information from Local Plans and Strategic Housing Land Availability Assessments (SHLAAs) is used to feed into out investment plans. For all new development of three or more dwellings (or equivalent), we strongly advise that a pre-development enquiry is submitted to Northumbrian Water at the earliest possible stage. Should our response to the pre-development enquiry identify incapacity in the waste water network, we would seek to secure a condition on the planning application to allow further assessment works to be carried out and to agree a detailed drainage scheme following these further works. This is to ensure that investment is avoided where a development may not proceed due to other reasons, and we consider the granting

### Council Response

Comment noted.

of planning permission to be certainty that a development will proceed. In all cases, we will seek to work proactively with developers to identify a solution that enables development to proceed.

## Introduction - Para. 1.124

038

### PLP\_067

Full Name Laura Kennedy  
Organisation Northumbrian Water  
Agent  
Agent Organisation

### Summary of Representation

Within paragraph 1.124, we recognise that waste water treatment works capacity is also discussed, and we can confirm that we have no issues to raise regarding capacity to support new development at present. Our approach to investment and planning for new development is outlined above and waste water treatment works capacity would be included within this approach.

### Council Response

Comment noted.

## Introduction - Para. 1.126

039

### PLP\_019

Full Name Mr Andy Stephenson  
Organisation National Farmers Union  
Agent  
Agent Organisation

### Summary of Representation

Welcome support for the rural economy both in terms of infrastructure and also the expansion of high speed broadband networks, including 100% high speed network coverage, which will ensure rural businesses are not disadvantaged by their location. It is the 5% of businesses located in rural locations which continue to struggle to receive acceptable broadband or phone coverage placing them at disadvantage economically. While progress is being made in urban locations to push on with 5G coverage we welcome your support for rural businesses.

### Council Response

Support welcomed.

## Policy SD1

040

### PLP\_100

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff

### Summary of Representation

Taylor Wimpey (TW) support the inclusion of draft Policy SD1 (Sustainable Development) as it accords with national planning guidance.

### Council Response

Support welcomed.

## Policy SD1

041

### PLP\_169

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent  
Organisation

### Summary of Representation

Theakston Estates is supportive of the Local Plan's stance that sustainability will be the overarching principle that will guide development in the Borough and the thrust of Policy SD1 is endorsed. Concerns are expressed in relation to the proposed housing requirement being too low and not meeting the full objectively assessed housing need of the borough.

Housing sites currently lie outwith the proposed development limits will be required and the development limits should be revised to ensure there is enough land to meet the Borough's development needs throughout the Plan Period. To this extent, we consider the development limits around Normanby should be revised to include out Client's site.

### Council Response

Support for SD1 is welcomed. The concerns expressed are addressed in relation to the relevant policies.

## Policy SD1

042

### PLP\_180

Full Name mr stuart white

Organisation CPRE

Agent Katie Atkinson

Agent Director KVA Planning Consultancy  
Organisation

### Summary of Representation

NYCPRE welcomes the inclusion of SD1 and its compatibility with the overall presumption of sustainable development within the NPPF. NYCPRE would, however, wish to seek reassurances from the Council that policies in the publication Local Plan will be adhered to and the urban creep which has occurred particularly surrounding Redcar and Guisborough will not be allowed to continue.

### Council Response

Support welcomed. Upon adoption, the Local Plan will be the starting point for the determination of applications and Policy N2 will assist in the development management process.

## Policy SD1

043

## PLP\_200

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd  
Agent  
Agent  
Organisation

### Summary of Representation

Gladman support Policy SD 1, which reflects the presumption in favour of sustainable development. It is however vitally important that this positive policy approach is fully reflected through the other policies of the Plan as a whole. As is set out in our comments on the vision and outcomes and specific policies, this is not currently the case in several parts of the plan at present.

### Council Response

Support for Policy SD1 welcomed.

## Policy SD2

044

## PLP\_020

Full Name Mr Andy Stephenson  
Organisation National Farmers Union  
Agent  
Agent  
Organisation

### Summary of Representation

We welcome the encouragement to develop existing buildings and preservation of the rural landscape through development controls, however, we would hope that cases are looked at objectively. Whilst re-use of existing buildings on an agricultural holding is advantageous in terms of visual amenity and preservation of character allowances have to be made for modern farming practices. Modern farming methods often require larger buildings to house livestock or machinery for example and therefore the planning system needs to recognise this so as not to hamper business development.

### Council Response

Support welcomed and comments noted.

## Policy SD2

045

## PLP\_028

Full Name Cllr Ann Higgins  
Organisation Redcar & Cleveland Borough Council  
Agent  
Agent  
Organisation

### Summary of Representation

Which states that the majority development will be focused in the Urban and Coastal areas. Under which it states the settlement hierarchy will be used to guide development. Listed under Urban, Coastal and Rural As per my conversation to you over my concerns and objection in this SD2 policy which has Lazenby village listed in the Urban Area. Lazenby has historically been a village linked to Wilton Village in many ways. Lazenby village locationally is also separated from the greater Eston area by the hamlet of Lackenby plus many fields and isolated from the A 174 motorway. This recategorising of the village now as an urban area in the new local plan leaves it open to further development and should be safeguarded as its village status. I ask for it to be removed from Urban to Village listing in

### Council Response

While it is acknowledged that Lazenby is a village, the settlement has been included within the Conurbation by the adopted Core Strategy (Policy CS2) and has been identified within the urban area within the Publication Local Plan. Lazenby is immediately surrounded by a large area of allocated employment land and the A174, which runs along the southern most edge, and these physically separate Lazenby from the rural area. Being identified within the Urban area does not automatically make the village suitable for further development. The Local Plan does not allocate any new development sites within the village and any future applications would be considered on their own merits, taking into account issues such as sustainability and amenity.

## Policy SD2

046

### PLP\_032

Full Name Cllr Christopher Massey

Organisation

Agent

Agent  
Organisation

### Summary of Representation

The members of the public at the meeting (which number around 30) unanimously expressed their opposition to Lazenby being classified as an urban area. Lazenby historically is part of the parish of Wilton, along with South Lackenby and Wilton Village, and is quite distinct from the urban Eston area. Simply put it is a village, not a town, and should be recognised as such. Residents are obviously concerned about the prospect of large scale development in Lazenby, or indeed on the grass borders around Lazenby Village.

### Council Response

While it is acknowledged that Lazenby is a village, the settlement has been included within the Conurbation by the adopted Core Strategy (Policy CS2) and has been identified within the urban area within the Publication Local Plan. Lazenby is immediately surrounded by a large area of allocated employment land and the A174, which runs along the southern most edge, and these physically separate Lazenby from the rural area. Being identified within the Urban area does not automatically make the village suitable for further development. The Local Plan does not allocate any new development sites within the village and any future applications would be considered on their own merits, taking into account issues such as sustainability and amenity.

## Policy SD2

047

### PLP\_068

Full Name 93 Kennedy

Organisation Northumbrian Water

Agent

Agent  
Organisation

### Summary of Representation

We support Policy SD2 and the direction of new development to the most sustainable areas of the Borough, including the re-use of previously developed land.

### Council Response

Comment noted.

## Policy SD2

048

## PLP\_093

Full Name Matthew Good  
Organisation Home Builders Federation Ltd  
Agent  
Agent Organisation

### Summary of Representation

The policy is considered unsound as it refers to prioritising previously developed land, this is contrary to national policy. The HBF encourage and support the re-use or previously developed land, providing it meets the criteria set out within footnote 11 to paragraph 47 of the NPPF. It is, however, important that such land is not prioritised over other types of land as this may compromise the delivery of housing needs. Policy SD2 identifies that priority will be given the re-use of previously developed land. Whilst it is recognised the policy has been amended to include "wherever possible" this statement is still considered contrary to the NPPF. The NPPF (paragraph 111) refers to encouraging rather than prioritising the effective use of previously developed land. The PPG (ID: 10-009) specifically refers to encouragement through incentives such as lower planning obligations or different funding mechanisms and the Government are providing encouragement through the introduction of brownfield registers.

### Council Response

Comments noted. The objection to the Policy SD2 sequential approach are noted and modifications have been proposed to remove the sequential test. However, prioritising development of brownfield land, wherever possible, is a Council priority, in line with a Council resolution from 7 Jan 2016. This approach is reinforced by the 2017 Government White Paper on housing, which indicates that great weight should be attached to the value of using suitable brownfield land within settlements for homes.

## Policy SD2

049

## PLP\_101

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

TW do not, in principle, object to the inclusion of a settlement hierarchy within the Local Plan as it is a logical way of establishing the sustainability value of settlements. TW consider that the hierarchy is more appropriate than that previously proposed but remain of the view that a locational strategy which adopts a much finer grain approach that is flexible and responsive to changing needs and demands would be more appropriate for the Borough. This would better recognise the pattern of development in the Borough, which comprises a dispersed mix of sustainable settlements, with differing needs and aspirations, covering a large geographical area. Such an approach would be in line with NPPF In terms of the provision of new housing development across the Borough, the draft policy advises that 'development will be directed to the most sustainable locations in the borough' TW support this approach as it is compliant with the thrust of the NPPF, however, the draft Local Plan does not achieve this. There are some demonstrably sustainable settlements

### Council Response

Comments noted. The aims of the Locational Policy are considered to be met in the most sustainable location when considering the borough as a whole. It is recognised that development is not being promoted in every settlement, but such an approach is considered unnecessary and could lead to an unsustainable pattern of development. Nevertheless, the Local Plan does not preclude development from coming forward within the settlements. The objection to the Policy SD2 sequential approach are noted and modifications have been proposed to remove the sequential test. However, prioritising development of brownfield land, wherever possible, is a Council priority, in line with a Council resolution from 7 Jan 2016 and this approach is reinforced by the 2017 White Paper on housing, which indicates that great weight should be attached to the value of using suitable brownfield land within settlements for homes.



(e.g. Marske & New Marske) where the Plan does not propose any housing development. The lack of proposed housing allocations in some settlements is not adequately justified in the Publication Local Plan and does not accord with the suggested approach to direct development to the most sustainable locations in the Borough. To support the Council's suggested approach and ensure that development is directed to the most sustainable settlements in the Borough, TW strongly suggest that in addition to further housing allocations around the Urban and Coastal areas (i.e. Marske), some additional housing allocations are required in other settlements (i.e. New Markse) than currently proposed to meet the significantly higher housing requirement presented in these representations. TW also object to the reference in the Policy SD2 that states "wherever possible, priority will be given to the development of previously developed land and the reuse of existing buildings" This is contrary to the NPPF which states (paragraph 111) that development on brownfield land should be encouraged rather prioritised. The wording of Policy SD2 should therefore be amended accordingly and brought in line with the NPPF. These concerns would be readily addressed through the allocation within the Local Plan of significant additional sustainable, viable and available housing sites adjacent to sustainable settlements throughout the Borough. TW therefore object to the policy as currently drafted on the basis that it is not positively prepared, justified, effective or consistent with national policy.

## Policy SD2

050

### PLP\_121

Full Name Mr Nick McLellan  
 Organisation Story Homes  
 Agent John Wyatt  
 Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

Story Homes continues to recognise the key role of Guisborough as a Rural Service Centre and support the acknowledgement within the supporting text to Policy SD2 where it states that: "Within the rural area, the majority of development will take place within Guisborough and the East Cleveland towns" In the previous response, Story Homes questioned Policy SD2 where it seeks to achieve a minimum of 60% of all new development taking place in the urban and coastal areas. This implies that no more than 40% of all new development will take place in the rural area and

### Council Response

Comments made in relation to rural area development will be addressed alongside the comments made for Policy H3. The objection to the Policy SD2 sequential approach are noted and modifications have been proposed to remove the sequential test. However, prioritising development of brownfield land, wherever possible, is a Council priority, in line with a Council resolution from 7 Jan 2016. This approach is reinforced by the 2017 Government White Paper on housing, which indicates that great weight should be attached to the value of using suitable brownfield land

our previous response expressed concern as to the arbitrary nature of this proposed split. Story Homes remain concerned about this proposed split and further address this with regard to the proposed allocations in our response to Policy H3. Story Homes wish to reiterate their objection to the sequential approach to development proposals that is set out within Policy SD2. The reasons set out within our previous response remain entirely valid in this regard, with particular reference to the fact that this policy is inconsistent with the National Planning Policy Framework (NPPF) which, while encouraging the use of previously developed land does not seek to prioritise this over sustainable greenfield sites. Story Homes would therefore urge that the Council reconsider this element of the policy, with a view to making amendments that would bring it into line with the NPPF with regard to previously developed land. In addition, Story Homes wish to reiterate their continued objection to the adoption of an approach that places a significant emphasis on the role of development limits. The reasons for this were set out in our previous response dated August 2016 and remain unchanged. Story Homes therefore continue to consider Policy SD2 as drafted to be unsound on the basis that the policy is neither positively prepared nor justified as is required by the NPPF at paragraph 182.

within settlements for homes. The Council also considers the identification of development limits as being important for distinguishing the built-up areas from the countryside. This approach helps to prevent uncontrolled urban sprawl and is critical in delivering sustainable development. The approach set out in the plan identifies sufficient development land to meet identified needs, and also includes a buffer to allow market flexibility and guard against under-delivery. A large proportion of the supply is also front loaded. Therefore, the approach is considered to be NPPF compliant, both in regards to planning positively and protecting the countryside. The Council has been clear in Policy H1 that it will work with the development industry to bring forward sites should it become apparent that there is no five year supply of deliverable housing land.

## Policy SD2

051

### PLP\_155

Full Name Mr Ben Stephenson  
 Organisation Persimmon Homes Teesside Ltd  
 Agent  
 Agent Organisation

### Summary of Representation

Persimmon Homes object to Policy SD2 as we consider the council's approach to be contrary to National Planning Policy. The policy states that "Wherever possible, priority will be given to the development of previously developed land". Paragraph 17 of the National Planning Policy Framework (NPPF identifies a set of core land-use planning principles which underpin both plan-making and decision-making. In terms of the re-use of previously developed land it states that planning should: "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value". This approach is also re-iterated within paragraph 111 of the NPPF. Policy SD2 therefore effectively goes beyond the remit of the NPPF by prioritising

### Council Response

The objection to the Policy SD2 sequential approach are noted and modifications have been proposed to remove the sequential test. However, prioritising development of brownfield land, wherever possible, is a Council priority, in line with a Council resolution from 7 Jan 2016. This approach is reinforced by the 2017 White Paper on housing, which indicates that great weight should be attached to the value of using suitable brownfield land within settlements for homes.

brownfield land over alternative sites. The policy is therefore contrary to the NPPF and cannot be supported. Persimmon Homes therefore recommend that the current wording of the policy is amended so that the policy only provides 'encouragement' the use of previously developed land rather than 'priority' to its use.

## Policy SD2

052

### PLP\_161

Full Name G and M Collins  
 Organisation  
 Agent GVA Grimley Ltd.  
 Agent Organisation GVA

### Summary of Representation

Locational Policy SD2 seeks to direct development to the most sustainable locations and to that end seeks to achieve 60% of housing development in the 'urban' and 'coastal' sub areas in the north and west of the Borough. Normanby is identified in the Urban Area. We fully support that and we agree that the majority if development should be guided to the urban and coastal areas. This is in line with the sustainability objectives of the NPPF. We agree with the Council's locational strategy and consider this policy to be sound.

### Council Response

Support welcomed.

## Policy SD2

053

### PLP\_170

Full Name Theakston Estates  
 Organisation  
 Agent Neil Westwick  
 Agent Organisation

### Summary of Representation

The thrust of Policy SD2 is generally supported, given it directs development to the most sustainable locations in the Borough; the majority of which will be focussed in the urban and coastal areas. The settlement hierarchy is therefore generally supported. Whilst the effective use of previously developed land is supported, Theakston Estate's contend that the policy is not consistent with national planning policy which seeks to encourage the effective use of previously developed land, but does seek to limit development of greenfield land. Rather the NPPF requires that planning should proactively drive and support sustainable development and every effort should be made to meet development needs (NPPF paragraph 17). Essentially, there is no national policy requirement to prioritise development on previously developed land, recognising the constraints and viability issues often encountered on such sites. Furthermore, in both national

### Council Response

The objection to the Policy SD2 sequential approach are noted and modifications have been proposed to remove the sequential test. However, prioritising development of brownfield land, wherever possible, is a Council priority, in line with a Council resolution from 7 Jan 2016. This approach is reinforced by the 2017 White Paper on housing, which indicates that great weight should be attached to the value of using suitable brownfield land within settlements for homes.

planning policy and practice guidance there is no endorsement of adopting a sequential approach to identifying housing allocations when formulating Local Plans or determining planning applications and this element should be removed from the policy.

## Policy SD2

054

### PLP\_181

Full Name        mr stuart white  
 Organisation    CPRE  
 Agent            Katie Atkinson  
 Agent  
 Organisation    Director KVA Planning Consultancy

### Summary of Representation

NYCPRE fully support the locational strategy set out in this policy, we particularly welcome the inclusion of the brownfield first sequential test and the link within the policy to SD3 setting out Development Limits which serves to strengthen the policies.

### Council Response

Support welcomed. While modifications have been proposed to remove the sequential test, the Council will continue to prioritise development, wherever possible, on brownfield land. This approach is reinforced by the 2017 White Paper on housing, which indicates that great weight should be attached to the value of using suitable brownfield land within settlements for homes.

## Policy SD2

055

### PLP\_201

Full Name        Richard Crosthwaite  
 Organisation    Gladman Developments Ltd  
 Agent  
 Agent  
 Organisation

### Summary of Representation

Gladman note that the intention of this policy is to provide a settlement hierarchy within the borough. It is vital that this is formulated on a transparent evidence base that clearly sets out the relative sustainability of the various settlements that are listed. Gladman are concerned that the current drafting of the policy would act to arbitrarily restrict otherwise sustainable development from coming forward in and adjacent to a number of settlements where services and facilities either exist or could be provided. Indeed, the local plan provides an opportunity to allocate land for new residential development and community facilities that would result in net gains to sustainability which would benefit both new and existing residents. The Plan must acknowledge that rural settlements are not inherently unsustainable. In fact, they can be extremely sustainable as people are able to access everyday services and facilities within a short walk whereas within a larger urban area this may not be possible due to the distances involved. Paragraph 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It is essential therefore,

### Council Response

The Council expects that up to 40% of new development will occur in the rural area and considers that this represents meaningful growth. It is neither necessary, nor appropriate, to identify sites in each rural settlement and this approach has been tested through the Sustainability Appraisal process. The objection to the Policy SD2 sequential test is noted and modifications have been proposed to remove the sequential element. However, prioritising development of brownfield land, wherever possible, is a Council priority, in line with a Council resolution from 7 Jan 2016. This approach is reinforced by the 2017 White Paper on housing, which indicates that great weight should be attached to the value of using suitable brownfield land within settlements for homes.

that the needs of the sustainable rural settlements across the district are assessed and a meaningful level of growth apportioned to them to ensure their ongoing vitality and viability. The national policy guidance contained in the Framework seeks to "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value" (NPPF Paragraph 17). Gladman object to Policy SD 2 because it represents an approach which seeks to give 'priority' to previously developed land. Whilst the delivery of viable re-development proposals on brownfield sites should certainly be encouraged, this should not be used to prevent sustainable greenfield sites from being delivered to support the area in meeting its development needs in viable locations that can be well served by day-to-day services and facilities. The restriction of development in the countryside is noted, but this should not be applied to otherwise sustainable development proposals that are well related to settlements.

## Policy SD3

056

### PLP\_021

Full Name Mr Andy Stephenson  
 Organisation National Farmers Union  
 Agent  
 Agent  
 Organisation

### Summary of Representation

I would welcome clarification of what constitutes 'appropriate' diversification of an existing agricultural activity. Diversification can take many forms, often benefitting the wider local economy.

### Council Response

Comments regarding diversification are noted. The appropriateness of a development will be considered on a case by case basis as this will depend upon the specific circumstances of the proposed development and its location.

## Policy SD3

057

## PLP\_102

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey welcome the review of the development limits. Lack of a review since 1999 Local Plan has acted as a considerable constraint to housing delivery with all applications considered as departures putting developers off submitting applications. The Council must learn from this and consider whether setting development limits will result in the same issues occurring in the future. An approach more in line with NPPF would be to have no development limits. This is because limits can restrict sustainable development from coming forward on the edge of settlements. The Council should therefore put in place a flexible criteria based policy mechanism within the emerging Local Plan that would allow the Borough Council to give positive consideration to development proposals on sustainable but unallocated sites in circumstances where it can be demonstrated that the supply of housing land is falling short of meeting the Borough's housing requirements. In light of the Council's historic delivery problems and given TW's concerns over the allocations, the plan should include potential triggers for a full plan review, if the plan fails to deliver against the housing requirement for a specified period of time. Such an approach would accord with NPPF. On the basis of the above, TW consider Policy SD3 to be unsound as it is not positively prepared or justified against other alternatives.

### Council Response

The Council considers the identification of development limits as being important for distinguishing the built-up areas from the countryside. This approach helps to prevent uncontrolled urban sprawl and is critical in delivering sustainable development. The approach set out in the plan identifies sufficient development land to meet identified needs, and also includes a buffer to allow market flexibility and guard against under-delivery. A large proportion of the supply is also front loaded. Therefore, the approach is considered to be NPPF compliant, both in regards to planning positively and protecting the countryside. The Council has been clear in Policy H1 that it will work with the development industry to bring forward sites should it become apparent that there is no five year supply of deliverable housing land and additional clarification has been included within the reasoned justification for this policy.

## Policy SD3

058

## PLP\_122

Full Name Mr Nick McLellan  
Organisation Story Homes  
Agent John Wyatt  
Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

Story Homes wish to confirm their continued objection to the identification of development limits on the Proposals Map and the various restrictions which Policy SD3 seeks to set on proposals coming forward outside of development limits. We consider the approach to be contrary to the NPPF which provides a more flexible approach towards settlement growth and development. As such, the NPPF does not specifically recognise settlement boundaries and there is no preclusion of the development of edge of settlement sustainable greenfield sites where it is considered appropriate. As such, Story Homes consider that Policy SD3 fails the tests of soundness as set down in the

### Council Response

The Council considers the identification of development limits as being important for distinguishing the built-up areas from the countryside and the NPPF does not specifically preclude settlement boundaries. This approach helps to prevent uncontrolled urban sprawl and is critical in delivering sustainable development. The Plan is positively prepared and considered to provide sufficient flexibility to respond to changing circumstances. Specifically, the approach set out in the plan identifies sufficient development land to meet identified needs, and also includes a buffer to allow market flexibility and guard against under-delivery. A large proportion of the supply is

NPPF, in particular the requirement that plans are positively prepared. Policy SD3 is essentially a restrictive policy in its genesis, and the imposition of development limits is far more likely to constrain development rather than encourage it. In addition development limits are an inflexible policy mechanism that restrict growth and, as they are directly related to the supply of housing, are automatically rendered out-of-date in instances where, in line with paragraph 49 of the NPPF, local planning authorities are unable to demonstrate a 5-year supply of housing land. Story Homes therefore query the need for the Plan to contain a policy on development limits. As such, Story Homes consider that Policy SD3 is not sound and should be deleted in order to ensure that this element of the Plan is found sound as, in its current form, it is not positively prepared as required by NPPF.

also front loaded. Therefore, the approach is considered to be NPPF compliant, both in regards to planning positively and protecting the countryside. The Council has been clear in Policy H1 that it will work with the development industry to bring forward sites should it become apparent that there is no five year supply of deliverable housing land and additional text has been added for clarification.

## Policy SD3

059

### PLP\_162

Full Name G and M Collins  
 Organisation  
 Agent GVA Grimley Ltd.  
 Agent Organisation GVA

### Summary of Representation

We fully support the development limit being drawn to include the existing High Farm site and the Normanby High Farm Site H3.8 / SHLAA 419, however we object to SHLAA site 418 (North of High Farm) being excluded from the development limits, as we regard that it should also be allocated for housing. Site 418 would be a logical extension to the existing High Farm development. Under our response to Policy H1 we set out why we believe the housing requirement set by the Council is too low / unsound and should be increased. This means that the Council should allocate additional sites to meet a higher requirement. Consequently, in our view the Council will need to re-draw development limit boundaries, to allow for an appropriate amount of additional housing land to be allocated. In our view settlement limits should be redrawn to encompass site 418. The Officer's response to our last set of representations states that the Council considers that 'sufficient sites have been identified to meet needs, and there is no requirement to redrawn development limits in this location' Under Policy H1 and H3 of these representations we set out why we consider the objectively assessed housing need to be too low and as a result, insufficient sites have been identified to meet housing needs. We therefore consider Policy SD3 to

### Council Response

The Council considers the identification of development limits as being important for distinguishing the built-up areas from the countryside. This approach helps to prevent uncontrolled urban sprawl and is critical in delivering sustainable development. The Council continues to consider that sufficient development land has been allocated to meet identified housing needs, and also includes a buffer to allow market flexibility and guard against under-delivery. A large proportion of the supply is also front loaded. Therefore, the approach is considered to be NPPF compliant. SHLAA site 418 was rejected as a housing allocation for the following reasons. The site is visually prominent from the A1085 and development would have a noticeable impact on the openness of the green wedge which performs the important role of separating Redcar & Cleveland and Middlesbrough Council areas at this point. The site provides an attractive green area at the entrance to the High Farm development. Subject to access considerations, limited appropriate development on the proposed allocation on land South of the High Farm development is deemed more appropriate in terms of the potential impact on the green wedge and broadening the new housing offer in Greater Eston.

be unsound and Site 418 should be included within the Development Limits to make it sound.

significant level of development is already proposed in the north of Greater Eston over the plan period on other sites in more sustainable locations, including the strategic site at Low Grange Farm. The site also forms part of the community woodland agreement attached to the High Farm planning consent. It is therefore not considered appropriate to extend development limits to include this site.

## Policy SD3

060

### PLP\_171

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent  
Organisation

### Summary of Representation

Whilst the Council has continued with the development limits policy and has undertaken a review of the development limits as defined by Policy DP1 of the Development Policies DPD (July 2007), this is by no means a comprehensive review and responds largely to the need to accommodate the preferred proposed allocations, which are yet to be tested at public examination. However, the NPPF promotes a more flexible approach to settlement growth, setting out at paragraph 157 that: "Local Plans should plan positively...take account of longer term requirements...be kept up-to-date...allocate sites to promote development and flexible use of land...[and] identify land where development would be inappropriate." The NPPF also expects "Local plans to meet objectively assessed needs with sufficient flexibility to adapt to rapid changes" (NPPF Paragraph 14). Therefore, Policy SD3 is not sound. It is overly prescriptive and not positively prepared; and should therefore be deleted. If however, the Council and the Secretary of State conclude it is appropriate to define development limits within the Local Plan, we consider our client's site at Flatts Lane should be included within development limits as a site that will deliver sustainable development.

### Council Response

The Council considers the identification of development limits as being important for distinguishing the built-up areas from the countryside. This approach helps to prevent uncontrolled urban sprawl and is critical in delivering sustainable development. The approach set out in the plan identifies sufficient development land to meet identified needs, and also includes a buffer to allow market flexibility and guard against under-delivery. A large proportion of the supply is also front loaded. Therefore, the approach is considered to be NPPF compliant, both in regards to planning positively and protecting the countryside. The Council has been clear in Policy H1 that it will work with the development industry to bring forward sites should it become apparent that there is no five year supply of deliverable housing land. The site was rejected as an allocation within the Local Plan for the following reasons. There are alternative options, both within and outside development limits, which are in more sustainable and less environmentally-sensitive locations and are more strongly related to nearby residential areas. Preference should therefore be given to the development of these sites. The proposals would remove the defensible boundary established by the A174, which helps to effectively contain the built-up area and distinguish it from the Eston Hills. The site effectively forms part of the tranquil urban fringe countryside encompassing the country park, which the site blends into, and the Eston Hills area and has previously been identified as having ecological and landscape value. In the event of development, these natural attributes would be lost and the character of the site would be altered irrevocably with implications for the wider area.



Development could have an adverse impact on the landscape and the ecological value of the country park, which is a Local Nature Reserve and recorded as having European protected and biodiversity priority species. It is therefore not considered appropriate to amend development limits to include the site.

## Policy SD3

061

### PLP\_202

Full Name Richard Crosthwaite  
 Organisation Gladman Developments Ltd  
 Agent  
 Agent Organisation

### Summary of Representation

It is noted that the Local Plan intends to identify development limits around a number of settlements within the hierarchy. Gladman object to this approach because it can arbitrarily restrict sustainable development that is well related to a settlement and its services and facilities. This is particularly true where development limits are drawn tightly against the existing built form. If the approach to introduce settlement limits is to be taken forward into the adopted plan, it must better reflect the presumption in favour of sustainable development (and policy SD 1 of the Plan). Additional flexibility is therefore required that will enable the consideration of sustainable opportunities for the delivery of housing to meet a wider range of identified needs.

### Council Response

The Council considers the identification of development limits as being important for distinguishing the built-up areas from the countryside. This approach helps to prevent uncontrolled urban sprawl and is critical in delivering sustainable development. The approach set out in the plan identifies sufficient development land to meet identified needs, and also includes a buffer to allow market flexibility and guard against under-delivery. A large proportion of the supply is also front loaded. Therefore, the approach is considered to be NPPF compliant, both in regards to planning positively and protecting the countryside.

## Policy SD4

062

### PLP\_022

Full Name Mr Andy Stephenson  
 Organisation National Farmers Union  
 Agent  
 Agent Organisation

### Summary of Representation

Great importance should be placed on securing the long term security of best and most versatile agricultural land. Consideration of flood risk both on development sites and up and down stream is essential. Whilst a level of flood risk on-site may be considered acceptable, flooding of more sparsely populated land, such as agricultural, further downstream should not be considered acceptable under any circumstances unless it is specifically designed to do so with full consent of the landowner. Welcome the requirement to incorporate SuDS into all major developments or where any new development is likely to impact existing flood risk. Surface water runoff from green field sites should be restricted to the existing rate checked

### Council Response

Comment noted.

against agricultural runoff rate. The surface runoff rate from previously developed land, or land occupied by buildings or hard standing (such as farm buildings and access road) should be established prior to redevelopment and runoff from the site restricted to 70% of this rate or to green field rates. Restricted runoff should be applied using flow control devices coupled with on-site attenuation and other Sustainable Drainage Systems (SuDS) measures. For smaller sites, for example less than 0.25ha, there may be limited opportunities for attenuation apparatus and source control measures alone may need to be considered to manage runoff. In accordance with current Building Regulations, in the first instance consideration should be given to infiltrate surface water into the ground wherever possible, followed by discharge into an open watercourse, discharge into a culverted watercourse and finally discharged into a combined public sewer system.

## Policy SD4

063

### PLP\_029

Full Name Mr Dave McGuire

Organisation Sport England

Agent

Agent  
Organisation

### Summary of Representation

Support the cross reference to Sport England's Active Design guidance within the policy's justification.

### Council Response

Support noted.

## Policy SD4

064

### PLP\_044

Full Name Mrs Melanie Lindsley

Organisation The Coal Authority

Agent

Agent  
Organisation

### Summary of Representation

The Coal Authority is pleased to see that criterion X of Policy SD4 identifies that a Risk Assessment will be required to support development proposals in areas where there is a potential for ground instability due to previous mineral activity.

### Council Response

Comment noted.

## Policy SD4

065

### PLP\_047

Full Name Louise Tait  
Organisation Environment Agency

Agent

Agent  
Organisation

### Summary of Representation

Welcome Policy SD4: General Development Principles in the Local Plan which seeks to ensure that inappropriate development is avoided in areas at risk of flooding and that permitted development will not increase flood risk on site or elsewhere.

### Council Response

Support welcomed.

## Policy SD4

066

### PLP\_069

Full Name Laura Kennedy  
Organisation Northumbrian Water

Agent

Agent  
Organisation

### Summary of Representation

Moving on to Policy SD4, General Development Principles, we welcome points 'f' and 'g' that address the management of flood risk and the provision of adequate infrastructure to support a development, in addition to point 'p', which promotes important principles of water efficiency and conservation. Whilst the north-east is not forecast to experience issues in water supply, as discussed in the introductory section of the Local Plan, the promotion of water efficiency and conservation reduces the costs associated with water treatment. Finally, we strongly support point 'v' and the requirement for a flood risk assessment and sustainable drainage scheme to accompany planning applications for major development or where new development has potential to impact on existing flood risk.

### Council Response

Support welcomed.

## Policy SD4

067

### PLP\_094

Full Name Matthew Good  
Organisation Home Builders Federation Ltd

Agent

Agent  
Organisation

### Summary of Representation

The policy is considered unsound as it is not considered justified. The policy, part z, places a requirement for Local Employment Agreements and Local Procurement Plans upon developments where the value exceeds £5million. It should be noted that the industry already provides significant amounts of training and employment opportunities. The HBF has recently launched a new initiative with the Construction Industry Training Board to train 45,000 workers by 2019 (further information can be

### Council Response

Consider that the policy provides enough flexibility to ensure that other schemes operated by developers can be taken into account. The reference to a requirement of 20% of materials being procured in the borough is not a policy and not a 'mandatory requirement' i.e. 'the LEA may also include a local procurement plan'. One of the key objectives of the Local Plan and the Redcar & Cleveland Strategic Economic Plan is to get more local people into employment. It is therefore considered appropriate to

found on the HBF website). The proposed policy requirements would appear to duplicate these commitments and are likely to place additional, unjustified, burdens upon the industry. The supporting policy text (paragraph 2.31) also requires 20% of materials to be procured from within the borough. The justification for this is unknown, it also may not be feasible in all cases. It is notable that the supporting text suggests that developments will be encouraged to include these elements. Whilst it is also questionable whether the policy requirements would meet the planning obligations tests set out within NPPF paragraph 204, if they can be justified it is recommended that the policy more clearly express it is not a mandatory requirement, otherwise part z should be deleted. Part q of the policy requires an artistic element in all major schemes. This is expanded upon in plan paragraph 2.29. It does not, however, appear to have been considered as part of the viability testing and the cumulative impacts of such requirements.

encourage developers to use local suppliers where this is possible to create local employment opportunities and ensure that local communities benefit from developments in their communities. However, the Council (and the policy) recognise that this won't always be possible.

## Policy SD4

068

### PLP\_123

Full Name Mr Nick McLellan  
 Organisation Story Homes  
 Agent John Wyatt  
 Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

Story Homes support the amendment to Policy SD4(z) whereby it is now stated that, in line with our previous representations, Local Employment Agreements (LEAs) may be required where certain development criteria are met rather than being a definite requirement as was set out in the previous iteration of the Plan.

### Council Response

Support welcomed.

## Policy SD4

069

## PLP\_131

Full Name Barbara Hooper  
Organisation Historic England  
Agent  
Agent Organisation

### Summary of Representation

We commented previously that while we welcome and support this policy, we would prefer to see the term "unjustified" rather than 'unacceptable' in part(c). This would be in line with the reference in the National Planning Policy Framework (NPPF) requirement in paragraph 132 for the need for "clear and convincing justification" for harm. Paragraph 128 of the NPPF requires applicants to describe the significance of any heritage assets affected in development proposals. However, the need for some form of heritage impact assessment does not appear to be reflected within the criteria for this policy (although the need for this is outlined in paragraph 8.11 and Policy HE3). It would make the policy more robust, and support the heritage policies, to identify the need for heritage impact assessments within this policy.

### Council Response

Comment noted. Text to be amended.

## Policy SD4

070

## PLP\_156

Full Name Mr Ben Stephenson  
Organisation Persimmon Homes Teesside Ltd  
Agent  
Agent Organisation

### Summary of Representation

Persimmon Homes object to Policy SD4 as we do not consider the council's approach to be robustly justified. The policy establishes the general development principles which will be applied to all developments, where appropriate, throughout the borough. Part Q of the policy places a requirement upon developers to "incorporate an artistic element (major developments only)". The supporting policy text (paragraph 2.29) explains that this does not necessarily mean a piece of public art, it could involve higher design details or materials such as railings, windows, doors, brickwork, paving or landscape features which will improve the quality of the scheme. We welcome this flexibility but we are currently unaware of any evidence which suggests that the additional costs associated with this burden have been considered as part of the Plan Viability Testing Update (December 2016). It is essential that this oversight is rectified prior to the next stage of the plan making process with the requirement demonstrated to be viable otherwise it will be unsound and therefore require deletion from the plan. Part z of the policy also states that a "Local Employment Agreement (LEA) may be required for strategic and significant development proposals and, where the value

### Council Response

The policy does not 'require' an artistic element but only encourages developers to incorporate an artistic element in the design of the development to improve development for residents and create a sense of place. The policy also does not state the amount of money which should be spent on artistic features. In a lot of cases, it may be possible to include artistic elements at little or no cost where it is incorporated into the design of development. The Local Employment Agreements and Local Procurement Plans do not just relate to house building. Consider that the policy provides enough flexibility to ensure that other schemes operated by developers can be taken into account. The reference to a requirement of 20% of materials being procured in the borough is not a policy and not a 'mandatory requirement' i.e. 'the LEA may also include a local procurement plan'. One of the key objectives of the Local Plan and the Redcar & Cleveland Strategic Economic Plan is to get more local people into employment. It is therefore considered appropriate to encourage developers to use local suppliers where this is possible to create local employment opportunities and ensure that local communities benefit from developments

of a development exceeds Million, the LEA may also include a Local Procurement Plan". Whilst it is accepted that the supporting policy text (paragraph 2.31) suggests that the Council will only 'encourage' developers to provide these elements, we would question whether such an approach would align with the planning obligation tests set out within paragraph 204 of the NPPF. If such a policy can be justified, then it is essential that the policy makes clear that this is not a mandatory requirement otherwise it should be deleted. It is also noted that Local Procurement Plans would require 20% of all qualifying materials on a site to be provided from companies and organisations based or operating in the borough. We are concerned that this may not be practical in all cases and may have significant viability issues for national operators who operate a national procurement programme. It is therefore important that this figure is expressed as a target rather than a requirement. The financial implications of Policy SD4 should be fully evidenced and considered as part of the whole plan viability testing. If the financial implications of this policy cannot be demonstrated to be viable then the various elements of the policy highlighted within this letter should be deleted.

in their communities. However, the Council (and the policy) recognise that this won't always be possible. Consider that the policy provides enough flexibility to ensure that other schemes operated by developers can be taken into account.

## Policy SD4

071

### PLP\_172

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent Organisation

### Summary of Representation

Policies, such as SD4, that will restrict the development of sustainable sites that are outwith the proposed development limits are also unsound given they will not be effective in delivering the required housing. Point i) of Policy SD4 seeks that development proposals optimise the potential of the site. As the Local Plan seeks a sufficient supply of "executive" and "executive style" homes, the policy should clarify that low density schemes can be appropriate and will therefore not fail this policy test. In order to ensure that the Plan is sound and complies with the NPPF, request that Policy SD4 is amended as follows: "...All development must be designed to a high standard. Development proposals will be expected to: (\*text bold\* [text struck through]) i. \*Where appropriate\* optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses, including (where appropriate) incorporation of green

### Council Response

Don't consider the policy is over restrictive to not allow low density development. Further guidance on site design can be found in the Design of Residential Areas SPD.

space and landscaping as part of development, and support local facilities and transport networks;..."Further more, it is overly prescriptive to include a validation checklist within the policy test and should be deleted from the policy.

## Policy SD4 - Para. 2.22

072

### PLP\_070

Full Name Laura Kennedy  
Organisation Northumbrian Water

Agent

Agent  
Organisation

### Summary of Representation

At paragraph 2.22, we welcome reference to the Code of Practice on Odour Nuisance from Sewage Treatment Works published by DEFRA in 2006 and the recognition of the importance of maintaining an appropriate buffer between existing waste water treatment infrastructure and new developments. We do however, recommend that this requirement is included within Policy SD4, rather than as part of the supporting text.

### Council Response

Consider that the bullet e) is sufficient to cover this issue. Consider it appropriate to include reference to the Code of Practice in the justification text rather than policy as other guidance notes.

## Policy SD4 - Para. 2.23

073

### PLP\_052

Full Name Louise Tait  
Organisation Environment Agency

Agent

Agent  
Organisation

### Summary of Representation

The Local Plan refers to the reclamation of contaminated land in sections 1.74 and 2.23. Reference is made to Model Procedures for the Management of Land Contamination (CLR 11) in section 2.23, which is welcomed.

### Council Response

Comment noted.

## Policy SD4 - Para. 2.24

074

### PLP\_043

Full Name Mrs Melanie Lindsley  
Organisation The Coal Authority

Agent

Agent  
Organisation

### Summary of Representation

The Coal Authority is pleased to see that paragraph 2.24 acknowledges that due to past mineral activity there are areas of possible ground instability in Redcar and Cleveland and that in these areas investigations and assessments of ground conditions may be required.

### Council Response

Comment noted.

## Policy SD5

075

### PLP\_132

Full Name Barbara Hooper

Organisation Historic England

Agent

Agent

Organisation

### Summary of Representation

We particularly welcome and support the recognition that developer contributions could be used to support improvements to heritage assets.

### Council Response

Support welcomed.

## Policy SD5

076

### PLP\_151

Full Name Mr Nick McLellan

Organisation Story Homes

Agent

Agent

Organisation

### Summary of Representation

Welcomes the Council's Plan Viability Testing Update (December 2016). It is vital that planning obligations should meet the following three tests which are set out within paragraph 204 of the NPPF: A necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Although the supporting policy text makes reference to the above three tests, we consider that the policy should include a direct reference to these tests. Moreover, Policy SD5 should also set out which contributions will be required from the development industry and this information should also be included within the Infrastructure Delivery Plan and subject to whole plan viability testing. This will ensure that the policy is fully compliant with paragraph 173 of the NPPF which requires that the sites and scale of development identified in plans are not subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. In accordance with the Home Builders Federation comments, Story Homes also raises concerns with the Council's considerable use of SPDs in Policy SD5 and other various policies in the Local Plan (e.g. H2, H4 and N3). Although we appreciate that they are useful for providing further guidance for development on specific sites or in relation to specific issues, we must emphasise that the Council should not use SPDs as a mechanism for introducing policy requirements and burdens outside of the formal plan-making process. As set

### Council Response

In reference to the three tests set out in the NPPF, there is no need to repeat the requirements in the policy. It is difficult to predict what level of each type of contribution will be required for different types of contributions. However, the Whole Plan Viability Assessment has tested different levels of contributions up to the maximum of what is expected to be required and considers that the Plan and is viable. It should be noted that the site allocation policies note where and what types of contributions will be required for each site. It should also be noted that all contributions will be subject to economic viability in any case. The Infrastructure Delivery Plan has not highlighted a need for any significant infrastructure improvements to support site allocations. Agree with the comment on including reference to economic viability in the policy itself rather than justification text to make it clearer that viability will be taken into account. The Council is not using SPDs as a mechanism for policy. The SPDs will be updated once the Local Plan is adopted to reflect the new policies.



out in paragraph 153 of the NPPF. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development. We urge the Council to review their SPDs following Local Plan adoption to ensure that they are still in conformity with national guidance and continue to assist with the interpretation of Local Plan policies. As outlined above, Story Homes recommend that Policy SD5 should make direct reference to the three tests outlined within paragraph 204 of the NPPF and the significance of the Infrastructure Delivery Plan and Whole Plan Viability Testing Study to ensure that it is fully compliant with paragraph 173 of the NPPF which requires that new development is not subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. We also urge the Council to review their SPDs following Local Plan adoption to ensure that they are still in conformity with national guidance and continue to assist with the interpretation of Local Plan policies.

## Policy SD5

077

### PLP\_157

Full Name Mr Ben Stephenson  
 Organisation Persimmon Homes Teesside Ltd  
 Agent  
 Agent Organisation

### Summary of Representation

It is noted that there is reference to the use of the Developer Contributions SPD and the Affordable Housing SPD within this policy. These SPDs were adopted in 2011 and 2015 respectively. The Council will therefore need to review these SPDs post Local Plan adoption to ensure they still conform and assist in the interpretation of Plan policies. It is essential however that the Council do not use this as a vehicle for introducing additional policy requirements and financial burdens outside of those tested as part of this plan making process. In an area with historically low achieved sales prices, viability is a significant concern for Persimmon Homes within the borough. Whilst it is accepted that the SPDs allow for the viability of scheme to be taken into account, we consider that a reference to viability within the policy would reinforce this approach throughout the plan and provide the flexibility necessary to prevent planned development from stalling in accordance with paragraph 205 of the NPPF. Reference should be made to 'viability' within Policy SD5 reinforce the principles of the NPPF

### Council Response

The Council is not using SPDs as a mechanism for policy. The SPDs will be updated once the Local Plan is adopted to reflect the new policies. Agree with the comment on including reference to economic viability in the policy itself rather than justification text. The policy will be amended to make it clear that the need for developer contributions will take into account viability.

throughout the policy and provide flexibility.

## Policy SD5

078

### PLP\_173

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent  
Organisation

### Summary of Representation

The supporting text to Policy SD5 (paragraph 2.37) is broadly welcomed as this sets out that, where site specific issues generate viability concerns, applicants should discuss these with the Council at the earliest possible stage and proposals that are unable to comply with the Plan's policies on viability grounds must be accompanied by a detailed viability assessment. However, the principle of developer contributions being made subject to viability should be contained within the policy to ensure certainty for developers. Not doing so could detract from effectiveness of the policy, stall housing delivery and thus, ultimately means the plan is not sound. We therefore request that Policy SD5 is amended as follows: (\*text in bold added\*)"Subject to viability", the Council will seek to secure developer contributions in order to fund necessary infrastructure and other community benefits required as a consequence of development."Additionally, it is notable that the Council refers to guidance set out in the Development Contributions SPD and Affordable Housing SPD. Both of these documents will need to be reviewed following the adoption of the Local Plan to ensure that they effectively assist in the interpretation of Local Plan policies. However, they should not act as a vehicle for introducing new or more onerous policy requirements outside of the Local Plan process.

### Council Response

Agree with the comment on including reference to economic viability in the policy itself rather than justification text. The policy will be amended to make it clear that the need for developer contributions will take into account viability. The Council is not using the SPDs as a mechanism for policy. The SPDs will be updated once Local Plan is adopted.

## Policy SD5

079

### PLP\_203

Full Name Richard Crosthwaite

Organisation Gladman Developments Ltd

Agent

Agent  
Organisation

### Summary of Representation

Gladman note the overarching intention of Policy SD 5, which sets the context for the Council's approach to securing planning obligations. The policy adds little additional information to that contained in the associated regulations, but does clarify a range of infrastructure typologies for which contributions might be sought through the development management process. It is noted that the Council is not progressing a CIL alongside this Local Plan and

### Council Response

The Council consider it necessary to include a policy on developer contributions to meet the requirements of the NPPF which states that 'local authorities should consider whether otherwise unacceptable development could be made acceptable through the use of planning conditions or planning obligations.' It is difficult to predict what level of each type of contribution will be required for different types of contributions. However, the Whole Plan Viability Assessment has tested different levels of contributions up

Gladman would wish to be consulted on any process to introduce such a regime in due course. Gladman would like to take this opportunity to remind the Council that Supplementary Planning Documents should not be used to place an unnecessary financial burden on development (NPPF, Paragraph 153). It is important that the deliverability and viability of the Local Plan has been correctly tested and therefore the likely financial burden from the list of likely obligations must be accurately factored into the whole plan viability evidence. In addition, the use of planning obligations must meet the tests set out in the Community Infrastructure Levy Regulations 2010.

to the maximum of what is expected to be required and considers that the Plan and is viable. It should be noted that the site allocation policies note where and what types of contributions will be required for each site. It should also be noted that all contributions will be subject to economic viability in any case. The Infrastructure Delivery Plan has not noted a need for any significant infrastructure improvements to support site allocations. The policy will be amended to make it clear that the need for developer contributions will take into account viability. The policy justification text makes reference to the tests set out in the Community Infrastructure Levy Regulations 2010. The Council is not using the SPDs as a mechanism for policy. The SPD's will be updated following the Local Plan adoption.

## Policy SD5

080

### PLP\_213

Full Name Andrew Whitehead

Organisation Natural England

Agent

Agent  
Organisation

### Summary of Representation

The Local Plan refers to the strategic management plan in the supportive text of policies SD5, REG1, ED9, ED11 and ED13. To improve the link between the policies that are likely to have significant effects on European and internationally designated sites and the strategic mitigation approach that is aimed at preventing these impacts, we advise to refer to strategic mitigation within policy N4 and include reference to this in paragraph 2.36 (supporting text of SD5).

### Council Response

The Council will update paragraph 2.36 to make reference to the requirements of N4 in order to add clarity and strengthen the link to the strategic mitigation.

## Policy SD5 - Para. 2.34

081

### PLP\_042

Full Name mr william hayes

Organisation

Agent

Agent  
Organisation

### Summary of Representation

There is no "evidence" of constructive positive co-operation with it's cross boundary neighbour MC before taking this monumental and unilateral decision presented with the Published Plan. Demonstrating a complete failure of their Duty to Cooperate. Further in para 2.34 RCC claimed that in 2005 a Study of the EMB took place from which they concluded and then asserted that the EMB was undeliverable. This significant assertion is inadvertently and totally mistaken, as no such study of the EMB actually took

### Council Response

Construction of the approved development on land at Swans Corner (on the route of the East Middlesbrough Bypass) has already commenced and the Council considers that it fully engaged with Middlesbrough Council in relation to the potential East Middlesbrough Bypass prior to the approval of development and sale of the site. In 2005, a study in respect of the possible implementation of an East Middlesbrough Bypass was undertaken in order to determine whether the Bypass was deliverable. This study included consultation with Middlesbrough Borough

place in 2005. The Study of 2005 was actually of a road proposal named the ECG. National trust (NT), Network Rail(NR) and Highways England(HE) were asked to comment upon the ECG proposal. The comments from these organisations that RCC rely upon in para 2.34 to assert that the EMB is undeliverable were "not comments related to the EMB at all", and cannot reasonably be presented as evidence "against" the deliverability of the EMB. NT clearly expressed the view in their response that the proposed ECG route bore no resemblance to the EMB route and was significantly outside of the reserved transport corridor over their land. Indeed RCC have inadvertently taken adverse comments addressing the ECG proposal and mistakenly used them against the deliverability of a different proposal namely the EMB.

RCC would have to withdraw their decision "Not to include the East Middlesbrough Bypass option as a Transport solution in it's Local Plan". This would eliminate the non-compliance with the Duty to Cooperate. To facilitate the above somehow (as a layman I do not know how) the granting of planning permission to build upon the line of the East Middlesbrough bypass would have to be withdrawn?

Council, Network Rail, the National Trust and Highways England. The study concluded that the scheme would not be deliverable due to the impact of the scheme on the land owned by the National Trust. Also, Network Rail raised concerns regarding the possible impact on the Esk Valley line railway bridge and the impact of closure of the line if the bridge was to be rebuilt in a wider form. In addition Highways England raised concerns regarding the slip road onto the A174. As a result of the consideration of these issues, it was judged that there was no realistic possibility of constructing an East Middlesbrough Bypass. Middlesbrough Council are still considering an option north of Ladgate Lane to provide a possible rear entrance into new residential areas and James Cook University Hospital.

## Policy SD6

082

### PLP\_023

Full Name Mr Andy Stephenson  
 Organisation National Farmers Union  
 Agent  
 Agent Organisation

### Summary of Representation

With appropriate controls, the NFU believe farming can play a key role in meeting the Governments renewable energy targets. Since 2007, the NFU has led a joint agricultural Climate Change Task Force in recognising the many opportunities for agricultural and land management to tackle climate change, and in developing a Greenhouse Gas Action Plan for our sector. With 75 per cent of UK land area in the agricultural sector, the NFU believes that its members are well-placed to capture renewable natural energy flows, while maintaining our traditional role in food production as well as the delivery of other environmental and land management services. It is the NFU's stated aspiration that every farmer and grower should have the opportunity to diversify their businesses and create 'green' jobs by supplying renewable energy services. Schemes can often be incorporated into farm developments, both existing and new, with little impact on the character of the surrounding

### Council Response

Comment noted. The policy supports renewable and low carbon energy schemes where their impact is, or can be made acceptable. Policy ED8 Rural Economy also supports appropriate farm diversification schemes.

landscape. Furthermore, renewable energy can have economic advantages for the agricultural business and also provide a more reliable source of energy which can be an issue in remote locations.

## Policy SD6

083

### PLP\_182

Full Name mr stuart white  
 Organisation CPRE  
 Agent Katie Atkinson  
 Agent Organisation Director KVA Planning Consultancy

### Summary of Representation

NYCPRE welcomes inclusion of policy, particularly reference to retrofitting renewable and micro renewable schemes where possible. Vital that all new developments incorporate energy-saving/reduction elements into the design stage to combat climate change locally. Recognise contribution of onshore wind to meeting requirements for energy from renewable sources, however, if inappropriately sited, they can damage natural beauty of countryside and adversely effect experience of residents and visitors. Whilst welcome, in principle, the aim to locate these only in specific areas shown on Policies map, NYCPRE would urge caution in allowing developers to go beyond these areas and set a dangerous precedent which may impact upon protected areas of landscape. Strongly feel that development should be encouraged on brownfield sites capable of housing turbines or solar farms within their setting.

### Council Response

Policy SD6 includes criteria which all developments for renewable and low carbon energy will be assessed against, including sensitivity and capacity of the landscape. This will prevent development which would detrimentally impact on the countryside and protected areas. Paragraph 2.45 states that consideration should be given to locating developments on reclaimed, industrial and man-made landscapes.

## Policy SD6 - Para. 2.48

084

### PLP\_133

Full Name Barbara Hooper  
 Organisation Historic England  
 Agent  
 Agent Organisation

### Summary of Representation

While the importance of the setting of heritage assets is identified within Policy SD6, it might be worth reiterating within paragraph 2.48.

### Council Response

For clarity and to aid implementation of this policy it is considered appropriate to add reference to heritage assets and their settings within the second sentence of paragraph 2.48 to ensure proposals do not conflict with heritage assets and their settings.

## Policy SD7

085

**PLP\_024**

Full Name Mr Andy Stephenson

Organisation National Farmers Union

Agent

Agent Organisation

**Summary of Representation**

I note section 2.58 which alludes to storage of flood water and Natural Flood Management schemes. You may also be aware that options are to be available through Catchment sensitive farming which incentivises landowners to incorporate such schemes. Engaging with landowners at an early stage in any sort of scheme which involves changes to land use is of paramount importance with long-term maintenance and liabilities needing to be considered.

**Council Response**

Comment noted.

**Policy SD7**

086

**PLP\_071**

Full Name Laura Kennedy

Organisation Northumbrian Water

Agent

Agent Organisation

**Summary of Representation**

We welcome that flood risk must be considered at all stages of the planning process to avoid inappropriate development in areas of existing or future flood risk. At point 'e', we are pleased to note that the use of sustainable drainage systems are prioritised, as such systems can provide multiple benefits in addition to their primary role in flood risk management. Also within this policy, we strongly support the inclusion of surface water runoff rates in line with those contained in the Non-statutory Technical Standards for Sustainable Drainage Systems. This proactive approach ensures that the best possible betterment is achieved on previously developed sites. We recognise that Policy SD uses a threshold of ten dwellings to define major development, as we welcome this clear framework, however, we suggest that it may also be useful to consider the cumulative impact of non-major development and promote the same principles of water management for these sites also. We recognise that this may not be appropriate for the smallest developments, however, we consider that a proactively worded policy to encourage sustainable water management wherever possible would be beneficial.

**Council Response**

Comments noted. Consider that that threshold for major development is appropriate.

**Policy SD7**

087

## PLP\_174

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent  
Organisation

### Summary of Representation

Whilst Theakston Estates generally support the thrust of Policy SD7, to ensure that the policy remains flexible to respond to up-to-date evidence, we request that the policy is amended as follows:"All development proposals will be expected to be designed to mitigate and adapt to climate change, taking account of flood risk by: (...) g. ensuring development is in accordance with the \*up-to-date\* Redcar and Cleveland Strategic Flood Risk Assessment."(\*text added\*)

### Council Response

Text not required. The SFRA will be kept up to date and the most recent SFRA will be available to view via the Council's website.

## Policy SD7 - Para. 2.56

088

## PLP\_072

Full Name Laura Kennedy

Organisation Northumbrian Water

Agent

Agent  
Organisation

### Summary of Representation

As a final point within this section, we support the arrangements and requirements for sustainable drainage systems contained within Paragraph 2.56 and consider that these requirements will support the implementation of sustainable drainage systems through the planning process.

### Council Response

Support welcomed.

## Policy LS1

089

## PLP\_016

Full Name Gill and Ed Butler

Organisation

Agent

Agent  
Organisation

### Summary of Representation

According to the draft local plan for the future of Redcar & Cleveland, Lazenby Village is no longer listed as a Village but is listed in the urban category. We are opposed to this statement. Lazenby is a village and should be listed as Lazenby Village.

### Council Response

While it is acknowledged that Lazenby is a village, the settlement has been included within the Conurbation by the adopted Core Strategy (Policy CS2) and has been identified within the urban area within the Publication Local Plan. Lazenby is immediately surrounded by a large area of allocated employment land and the A174, which runs along the southern most edge, and these physically separate Lazenby from the rural area.

## Policy LS1

090

## PLP\_035

Full Name Mr Chris Bell  
Organisation Highways England  
Agent  
Agent Organisation

### Summary of Representation

Highways England' concerns regarding the soundness of the Plan relates to the lack of a sufficient transport and infrastructure evidence base, which therefore has implications for a number of policies that allocate development and promote transport infrastructure improvements. During consultation on the previous draft of the Plan, Highways England raised concerns that the infrastructure proposals identified in the Plan needed to reflect the latest spatial development aspirations and be based on up to date evidence. At this stage it is not clear that this is the case, as the current transport infrastructure evidence supporting the Plan, notably the IDP (May 2016), which has not been updated since the previous consultation and particularly the Tees Valley Area Action Plan (2011) and Strategic Transport Assessment (October 2013) are significantly out of date. Consequently, we are not in a position to confirm that the evidence accompanying the Plan is robust and appropriately considers the impact on the Strategic Road network (SRN) and supports the scope and requirements of the transport infrastructure improvements proposed in the Plan. In summary, we would expect, as a minimum, the following process to have been undertaken as part of the evidence base development, to ensure the policies, proposals and supporting infrastructure measures have been appropriately assessed: identification of the transport demands arising from the spatial aspirations of the plan; assess the impacts of these spatial aspirations on the performance of the transport network (including the SRN); identify policy responses/infrastructure measures in an Infrastructure Delivery Plan (IDP) assess the adequacy of these policy responses / infrastructure measures; and identify the phasing and funding requirements to ensure the infrastructure measures are viable and deliverable. Until we have had the opportunity to review the Tees Valley Area Action Plan, which is in the process of being updated and which we understand will form the key piece of evidence to support the transport infrastructure requirements of the Plan, we cannot confirm that the above process or similar robust process has been followed. Therefore, we cannot currently consider the Plan to be sound and consider that it fails the test of being effective and justified, due to these deficiencies. However, provided that the evidence can be

### Council Response

The Council is working with Tees Valley Combined Authority to ensure the Tees Valley Area Action Plan is updated prior to the start of the examination hearing sessions. A list of development sites has been sent to TVCA and the transport model will be re-run to determine the impact of the site allocations on the Strategic Road Network. This will ensure that the transport and infrastructure evidence base is up-to-date and provides Highways England with the assurance that the safe and efficient operation of the Strategic Road Network will be maintained and will be capable of supporting the Local Plan's development and growth aspirations.



completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy LS1

091

### PLP\_103

Full Name Mr Jonathan Abbott  
 Organisation Taylor Wimpey (Uk) Ltd  
 Agent Mr Steven Longstaff  
 Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

TW do not fundamentally object to Policy LS1 and support the Council's regeneration objectives in the urban area but suggest that the Council should place greater emphasis on the delivery of housing in the Nunthorpe area as one of the most sustainable locations and the strongest market areas in the Borough.

### Council Response

Support for the objectives is noted. The sustainability of the Nunthorpe area is acknowledged through Policy SD2 and its inclusion within the Urban Area. This area is at the top of the settlement hierarchy and the focus for new development, with the Council aiming for 60% of all new development to take places in the Urban and Coastal Areas.

## Policy LS1

092

### PLP\_163

Full Name G and M Collins  
 Organisation  
 Agent GVA Grimley Ltd.  
 Agent Organisation GVA

### Summary of Representation

Policy LS1 sets out the urban area spatial strategy, which includes the area of Normanby. It states that the Council and its partners will aim to:  
 "c) develop new housing throughout the Greater Eston area to provide a mix of house types and tenures, including affordable housing and special needs housing, to meet the needs and aspirations of local residents"  
 We agree with the Council's aspiration to provide for a mix of house types to meet the needs and aspiration of residents. The allocation and delivery of sites 418 and 419 would assist the Council in achieving this objective, providing housing in a sustainable location on two sites which are suitable, available, achievable and therefore deliverable for housing.

### Council Response

Comments of support are noted. The Council has assessed all sites that are submitted for inclusion into the plan and has selected what it considers to be the most sustainable, appropriate and deliverable package of sites to meet the housing requirement and Locational Strategy (SD2).

## Policy LS1

093

## PLP\_175

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent  
Organisation

### Summary of Representation

The thrust of Policy LS1 is supported. The outline planning application seeks to maintain and enhance the Flatts Lane Country Park which is an important community facility. However, the wording to sub-section c should be amended as follows to ensure that the plan is positively prepared: "...c. develop new housing throughout the \*wider\* Greater Eston area to provide a mix of house types and tenures, including affordable housing and special needs housing, to meet the needs and aspirations of local residents;.." (\*text added\*)

### Council Response

Comments of support noted. Greater Eston is a term used by the Council to refer collectively to the wards of Eston, Grangetown, Normanby, Ormesby, South Bank and Teesville. These wards cover all of the settlements listed in Policy LS1 and the suggested terminology is not considered necessary.

## Policy LS1

094

## PLP\_204

Full Name Richard Crosthwaite

Organisation Gladman Developments Ltd

Agent

Agent  
Organisation

### Summary of Representation

Gladman notes the urban area spatial strategy, which includes a number of settlements that are closely related to the wider conurbation outside of the spatial area of Redcar & Cleveland. It is vital that the strategy responds positively to opportunities across the wider area, fully recognising the strong inter-relationships with communities and job opportunities in elsewhere in the conurbation. To support this, it is important that the plan is formulated against evidence that reflects the availability of jobs, facilities and services in the wider area and takes account of any likely changes in commuting patterns that will emerge over the plan period linked to wider economic development ambitions. The Council's proportionate evidence base should therefore include the consideration of economic and housing needs across a wider spatial area than the local authority.

### Council Response

Comments noted

## Policy LS2

095

## PLP\_036

Full Name Mr Chris Bell  
Organisation Highways England  
Agent  
Agent Organisation

### Summary of Representation

Highways England' concerns regarding the soundness of the Plan relates to the lack of a sufficient transport and infrastructure evidence base, which therefore has implications for a number of policies that allocate development and promote transport infrastructure improvements. During consultation on the previous draft of the Plan, Highways England raised concerns that the infrastructure proposals identified in the Plan needed to reflect the latest spatial development aspirations and be based on up to date evidence. At this stage it is not clear that this is the case, as the current transport infrastructure evidence supporting the Plan, notably the IDP (May 2016), which has not been updated since the previous consultation and particularly the Tees Valley Area Action Plan (2011) and Strategic Transport Assessment (October 2013) are significantly out of date. Consequently, we are not in a position to confirm that the evidence accompanying the Plan is robust and appropriately considers the impact on the Strategic Road network (SRN) and supports the scope and requirements of the transport infrastructure improvements proposed in the Plan. In summary, we would expect, as a minimum, the following process to have been undertaken as part of the evidence base development, to ensure the policies, proposals and supporting infrastructure measures have been appropriately assessed: identification of the transport demands arising from the spatial aspirations of the plan; assess the impacts of these spatial aspirations on the performance of the transport network (including the SRN); identify policy responses/infrastructure measures in an Infrastructure Delivery Plan (IDP) assess the adequacy of these policy responses / infrastructure measures; and identify the phasing and funding requirements to ensure the infrastructure measures are viable and deliverable. Until we have had the opportunity to review the Tees Valley Area Action Plan, which is in the process of being updated and which we understand will form the key piece of evidence to support the transport infrastructure requirements of the Plan, we cannot confirm that the above process or similar robust process has been followed. Therefore, we cannot currently consider the Plan to be sound and consider that it fails the test of being effective and justified, due to these deficiencies. However, provided that the evidence can be

### Council Response

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completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy LS2

096

### PLP\_049

Full Name Louise Tait  
Organisation Environment Agency

Agent

Agent  
Organisation

### Summary of Representation

We acknowledge and welcome the reference made within Policy LS2\_Coastal Area Spatial Strategy which states that 'The Council and its partners will aim to: protect bathing water quality'.

### Council Response

Support welcomed

## Policy LS2

097

### PLP\_057

Full Name Frances Cunningham  
Organisation Network Rail

Agent

Agent  
Organisation

### Summary of Representation

Agrees that Policy LS2 is legally compliant, sound and compliant with the Duty to Cooperate. No specific comments made.

### Council Response

Support welcomed.

## Policy LS2

098

## PLP\_104

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

TW object to the Coastal Area Spatial Strategy on the basis that whilst identifying a number of settlements within the strategy, the Council does not propose to allocate housing sites in all of these settlements, particularly Marske. The Council in Policy SD2 confirm that development will be directed to the most sustainable settlements in the Borough but the proposed spatial strategy does not fully achieve this. In view of the above, it is not considered that Policy LS2 is justified as would not deliver the most appropriate strategy which would be to allocate further housing development in Marske as one of the main settlements in the Borough

### Council Response

Comments noted. It is recognised that housing is not being promoted in every settlement, but such an approach is considered unnecessary and could lead to an unsustainable pattern of development. Development is allocated in the most sustainable locations when considering the borough as a whole. The Council has assessed all sites that are submitted for inclusion into the plan and has selected what it considers to be the most sustainable, appropriate and deliverable package of sites to meet the housing requirement and Locational Strategy (SD2). While the Local Plan does not specifically allocate sites for housing within Marske, Policy SD2 does seek to achieve 60% of development within the Urban and Coastal area and does not preclude development within Marske from coming forward.

## Policy LS2

099

## PLP\_183

Full Name mr stuart white  
Organisation CPRE  
Agent Katie Atkinson  
Agent Organisation Director KVA Planning Consultancy

### Summary of Representation

NYCPRE has been extremely disappointed with the growth of Redcar historically, large retailers have been lost and the centre has become known for cheap and value goods. Whilst these have a place, it is recognised that Redcar should be aiming to provide a balanced mix of services and opportunities for resident and visitors to the area and NYCPRE hope that the Council will support the revitalisation of Redcar and indeed the coastal area in general. Policy LS2 seeks to promote Redcar as the main service centre and this is welcomed. However, it is recommended that point G be strengthened to state that the Council will aim to promote new housing development on other sites in line with the Policy SD2 and SD3, to avoid developers seeking to promote inappropriate sites. Point H regarding safeguarding and enhancing Marske is welcomed as it is felt that this settlement is under development pressure and it is vital that it retains its unique identity.

### Council Response

Support welcomed. Other comments are noted, however, the suggested amendments to point G are not considered necessary as any proposals for development will be considered against the Plan as a whole, including policies SD2 and SD3.

## Policy LS2

100

## PLP\_205

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd

Agent

Agent  
Organisation

### Summary of Representation

Gladman notes the intention to support economic growth in the coastal areas of the borough. This must be supported by positive policies that allow the development of new housing to meet future needs in a range of sustainable locations.

### Council Response

Comments noted. It is considered that the Plan is positively prepared and allows for sustainable development to meet future needs.

## Policy LS3

101

## PLP\_037

Full Name Mr Chris Bell  
Organisation Highways England

Agent

Agent  
Organisation

### Summary of Representation

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### Council Response

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these policy responses / infrastructure measures; and identify the phasing and funding requirements to ensure the infrastructure measures are viable and deliverable. Until we have had the opportunity to review the Tees Valley Area Action Plan, which is in the process of being updated and which we understand will form the key piece of evidence to support the transport infrastructure requirements of the Plan, we cannot confirm that the above process or similar robust process has been followed. Therefore, we cannot currently consider the Plan to be sound and consider that it fails the test of being effective and justified, due to these deficiencies. However, provided that the evidence can be completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy LS3

102

### PLP\_124

Full Name Mr Nick McLellan  
 Organisation Story Homes  
 Agent John Wyatt  
 Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

Story Homes retain their support for the aim under Policy LS3a to enhance the role of Guisborough as the principal Rural Service Centre, as well as a focus for new housing. The position of Guisborough as the most sustainable settlement within the rural area is acknowledged within both the Local Plan and the associated evidence base and it is therefore considered appropriate to direct a significant percentage of new development in the rural area to Guisborough. Further evidence in support of this approach is provided in our response to Policy H3 (Housing Allocations).

### Council Response

Policy LS3 acknowledges that Guisborough is the largest and most sustainable Rural Area settlement, in line with the SA Report, by recognising the settlement as the principal rural service centre. However, it is still considered that the introduction of a target of at least 50% of the development within the rural area to be located in Guisborough is not appropriate, as this approach would impact negatively on the economy and sustainability of the other rural settlements, in particular the East Cleveland towns.

## Policy LS3

103

## PLP\_184

Full Name mr stuart white  
Organisation CPRE  
Agent Katie Atkinson  
Agent Organisation Director KVA Planning Consultancy

### Summary of Representation

The Council must ensure that it delivers homes following the sequential approach set out in Policy SD2 prior to developing large executive homes in the open countryside - whilst it is recognised that the SHMA has indicated a need for this type of development, any application coming forward should be rigorously assessed to ensure that it is in the most appropriate location, rather than it becoming the 'norm' for any application to be granted permission in countryside locations.  
NYCPRE also believe that there is the potential to develop Skinningrove as a marine centre for fishing, water skiing and boat trips to enjoy the spectacular heritage coast, which could aid the Council's support for tourism in the area.

### Council Response

Comments noted. While proposed developments will be required to follow the approach set out in Policy SD2, the Council will continue to support the development of exceptionally high quality, individually designed homes in the countryside, in line with paragraph 55 of the NPPF and Policy SD3.  
The Council is unable to fund the development of Skinningrove as a marine centre, but considers that the Plan includes support for suitable tourism developments, should proposals come forward.

## Policy LS3

104

## PLP\_206

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd  
Agent  
Agent Organisation

### Summary of Representation

Gladman note that there are a diverse range of rural communities covered by Policy LS 3. The list includes a number of settlements that provide a range of day to day services. The policy includes a range of measures to improve sustainable transport and environmental assets. In relation to environmental assets, it is vital that the policy emphasis of the NPPF is properly reflected in the application of this Policy. Consideration must be given to impacts of a development proposal across the three dimensions of sustainability (both positive and negative) when making a planning judgement through the development management process. Any policy for the protection or enhancement of the natural environment should be established in light of the national policies contained in the Framework, particularly paragraphs 109 to 125.  
In terms of the built environment, The Framework requires local planning authorities to set out a positive strategy for the conservation and enjoyment of the historic environment. Here, paragraphs 134 and 135 of the Framework are of particular relevance.

### Council Response

Comments noted. The Council considers that the policy has been prepared in line with the requirements of the NPPF.

## Policy LS4

105



## PLP\_038

Full Name Mr Chris Bell  
Organisation Highways England  
Agent  
Agent Organisation

### Summary of Representation

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### Council Response

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completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy LS4

106

### PLP\_053

Full Name Louise Tait  
 Organisation Environment Agency

Agent

Agent  
 Organisation

### Summary of Representation

Policy LS4: South Tees Spatial Strategy also makes welcome reference to the decontamination and redevelopment of potentially contaminated land.

### Council Response

Support welcomed

## Policy LS4

107

### PLP\_099

Full Name Sirius Minerals  
 Organisation Sirius Minerals  
 Agent Justin Gartland  
 Agent Chairman Nathaniel Lichfield & Partners  
 Organisation

### Summary of Representation

Sirius recognises and endorses the overarching policy support for economic growth and job opportunities in the South Tees Area.  
 The possible expansion of industry, infrastructure or activity associated directly with the Sirius Minerals' North Yorkshire Polyhalite Project, particularly within the South Tees area, must be fully supported by the emerging Local Plan. To this end, it is vital that planning policy allows for and encourages the possibility of further investment within the South Tees area, which may arise from the growth of the Project. Once the mine and the Redcar-based graduation and exporting functions are operational, it is also vital that the project has the capacity to expand and adapt, should potential future growth of the national and international market for polyhalite dictate. As such, the RCC Local Plan must take full advantage of the opportunities presented by the Project in this manner, and the focus of draft Policy LS4 must continue to encourage and facilitate future investment both directly and indirectly associated with the Project.  
 Sirius recognises and endorses the specific and overarching

### Council Response

Comments are noted and support welcomed. However, the Council considers that the wording of Policy LS4 is sufficiently flexible to allow the expansion of the Projects' facilities, where appropriate. The policy will be amended to include the correct name of the project.

policy support that sub-clause 'm' of emerging Policy LS4 affords to the wider Project. I

The implications of the wording of sub-clause 'm' of the draft policy are also supported by Sirius, with particular reference to support expressed for "...development related to.." the wider Project. The expression of 'in-principle' policy backing for such future developments, beyond those for which permission has already been granted, is supported. Nonetheless, it is requested that sub-clause 'm' is expanded to more robustly define this position, and provide suitably flexible and responsive policy support for this vital project (see Part 6 of this form).

It is also recognised that sub-clause 'd' of the draft policy supports the 'expansion and protection' of the ports and logistics sector. This is supported particularly insofar as it applies to the Sirius harbour facilities, subject to development Consent, at Bran Sands. As with the aforementioned 'related development', it is important that there is sufficient inherent flexibility and support in the Local Plan to facilitate further adaptation or investment into these facilities in the future, should this be necessary. Sirius wishes to express support for other aspects of this policy which facilitate and encourage investment, including sub-clause 'a' which supports job growth at Wilton International, and sub-clauses 'e', 'f' and 'l' which offer support to various forms of economic growth and the development of industrial sites. The role that the North Yorkshire Polyhalite Project can play in creating a new industrial context in South Tees following the decline of the steel industry is a significant one.

Finally, the explicit reference to the Project in the supporting text to this policy is recognised and supported by Sirius.

## PLP\_039

Full Name Mr Chris Bell  
Organisation Highways England  
Agent  
Agent Organisation

### Summary of Representation

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### Council Response

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## Policy REG1

109

### PLP\_134

Full Name Barbara Hooper

Organisation Historic England

Agent

Agent  
Organisation

### Summary of Representation

The site allocation for REG1 is close to, and may be within the setting of, the Coatham Conservation Area. This is not acknowledged within the Policy wording or supporting text. We can find no evidence of how this site allocation has been assessed to take account of heritage assets (see our comments below for Chapter 6), and we would expect to see recognition that the Design Strategy (referenced in paragraph 4.4) should take account of the need to sustain, enhance and make positive contribution to the adjacent historic area.

### Council Response

Comments noted. The Council has prepared a Historic Environment Assessment of the allocations to clearly set out the Council's consideration of the potential impacts on the borough's heritage assets from the allocations within the Plan.

## Policy REG2

110

### PLP\_135

Full Name Barbara Hooper

Organisation Historic England

Agent

Agent  
Organisation

### Summary of Representation

We particularly welcome and support the very positive and proactive approach to conservation led development set out within this policy.

### Council Response

Support welcomed.

## Policy REG3

111

## PLP\_040

Full Name Mr Chris Bell  
Organisation Highways England  
Agent  
Agent Organisation

### Summary of Representation

Highways England' concerns regarding the soundness of the Plan relates to the lack of a sufficient transport and infrastructure evidence base, which therefore has implications for a number of policies that allocate development and promote transport infrastructure improvements. During consultation on the previous draft of the Plan, Highways England raised concerns that the infrastructure proposals identified in the Plan needed to reflect the latest spatial development aspirations and be based on up to date evidence. At this stage it is not clear that this is the case, as the current transport infrastructure evidence supporting the Plan, notably the IDP (May 2016), which has not been updated since the previous consultation and particularly the Tees Valley Area Action Plan (2011) and Strategic Transport Assessment (October 2013) are significantly out of date. Consequently, we are not in a position to confirm that the evidence accompanying the Plan is robust and appropriately considers the impact on the Strategic Road network (SRN) and supports the scope and requirements of the transport infrastructure improvements proposed in the Plan. In summary, we would expect, as a minimum, the following process to have been undertaken as part of the evidence base development, to ensure the policies, proposals and supporting infrastructure measures have been appropriately assessed: identification of the transport demands arising from the spatial aspirations of the plan; assess the impacts of these spatial aspirations on the performance of the transport network (including the SRN); identify policy responses/infrastructure measures in an Infrastructure Delivery Plan (IDP) assess the adequacy of these policy responses / infrastructure measures; and identify the phasing and funding requirements to ensure the infrastructure measures are viable and deliverable. Until we have had the opportunity to review the Tees Valley Area Action Plan, which is in the process of being updated and which we understand will form the key piece of evidence to support the transport infrastructure requirements of the Plan, we cannot confirm that the above process or similar robust process has been followed. Therefore, we cannot currently consider the Plan to be sound and consider that it fails the test of being effective and justified, due to these deficiencies. However, provided that the evidence can be

### Council Response

The Council will work with Tees Valley Combined Authority and Highways England to ensure the Tees Valley Area Action Plan is updated prior to the start of the examination hearing sessions. This will ensure that the transport and infrastructure evidence base is up-to-date and provides Highways England with the assurance that the safe and efficient operation of the Strategic Road Network will be maintained and will be capable of supporting the Local Plan's development and growth aspirations.

completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy REG4

112

### PLP\_136

Full Name Barbara Hooper  
 Organisation Historic England  
 Agent  
 Agent Organisation

### Summary of Representation

While we support the proposed regeneration of Loftus, it contains, as noted within paragraph 4.4, a historic core with many important and attractive buildings. We welcome the intention to prepare a Conservation Area Management Plan, especially given its "at risk" status. However, the policy wording does not seem to indicate how this Plan would influence the renovation and redevelopment of sites, and it would be helpful to amend the wording slightly to ensure that the significance of the historic environment is conserved and enhanced as an integral part of the regeneration programme.

### Council Response

Consider that the protection and enhancement of the historic environment is already dealt with in HE1 and HE2.

## Policy ED3 - Para. 5.19

113

### PLP\_120

Full Name  
 Organisation Kentucky Fried Chicken (Great Britain) Limited  
 Agent Mr Steve Simms  
 Agent Organisation Director SSA Planning Limited

### Summary of Representation

The paragraph refers to a recognised link between takeaway food and obesity. On basis of this and the local obesity rate, it recommends that applicants for takeaway uses seek the advice of the Council's public health team on how to provide healthier choices. We welcome the focus on the provision of healthier choices, rather than blanket restrictions on food and drink uses. However, the premise demands a definition of 'takeaway food' and 'takeaway uses', in order to establish whether, indeed, such link is recognised. Otherwise, the Plan lacks evidence for its approach and fails to plan positively by addressing all uses where healthier choices might be offered. The risk is that only hot food takeaways are targeted, missing coffee shops, bakeries, pubs, restaurants, and so on.

### Council Response

Comments are noted. It is acknowledged that unhealthy food choices are available at various outlets. However, links have been identified between hot takeaway food and obesity that are recognised at a national level and which have prompted the inclusion of policy controls relating to A5 uses and obesity in several adopted Local Plans. The Council has not considered that the use of such restrictions is appropriate for the borough at this time, however, the Council still remains committed to addressing the obesity and health issues associated with a poor diet and it's public health team run an initiative specifically focussed upon hot food takeaways, to improve good practice and healthy choices.

**PLP\_034**

Full Name Mr Chris Bell

Organisation Highways England

Agent

Agent Organisation

**Summary of Representation**

Highways England' concerns regarding the soundness of the Plan relates to the lack of a sufficient transport and infrastructure evidence base, which therefore has implications for a number of policies that allocate development and promote transport infrastructure improvements. During consultation on the previous draft of the Plan, Highways England raised concerns that the infrastructure proposals identified in the Plan needed to reflect the latest spatial development aspirations and be based on up to date evidence. At this stage it is not clear that this is the case, as the current transport infrastructure evidence supporting the Plan, notably the IDP (May 2016), which has not been updated since the previous consultation and particularly the Tees Valley Area Action Plan (2011) and Strategic Transport Assessment (October 2013) are significantly out of date. Consequently, we are not in a position to confirm that the evidence accompanying the Plan is robust and appropriately considers the impact on the Strategic Road network (SRN) and supports the scope and requirements of the transport infrastructure improvements proposed in the Plan. In summary, we would expect, as a minimum, the following process to have been undertaken as part of the evidence base development, to ensure the policies, proposals and supporting infrastructure measures have been appropriately assessed: identification of the transport demands arising from the spatial aspirations of the plan; assess the impacts of these spatial aspirations on the performance of the transport network (including the SRN); identify policy responses/infrastructure measures in an Infrastructure Delivery Plan (IDP) assess the adequacy of these policy responses / infrastructure measures; and identify the phasing and funding requirements to ensure the infrastructure measures are viable and deliverable. Until we have had the opportunity to review the Tees Valley Area Action Plan, which is in the process of being updated and which we understand will form the key piece of evidence to support the transport infrastructure requirements of the Plan, we cannot confirm that the above process or similar robust process has been followed. Therefore, we cannot currently consider the Plan to be sound and consider that it

**Council Response**

The Council is working with Tees Valley Combined Authority to ensure the Tees Valley Area Action Plan is updated prior to the start of the examination hearing sessions. A list of development sites has been sent to TVCA and the transport model will be re-run to determine the impact of the site allocations on the Strategic Road Network. This will ensure that the transport and infrastructure evidence base is up-to-date and provides Highways England with the assurance that the safe and efficient operation of the Strategic Road Network will be maintained and will be capable of supporting the Local Plan's development and growth aspirations.



fails the test of being effective and justified, due to these deficiencies. However, provided that the evidence can be completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy ED9

115

### PLP\_025

Full Name Mr Andy Stephenson  
 Organisation National Farmers Union  
 Agent  
 Agent Organisation

### Summary of Representation

We welcome the Council's support for expanding the leisure and tourism economy of the rural areas. As highlighted earlier, diversification of agricultural businesses helps improve the long term viability and spread the income streams of the business making it less susceptible to economic downturns.

### Council Response

Support welcomed.

## Policy ED9

116

### PLP\_185

Full Name mr stuart white  
 Organisation CPRE  
 Agent Katie Atkinson  
 Agent Organisation Director KVA Planning Consultancy

### Summary of Representation

It is considered that this policy is not justified correctly therefore unsound in relation to the final paragraph reading 'Losses of tourist accommodation through change of use or demolition will only be supported where it can be clearly demonstrated that they are no longer financially viable, or their loss would secure wider regeneration benefits.' This paragraph does not explain how the applicant should demonstrate that the site is no longer financially viable, nor does the textual justification beneath the policy set out how this should be achieved.

### Council Response

Comments noted. Additional text is proposed for the policy justification.

## Policy ED11

117

## PLP\_186

Full Name mr stuart white  
Organisation CPRE  
Agent Katie Atkinson  
Agent Organisation Director KVA Planning Consultancy

### Summary of Representation

Given the increasing trend for modern style camp sites e.g. yurts, tipis, shepherds huts and log cabins - NYCPRE believe that this policy should be amended to include reference to these types of development to aid the Council by ensuring applicants submit appropriate levels of assessment at the validation stage and to ensure that appropriate development is located in the most appropriate locations.

### Council Response

It is not considered necessary to list all of the possible accommodation styles provided on camping and caravan sites. The Council considers that log cabins fit within the term 'chalet type accommodation' included in paragraph 5.63. It is also considered that yurts, tipis and other moveable or temporary structures, which are forms of camping or caravans, are also covered within the existing wording of the policy.

## Chapter 6: Housing

118

## PLP\_137

Full Name Barbara Hooper  
Organisation Historic England  
Agent  
Agent Organisation

### Summary of Representation

Insufficient consideration of heritage and conservation issues in allocating sites

### Council Response

The Council has prepared a Historic Environment Assessment of the allocations to clearly set out the Council's consideration of the potential impacts on the borough's heritage assets from the allocations within the Plan.

## Policy H1

119

## PLP\_073

Full Name Laura Kennedy  
Organisation Northumbrian Water  
Agent  
Agent Organisation

### Summary of Representation

We recognise that the Local Plan includes a minimum requirement of 234 additional dwellings per annum over the Plan period within Policy H1. We will seek to work with the Council and developers to support the delivery of housing schemes through their alignment with any investment in water and waste water infrastructure, which may involve the agreement of phasing plan for larger sites.

### Council Response

Comment noted.

## Policy H1

120

## PLP\_095

Full Name Matthew Good  
Organisation Home Builders Federation Ltd  
Agent  
Agent Organisation

### Summary of Representation

The policy is considered unsound as it is not considered to be fully justified or positively prepared. The policy identifies a net minimum requirement of 234 dwellings per annum (dpa). This is the same requirement as identified in the draft version of the plan. The HBF supports the Council in seeking to provide a housing requirement which is above the identified objectively assessed need for housing (OAN). However, the proposed housing requirement is considered to lack sufficient aspiration and does not adequately take account of the potential for economic growth. The Council will be aware that within our previous comments the HBF considered that an uplift to this requirement would be valid. The expression of the requirement as a net minimum is supported. This wording is considered consistent with the NPPF requirements for plans to be positively prepared and boost significantly housing supply. In terms of the supporting evidence it is noted that a partial update to the 2016 SHMA was undertaken in September 2016 (2016 SHMA update). This update takes account of the 2014 based sub national population and household projections (2014 SNPP and SNHP). The publication of the update is supported. We do, however, remain of the opinion that a higher overall requirement would be justified, our reasoning for this is set out below. (Please see Attachment).

### Council Response

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. In order to ensure continued delivery, and choice of sites, the identification of a 20% buffer in addition is considered to provide sufficient flexibility in meeting this requirement. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period.

## Policy H1

121

## PLP\_105

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey strongly object to draft policy H1 on the basis that the suggested housing requirement is not based on a robust evidence base. Fundamentally, TW do not believe that the Publication Local Plan is consistent with national planning policy guidance in that it does not plan for the Borough's objectively assessed housing needs nor does it seek to significantly boost housing supply, a key requirement of the NPPF. Moreover, it does not align with the Council's economic strategy and would not support positive economic growth in the Borough. Therefore, the Council need to identify a significant number of additional housing sites to ensure that the full correctly calculated OAN is met as set out below. This is evidenced in the

### Council Response

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. In order to ensure continued delivery, and choice of sites, the identification of a 20% buffer in addition is considered to provide sufficient flexibility in meeting this requirement. As such, the Council is satisfied that the approach taken is NPPF-compliant, and

accompanying review undertaken by Regeneris Consulting building on their considerable experience following the Section 78 appeals they have provided detailed OAN evidence on in Saltburn (ref: APP/V0728/W/15/3006780), Longbank Farm, Normanby (ref: APP/V0728/W/15/3018546).

represents an appropriate level of housing delivery for the plan period.

## Policy H1

122

### PLP\_125

Full Name Mr Nick McLellan  
 Organisation Story Homes  
 Agent John Wyatt  
 Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

Story Homes therefore consider Policy H1 to be unsound in its current form as it has not been positively prepared and it is not justified based on the evidence provided. In order to make the policy sound, Story Homes propose that an upwards adjustment is made to the net minimum requirement of 234 dpa in order to ensure that the housing needs of the Borough are met. Story Homes also wish to point out that the Local Plan housing requirement should be interpreted as a minimum and not a maximum requirement. This position is consistent with national guidance. Story Homes also consider that the Local Planning Authority should provide further evidence to justify their seeking a lower minimum housing requirement of 234 dpa when this runs contrary to the evidence presented to them by both Story Homes and the HBF.

### Council Response

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period. Further evidence on jobs growth has been undertaken since Publication stage to ensure that the housing requirement is appropriate.

## Policy H1

123

### PLP\_158

Full Name Mr Ben Stephenson  
 Organisation Persimmon Homes Teesside Ltd  
 Agent  
 Agent Organisation

### Summary of Representation

Further assessment of the OAN should be undertaken to account for a more meaningful uplift resulting from market signals and headship rates. It is also equally important that the Council's housing and economic strategies are aligned. The Housing target of 234 dpa set out within Policy H1 should be increased to an 'aspirational yet realistic' figure in accordance with the NPPF given the level of completions achieved over the past three years to ensure that the plan is positively prepared and boosts significantly the supply of housing.

### Council Response

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period.

## Policy H1

124

### PLP\_164

Full Name G and M Collins  
Organisation  
Agent GVA Grimley Ltd.  
Agent Organisation GVA

### Summary of Representation

Submit that the housing requirement should be increased to respond to the significant criticism levelled at it through the aforementioned appeals and the representations made in relation to the emerging Local Plan. As a result of this, further sites should be allocated to meet a higher level of need. We again assert that no Inspector has found an OAN of 234 acceptable for the reasons set out above despite repeatedly being put forward by the Council. Therefore consider Policy H1 to be unsound.

### Council Response

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period.

## Policy H1

125

### PLP\_176

Full Name Theakston Estates  
Organisation  
Agent Neil Westwick  
Agent Organisation

### Summary of Representation

Welcome the Council's vision to grow a successful and resilient economy in the Borough. Government policy is clear that housing is central to a successful and thriving economy. It is, therefore, clear that Government policy is to "boost significantly the supply of housing" (National Planning Policy Framework paragraph 47) remains central to Government Policy. More locally, there are a number of economic and growth strategies which promote a positive vision for growth across the Tees Valley and Redcar & Cleveland. The delivery of sufficient housing will be critical to ensuring this vision is realised. The lack of appropriate housing to meet the needs of a workforce to deliver this growth could also be a significant barrier to development. The need for increased housing delivery in Redcar & Cleveland has been endorsed by Lord Heseltine in his recent independent report, Tees Valley: Opportunity Unlimited (June 2016), to support the Borough's economic growth. This highlights the need to deliver 20,000 plus new homes across the Tees Valley to 2026 a significant increase against currently achieved completion rates. Furthermore, the Tees Valley Strategic Economic Plan, 2014 (SEP) seeks to support the creation of 25,000 new jobs and £1 billion additional GVA into the economy over the period 2014-2024.

### Council Response

The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. In order to ensure continued delivery, and choice of sites, the identification of a 20% buffer in addition is considered to provide sufficient flexibility in meeting this requirement. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period. The Council has undertaken further analysis on jobs growth to ensure that the housing requirement is appropriate. The Council has been clear in Policy H1 that it will work with the development industry to bring forward sites should it become apparent that there is no five year supply of deliverable housing land and additional clarification has been included within the reasoned justification for this policy. The Council monitors the five-year supply on a yearly basis through the Five Year Housing

However, the SEP also recognises that a number of factors may inhibit growth across the wider Tees Valley, including increased international competition, reliance on large employers and a lack of high quality housing. In particular, the SEP highlights: "Tees Valley suffers from a lack of high quality housing to attract people and investment, affordability issues for local residents (with house prices increases having outstripped earnings) and high levels of outdated stock. Better quality housing, to overcome fuel poverty and meet the needs of our ageing population, and more executive homes to attract the future aspirational population, are critical." In addition, the Tees Valley Economic Assessment, 2015/16 provides a robust evidence base of current state, and future potential, of the Tees Valley economy. The principal aim of the Assessment is to inform Local Plans and other policy and strategy documents focussing upon how the local economy operates and opportunities, as well as highlighting the barriers and issues that may prevent future growth. Key barriers to growth highlighted within the Assessment include: An ageing population: (1 in 4 people will be aged 65+ in 2032) which is causing greater dependency on the working age population; Skills shortages presented by an ageing workforce, particularly in key sectors with 127,000 jobs needing to be filled by 2022; and Low employment levels (just 278,300 of our 417,000 working age population are in employment, with the Tees Valley providing just 292,500 jobs). The assessment states that an: "Increase in over 65s and fall in working age population means that employers may be faced with skills shortages (with over 112,000 jobs likely to need replacing by 2022); we are working with schools, colleges and employers to address this". (Page 28) The above factors demonstrate the need to support stronger economic performance and to attract and retain young people to support future growth. Growth enablers aligned with this ambition are therefore identified as: robust transport and communications infrastructure, good educational establishments, high quality housing and good cultural offer. In particular, the Assessment notes: "to attract new residents, businesses, investors and visitors, raise aspirations and retain skilled people within the area, having an excellent offer on education, housing and culture is vital." "There are high rates of energy inefficiency and a lack of executive housing. Recent increases in house-building

have improved this and boosted our construction sector, but there remains a need for better quality housing to attract and retain a skilled workforce."The assessment further states that there is a:"Lack of executive housing and unbalanced housing stock, leading to net out-migration of population, particularly younger, aspirational families who are the future wealth creators."(Page 45) Finally, the Redcar & Cleveland Growth Strategy June 2016, recently endorsed by Council Cabinet, reiterates that economic growth and housing growth are mutually linked and explains that:"To sustain a healthy and vibrant economy, Redcar & Cleveland needs to attract and retain more people with the skills and aspirations to support business innovation and growth."It goes on to confirm that the Growth Strategy is "mutually supportive of the Council's Local Plan ambition to significantly boost the supply of new homes above the level of housing need in order to achieve sustainable population growth that promotes economic growth."The Government's recent Industrial Strategy also seeks to promote growth across all areas of the UK in order to "close the gap between our best performing companies, industries, places and people and those which are less productive". It also recognises that:"while regional disparities are especially high in the UK, change in the right direction is possible. Indeed, more than possible, it is essential-because that is where much of the untapped potential of the British economy is to be found."Response Our client has previously submitted representation on the emerging local plan and a position statement in respect of the Objectively Assessed Need ("OAN") for Redcar & Cleveland accompanied the planning application in August 2016. the Council has since commissioned Peter Bret Associates (PBA) to undertake a partial update of the SHMA to consider; updated demographic projections and consideration of the future jobs growth scenario underpinning the SHMA and alignment with the economic forecasts underpinning the Council's Employment Land Review ("ELR"). NLP has undertaken a critique of the SHMA update, enclosed with this letter. A number of key points are made within our critique which underpins our view that a housing requirement of 234 dpa is not the full OAN for Redcar & Cleveland as required by national Planning Practice Guidance and will not support the future economic needs of Redcar & Cleveland. It will not satisfy the requirements of

the NPPF in terms of ensuring that the OAN supports the achievement of sustainable development, as defined in paragraph 9 of the Framework. The 2014 - based household projections The SHMA Update considers the differences between the 2012-based and 2014- based Sub National Population Projections (SNPP) and Sub National Household Projections (SNHP) for Redcar & Cleveland. The SHMA Update concludes that there is little difference between the two projections and it is a matter of judgement for the Council as to whether the 2014-based projections are adopted as the demographic starting point for assessing future housing need. This would seem an appropriate approach to adopt, given the difference identified. The SHMA Update does not go on to consider any sensitivities in which alternative levels of household formation are considered to allow the household formation of younger households to 'catch-up', who have been impacted upon by the market conditions during the recession. These are identified by PPG (Paragraph: 015 Reference ID:2a-015-20140305) as an important local consideration which should be made. This is despite recognition in the SHMA Update that one of the drivers behind the differences in the 2012-based and 2014-based projections is the consequence of the household formation rates used. It would be appropriate for the analysis to consider an adjustment in the formation rates to ensure short term trends are not perpetuated going forward through the plan period. The SHMA Update confirms the SHMA (February 2016) conclusion that an adjustment for UPC should not be made in Redcar & Cleveland. NLP agrees that this is an appropriate conclusion, given the lack of clarity underpinning UPC in Redcar & Cleveland. Future Jobs The SHMA Update provides an assessment of future jobs growth based on: 1 Consideration of the OE economic forecasts which have been used to underpin the Council's ELR to ensure alignment with the Experian forecasts underpinning the SHMA in respect of the level of housing required to support future jobs growth; and 2 The need to test differing future economic activity rates as a consequence of recent s.78 appeal decisions which have criticised those used by Experian, not least the decision of the Inspector at the Longbank appeal in Redcar & Cleveland who favoured the use of OBR future economic activity rates. Testing the OE and Experian Forecasts The SHMA Update compares the



future economic forecasts from Experian (September 2015) and OE (January 2016) in respect of the future levels of projected economic growth for Redcar & Cleveland and whether there is a need to uplift the future housing requirement to ensure the labour supply meets labour demand. (See attachment for remainder of response)

## Policy H1

126

### PLP\_207

Full Name Richard Crosthwaite  
 Organisation Gladman Developments Ltd  
 Agent  
 Agent Organisation

### Summary of Representation

Gladman are concerned that the Local Plan has not been formulated against a proportionate evidence base that seeks to examine the development needs of the wider market area within which the local authority lies. This is clearly problematic when finalising an appropriate strategy for future growth and identifying and robustly assessing reasonable alternatives to it. Gladman are concerned that the Local Plan is being prepared in isolation of evidence of full, objectively assessed needs for the wider housing market area. The locally derived OAN for Redcar and Cleveland should therefore be treated with caution in the absence of evidence that demonstrates the housing needs of the wider housing market area, taking account of functional economic geography. The local authority is adopting a policy on approach linked to a strategy that seeks a return to the population that was recorded in the 2001 Census. This approach is understandable in order to secure the regeneration of a number of settlements, but is as a result ambitious and should be carefully considered in the context of the wider housing market and functional economic area. It is noted that Policy H1 provides flexibility to provide a buffer of around 20% above the housing requirement that has been identified locally and this is an approach that is welcomed. In addition to this, the supporting text identifies an approach that the local planning authority would take where it becomes apparent that a five year housing land supply cannot be evidenced. To ensure that such an approach is forthcoming, an appropriate mechanism should be included within Policy H1 that will set out indicators against which this process will be triggered.

### Council Response

Through the production of an Objective Assessment of Housing Need (OAN) and a Strategic Housing Market Assessment (SHMA), the Council has considered the extent to which housing is a strategic, cross-boundary matter. In particular, consideration has been given as to whether there is a requirement for the Local Plan to accommodate unmet housing need from neighbouring areas and, conversely, whether the Council requires an element of its own housing needs to be met by one or more neighbouring authority. The SHMA describes Redcar and Cleveland as a broadly self-contained housing market and concludes that Redcar and Cleveland is an appropriate housing market area for the purposes of Local Plan policy making and this is reflected in the Local Plan. An alternative market geography that included Redcar & Cleveland in a wider 'Tees Valley Housing Market Area' would have been an equally justified Housing Market Area. Such a wider Housing Market Area would have had to include Middlesbrough, because it is the local authority most closely linked to Redcar & Cleveland through migration and commuting. However, Middlesbrough has a new Local Plan that was adopted in 2015, and therefore is not currently in a position to progress a review of housing needs. It would not be sensible to define an Housing Market Area involving Redcar & Cleveland that involved other boroughs, but excluded Middlesbrough. In these circumstances the pragmatic approach is for Redcar & Cleveland to proceed alone, on the basis that its level of migration self-containment satisfies the benchmark set in the PPG. This has been discussed with the neighbouring authorities and they are all satisfied with the Council's approach. It should also be noted that none of the adjacent LPA's are struggling to meet their own needs and

have not formally approached Redcar and Cleveland to do so. This matter has also not been raised at any of the meetings with neighbouring authorities where the Local Plan was discussed nor has any of the consultation responses from neighbouring authorities highlighted a need for for a joint housing market area or a need for Redcar and Cleveland to provide housing to help meet the housing needs of other areas. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period. Appendix 1 will be amended to include monitoring of the five-year supply. The five year supply is monitored on a yearly basis through the Five Year Housing Land Supply Assessment.

## Policy H2

127

### PLP\_106

Full Name Mr Jonathan Abbott  
 Organisation Taylor Wimpey (Uk) Ltd  
 Agent Mr Steven Longstaff  
 Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

TW object to paragraph 6.24 of the supporting text to the policy which advises that developments of an appropriate scale will be expected to contribute at least 10% of their units to meeting the suggested need for bungalows. This requirement seems arbitrary and is overly onerous. It will also likely result in viability issues on a number of sites when considered alongside all the other policy requirements. TW would therefore request that this requirement is removed from the supporting text as criteria d of Policy H2 is enough to ensure that the provision of bungalows on sites is given sufficient consideration, where appropriate. Policy H2 and its supporting text are therefore not justified and, as such, not sound. As outlined above, TW would request that paragraph 6.24 is reworded to remove the 10% bungalow requirement.

### Council Response

The SHMA concludes that there is a shortage of bungalows within the borough due to an ageing population in which case the requirement to build bungalows is appropriate. The Council is also confident that the wording is flexible enough to allow less than 10% units to be bungalows where viability is an issue. The Council is confident that each of the sites included under Policy H3 are viable, taking into account the proposed housing mix and any affordable housing requirements. Policy SD5 and Policy H4 both include viability as a consideration.

## Policy H2

128

## PLP\_147

Full Name Mr Nick McLellan

Organisation Story Homes

Agent

Agent  
Organisation

### Summary of Representation

Story Homes considers Policy H2 to be unsound as it is not consistent with national policy. Policy H2 sets out that proposals for housing development will be expected to ...promote self-build and custom housebuilding where there is an identified need.. This approach is inconsistent with national guidance which places a duty on LPAs to maintain a live self-build and custom housebuilding register to support the delivery of schemes in their area. In plan-making terms this register should be used as evidence of demand when developing the Local Plan and associated documents. PAS Guidance Planning for Self and Custom-build Housing (June 2016) sets out a range of issues that need to be considered when allocating a specific sites for self/custom build plots in a plan, including: location, constraints, planning policy obligations, viability, land ownership and design. We would therefore encourage the Council to have a robust supporting evidence base which reviews and identifies suitable sites for self-build and custom housebuilding purposes where there is an evidenced need. We also urge the Council to have regard to the economic viability matters associated with promoting self-build and custom housebuilding as the delivery of serviced plots may not be economically viable in certain instances due to the high costs associated with servicing the sites. It may be pertinent to focus the delivery strategy on Council-owned sites and/or suitable smaller plots. Story Homes suggest the following revisions: ...f. [promote] encourage self-build and custom housebuilding where economically viable and where there is an identified need as set out in the register; and...

### Council Response

Agree with comment. Policy will be amended to encourage rather than promote self-build and custom housebuilding where there is an identified need and to take into account development viability.

## Policy H2

129

## PLP\_177

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent  
Organisation

### Summary of Representation

Theakston Estates supports the need to provide a mix of housing types and tenure. The phrase "where appropriate" is welcomed as it provides flexibility to react to site specific constraints. However, the use of such adjectives provides a level of uncertainty. Further there is a degree of conflict between providing "executive" or "executive style" housing and achieving an "appropriate density" which promotes the sustainable use of land for development. This is in part

### Council Response

Agree with comment. Text will be amended to clarify that a range of densities are appropriate.

addressed in the supporting text at paragraphs 6.22 and 6.23 which highlights that lower density developments will be required in select rural or suburban locations. However, this could conflict with earlier policies that seek to prioritise brownfield sites. The policy should clarify that a range of densities is therefore appropriate as follows: "Proposals for housing development will be expected to: e. achieve [an appropriate] a density \*appropriate to the proposed housing type and mix\* which promotes the sustainable use of land for development.

## Policy H2- Para. 6.21

130

### PLP\_005

Full Name Mr William James Kelly

Organisation

Agent

Agent  
Organisation

### Summary of Representation

The document talks about "attracting people to the borough with executive or executive-style housing": with respect, that seems to be an extreme example of putting the cart before the horse. First priority should surely be to deal with the immediate problem (shortage of single person, "affordable" housing), then provide a reason for people to come (more industry/jobs etc), then back that with increased (aspirational) housing as the need arises. Just a thought!

### Council Response

The aim of the Local Plan is to encourage all types of housing as well as support the local economy.

## Policy H3

131

### PLP\_030

Full Name Mr Dave McGuire

Organisation Sport England

Agent

Agent  
Organisation

### Summary of Representation

Deletion of housing allocation at Belmangate Field, Guisborough is supported.

### Council Response

Comment noted.

## Policy H3

132

## PLP\_033

Full Name Mr Chris Bell  
Organisation Highways England  
Agent  
Agent Organisation

### Summary of Representation

Highways England' concerns regarding the soundness of the Plan relates to the lack of a sufficient transport and infrastructure evidence base, which therefore has implications for a number of policies that allocate development and promote transport infrastructure improvements. During consultation on the previous draft of the Plan, Highways England raised concerns that the infrastructure proposals identified in the Plan needed to reflect the latest spatial development aspirations and be based on up to date evidence. At this stage it is not clear that this is the case, as the current transport infrastructure evidence supporting the Plan, notably the IDP (May 2016), which has not been updated since the previous consultation and particularly the Tees Valley Area Action Plan (2011) and Strategic Transport Assessment (October 2013) are significantly out of date. Consequently, we are not in a position to confirm that the evidence accompanying the Plan is robust and appropriately considers the impact on the Strategic Road network (SRN) and supports the scope and requirements of the transport infrastructure improvements proposed in the Plan. In summary, we would expect, as a minimum, the following process to have been undertaken as part of the evidence base development, to ensure the policies, proposals and supporting infrastructure measures have been appropriately assessed: identification of the transport demands arising from the spatial aspirations of the plan; assess the impacts of these spatial aspirations on the performance of the transport network (including the SRN); identify policy responses/infrastructure measures in an Infrastructure Delivery Plan (IDP) assess the adequacy of these policy responses / infrastructure measures; and identify the phasing and funding requirements to ensure the infrastructure measures are viable and deliverable. Until we have had the opportunity to review the Tees Valley Area Action Plan, which is in the process of being updated and which we understand will form the key piece of evidence to support the transport infrastructure requirements of the Plan, we cannot confirm that the above process or similar robust process has been followed. Therefore, we cannot currently consider the Plan to be sound and consider that it fails the test of being effective and justified, due to these deficiencies. However, provided that the evidence can be

### Council Response

The Council is working with Tees Valley Combined Authority to ensure the Tees Valley Area Action Plan is updated prior to the start of the examination hearing sessions. A list of development sites has been sent to TVCA and the transport model will be re-run to determine the impact of the site allocations on the Strategic Road Network. This will ensure that the transport and infrastructure evidence base is up-to-date and provides Highways England with the assurance that the safe and efficient operation of the Strategic Road Network will be maintained and will be capable of supporting the Local Plan's development and growth aspirations.

completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy H3

133

### PLP\_060

Full Name KCS Developments  
 Organisation  
 Agent Mr Phil Jones  
 Agent Organisation Associate Director Nathaniel Lichfield & Partners

### Summary of Representation

Land at Windy Hill Farm should be allocated for housing as it is an appropriate, sustainable and deliverable housing development site which could help to meet housing needs in the Borough. Work is ongoing to produce a sensitively designed scheme for the partial development of the site which would not adversely impact on landscape character and would maintain the integrity of the strategic gap.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

134

### PLP\_074

Full Name Laura Kennedy  
 Organisation Northumbrian Water  
 Agent  
 Agent Organisation

### Summary of Representation

We recommend that Northumbrian Water are contacted at the earliest possible stage through the pre-development enquiry service to identify suitable connection points and discharge rates for foul and surface water, if appropriate, from the site. For strategic sites, we also recommend the preparation of masterplans to incorporate sustainable foul and surface water drainage strategies for each site. With regard to the site specific policies, we support the requirement for the submission of flood risk assessments and drainage strategies to support a planning application, along with the incorporation of sustainable drainage schemes where specifically requested. As stated in our previous consultation response, we do believe that this site-selective approach could potentially cause confusion, however we understand that where no specific request is made for a sustainable drainage scheme within a site specific policy, the principles contained within Policy SD7 will continue to apply.

### Council Response

The recommendations in terms of early engagement and inclusion of drainage strategies in strategic site masterplans are noted. Policy requirements for the submission of flood risk assessments and drainage strategies have been variously included either because there is a specific condition attached to an existing planning permission, or because on sites without permission it is known that flood risk and drainage issues are likely to be particularly significant considerations. Although not stated in the allocations policy or the overarching Policy H3, it is confirmed at Policy SD7 that all residential proposals of 10 dwellings minimum require the submission of a drainage plan and that in promoting sustainable development all development proposals should take account of flood risk and be accompanied by a flood risk assessment where appropriate.

**PLP\_083**

Full Name	
Organisation	West Midlands Metropolitan Authority Pension Fund
Agent	David Staniland
Agent Organisation	Planner Knight Frank LLP

**Summary of Representation**

Publication Local Plan Policy H1 (Housing Requirements), which has been lifted word for word from the Draft Local Plan, advises a requirement of 234 net additional dwellings per annum over the plan period, totalling 3,978 dwellings over 17 years. Draft Local Plan Policy H3 (Housing Allocations) identified provision for 2,884 dwellings over the Development Plan and Draft Local Plan Policy REG3 (Skelton), which is a 52ha site allocated for a mixed use development, identified provision for 200 dwellings during the Development Plan period. We previously calculated that the total number of dwellings coming forward on sites identified in Draft Local Plan Policies H3 and REG3 totalled 3,084. Publication Local Plan Policy H3 (Housing Allocations) identifies provision for 2,810 dwellings over the Development Plan. Publication Local Plan Policy REG3 (Skelton) identifies the same provision as previously expressed - 200 dwellings. The total number of dwellings coming forward on sites identified in Publication Local Plan Policies H3 and REG3 has therefore reduced from 3,084 to a total of 3,010 dwellings. We wish to reiterate the question we raised within our previous representations. Given Publication Local Plan Policy H1 identifies a need for 3,978 dwellings over the Development Plan period and Policies H3 and REG3 only identify provision for 3,010 dwellings, where do the Council anticipate the remaining dwellings (which is a significant proportion c968 dwellings) will be delivered? We would reiterate our previous concern that it does not appear that enough sites have been identified to meet the Council's future need, particularly given the constraints around Marske, New Marske and Saltburn, where there is very little (to no) opportunity for windfall sites to come forward.

**Council Response**

Including major sites which are currently underdevelopment and completions on smaller sites and conversions with planning permission (a total of 1,917 dwellings - as shown at Table 3 in the plan), the published plan allows for the development of an estimated 4,927 dwellings, thus comfortably achieving the minimum supply requirement set out at Policy H1, including a 20% buffer. The Council has recently completed its Strategic Housing Market Assessment which states that, for the plan period, the Objectively Assessed Need for Housing averages at 132 dwellings per annum (dpa). This work was updated using alternative scenarios in September 2016, and confirmed the original conclusions. In order to deliver sufficient housing to support the retention of additional population, the Council has concluded that a housing requirement of 234 dpa is appropriate and deliverable. In order to ensure continued delivery, and choice of sites, the identification of a 20% buffer in addition is considered to provide sufficient flexibility in meeting this requirement. As such, the Council is satisfied that the approach taken is NPPF-compliant, and represents an appropriate level of housing delivery for the plan period.

## PLP\_096

Full Name Matthew Good  
Organisation Home Builders Federation Ltd  
Agent  
Agent Organisation

### Summary of Representation

All sites in the housing trajectory at Appendix 4 of the plan should meet the requirements at footnote 11 of the NPPF. There are variances in housing supply figures between the plan and the SHLAA which require explanation. A 10% discount should be applied to all sites with an unimplemented planning permission, not just small sites and conversions. Consideration should be given to the possibility that windfall completions may cease to offset demolitions and to including within the policy mechanisms to deal with any lack of deliverable five year supply.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

137

## PLP\_107

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

In order to meet objective housing needs, the minimum annual requirement should be increased from 234 to 349 dwelling per annum with further sites allocated accordingly.

### Council Response

As set out in the responses to Policy H1, the Council contends that the assessment of housing needs is correct and, as such, sufficient allcations have been made in order to meet the minimum requirement plus a 20% buffer.

## Policy H3

138

## PLP\_113

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey object to draft policy H3 as it is not consistent with two key requirements of the NPPF. There are insufficient housing allocations to meet the correctly objectively assessed needs of the Borough over the plan period and the plan does not provide sufficient housing allocations to significantly boost the supply of housing. Policy H3 is therefore not positively prepared, justified or consistent with national policy and is not sound. TW respectfully suggest that the allocation of significantly more strategic and non-strategic sites to ensure that the correctly calculated OAN is met would make the local plan sound. The accompanying Promotional Document demonstrates that the Land at Sparrow Park Farm, New Marske is a deliverable proposition for future housing development.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.



## Policy H3

139

### PLP\_114

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey object to draft policy H3 as it is not consistent with two key requirements of the NPPF. There are insufficient housing allocations to meet the correctly objectively assessed needs of the Borough over the plan period and the plan does not provide sufficient housing allocations to significantly boost the supply of housing. Policy H3 is therefore not positively prepared, justified or consistent with national policy and is not sound. TW respectfully suggest that the allocation of significantly more strategic and non-strategic sites to ensure that the correctly calculated OAN is met would make the local plan sound. The accompanying representations demonstrate that the Land North of Marske Road, Saltburn is a deliverable proposition for future housing development.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

140

### PLP\_115

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey object to draft policy H3 as it is not consistent with two key requirements of the NPPF. There are insufficient housing allocations to meet the correctly objectively assessed needs of the Borough over the plan period and the plan does not provide sufficient housing allocations to significantly boost the supply of housing. Policy H3 is therefore not positively prepared, justified or consistent with national policy and is not sound. TW respectfully suggest that the allocation of significantly more strategic and non-strategic sites to ensure that the correctly calculated OAN is met would make the local plan sound. The accompanying Promotional Document demonstrates that the Land N&W of Galley Hill, Guisborough is a deliverable proposition for future housing development.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

141

## PLP\_116

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey object to draft policy H3 as it is not consistent with two key requirements of the NPPF. There are insufficient housing allocations to meet the correctly objectively assessed needs of the Borough over the plan period and the plan does not provide sufficient housing allocations to significantly boost the supply of housing. Policy H3 is therefore not positively prepared, justified or consistent with national policy and is not sound. TW respectfully suggest that the allocation of significantly more strategic and non-strategic sites to ensure that the correctly calculated OAN is met would make the local plan sound. The accompanying Promotional Document demonstrates that the Land at Grundales is a deliverable proposition for future housing development.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

142

## PLP\_117

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey object to draft policy H3 as it is not consistent with two key requirements of the NPPF. There are insufficient housing allocations to meet the correctly objectively assessed needs of the Borough over the plan period and the plan does not provide sufficient housing allocations to significantly boost the supply of housing. Policy H3 is therefore not positively prepared, justified or consistent with national policy and is not sound. TW respectfully suggest that the allocation of significantly more strategic and non-strategic sites to ensure that the correctly calculated OAN is met would make the local plan sound (including Land at Cat Flat Lane, Marske).

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

143

## PLP\_118

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

Taylor Wimpey object to draft policy H3 as it is not consistent with two key requirements of the NPPF. There are insufficient housing allocations to meet the correctly objectively assessed needs of the Borough over the plan period and the plan does not provide sufficient housing allocations to significantly boost the supply of housing. Policy H3 is therefore not positively prepared, justified or consistent with national policy and is not sound. TW respectfully suggest that the allocation of significantly more strategic and non-strategic sites to ensure that the correctly calculated OAN is met would make the local plan sound. The attached Promotional Document demonstrates that the Land at East Nunthorpe is a deliverable proposition for future housing development.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

144

## PLP\_126

Full Name Mr Nick McLellan  
Organisation Story Homes  
Agent John Wyatt  
Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

The distribution of the proposed allocations is not in line with the 60/40 split proposed in Policy SD2. As such, Story Homes do not consider that the allocations proposed are capable of delivering the distribution of development that the Council is seeking to achieve in Policy SD2 and therefore that Policy H3 cannot be considered to be sound as it is not effective when considered against Paragraph 182 of the NPPF. Allocations in the rural area do not reflect the settlement hierarchy at Policy SD2 with insufficient development at Guisborough as the principal rural settlement and no evidence has been provided to show how the Council has sought to distribute housing supply across the rural area having regard to the Strategic Housing Market Assessment. The proposed allocations within the Service Villages do not reflect Policy SD2 which confirms that only limited development of an appropriate scale would be allowed, particularly in terms of the propose allocation at Boosbeck. Taking into account market signals, development constraints on some rural sites, the justification for a higher housing requirement under Policy H1 and the locational policy at Policy SD2 further sites in sustainable locations that offer the greatest prospect for delivery should be allocated, including the Land South of Stokeley Road,

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

**Policy H3**

145

**PLP\_153**

Full Name Mr Russel Hall

Organisation Taylor Wimpey (Uk) Ltd

Agent Mr Steven Longstaff

Agent Organisation Principal Planner England Lyle Good

**Summary of Representation**

See accompanying submission document.

**Council Response**

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

**Policy H3**

146

**PLP\_159**

Full Name Mr Ben Stephenson

Organisation Persimmon Homes Teesside Ltd

Agent

Agent Organisation

**Summary of Representation**

Land at Belmangate Field Guisborough (SHLAA Reference 284) should be reinstated as a residential allocation for 46 units in light of the company's accompanying Deliverability Document which demonstrates that the concerns of the Council's Conservation Officer regarding the impact of a scheme on the adjacent Conservation Area can be overcome through an appropriate and sympathetic approach to design.

**Council Response**

There are alternative sites which are in less sensitive locations and, together with ongoing developments, they would be expected to provide a sufficient range of housing to meet needs and aspirations in Guisborough over the plan period.

**Policy H3**

147

**PLP\_165**

Full Name G and M Collins

Organisation

Agent GVA Grimley Ltd.

Agent Organisation GVA

**Summary of Representation**

Additional housing allocations are required including the Land North of High Farm (SHLAA Site 418).

**Council Response**

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

**Policy H3**

148

## PLP\_178

Full Name Theakston Estates

Organisation

Agent Neil Westwick

Agent  
Organisation

### Summary of Representation

A set out above, we consider that the housing requirement set out in Policy H1 is to low and does not reflect the objectively assessed housing needs. It therefore follows that the housing allocations that respond to this policy are not sufficient to meet housing need. On this basis the Plan is therefore unsound as currently drafted.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3

149

## PLP\_193

Full Name Ian Dunn

Organisation Redcar & Cleveland Borough Council

Agent

Agent  
Organisation

### Summary of Representation

A 3.6ha site west of Kirkleatham Lane and south of Staintondale Avenue in Redcar is suggested as a possible site that could be included within Housing Allocations at any subsequent site review. The site could be developed as means to assist with the redevelopment of Redcar Academy.

### Council Response

Comments are noted. Consideration will be given to the acceptability of this site in a future review of the plan. The land is outside development limits and is within the green wedge and has been in community use as sports pitches.

## Policy H3

150

## PLP\_208

Full Name Richard Crosthwaite

Organisation Gladman Developments Ltd

Agent

Agent  
Organisation

### Summary of Representation

The local plan should aim to allocate sufficient housing to demonstrate a rolling five year housing land supply. It is noted that the intention is to allocate an additional 20% above the local plan requirement to assist the demonstration of this requirement. The associated housing trajectory should be formulated on appropriate evidence that demonstrates that the site allocations will be delivered within appropriate timeframes having applied realistic delivery rates and taken into account issues that could affect their deliverability. This is particularly important when a plan is promoting an ambitious regeneration strategy which includes brownfield land that could be difficult to deliver and strategic sites that may take some time before reaching peak delivery rates.

### Council Response

The indicative housing trajectory at Appendix 4 of the plan is derived from the SHLAA and Five Year Housing Land Supply Assessment (September 2016) which have been subject to consultation with housing developers. The trajectory demonstrates that a five year supply of housing land can be achieved throughout the plan period against the housing requirement at Policy H1. The site delivery assumptions allow for lead-in times from the granting of permission to first completions and assume build-out rates of up to 30-35 dwellings per annum (dpa) on single sites and a conservative estimate of 50dpa on the HCA site at Kirkleatham Lane, Redcar where it is assumed that more than one developer will be operating. Where appropriate, delivery on sites in lower value market areas or with abnormal development costs has been profiled later in the plan period and at lower delivery rates, including the major site at Low Grange, South Bank which has outline consent for 1,250 dwellings, but it is assumed that only 200

units would be delivered inside the plan period with completions from Year 8 onwards. In accordance with the approach to assessing five year housing supply, it has been assumed that completions on sites without permission would need be achieved until year 6 at the earliest, however it is conceivable that completions could be achieved on some of these sites before then. It is considered therefore that the delivery assumptions in the trajectory are realistically achievable.

## Policy H3.2

151

### PLP\_058

Full Name mr william hayes

Organisation

Agent

Agent  
Organisation

### Summary of Representation

Planning permission for residential development at Swan's Corner , Nunthorpe should be revoked and the land should be allocated as a transport corridor.

### Council Response

The planning consent for Swan's Corner (application ref. 2016/0142/FFM) was granted in accordance with planning committee protocol. The decision followed officer recommendations set out in the report to planning committee and fully considered the concerns from Middlesbrough Council and others. Since the Publication Local Plan was issued, the planning permission has been activated and development has commenced.

## Policy H3.5

152

### PLP\_010

Full Name Dean Thompson

Organisation

Agent

Agent  
Organisation

### Summary of Representation

I object to the inclusion of this development in the local plan on the grounds that one of the main reasons for its approval at appeal was the lack of an approved plan being in place by Redcar and Cleveland Council. I also note that not all 32 conditions have been included in the local plan. Please can you explain why?

### Council Response

The site at Longbank Farm has outline planning permission for up to 320 dwellings, which was previously granted on appeal. As such, the site forms part of the potential housing supply and this needs to be taken into account in assessing housing requirements and land allocations in the plan. The policy lists some of the main conditions attached to the approval, such as the need to undertake ground investigations (criterion i), and it is noted in the supporting text at para. 6.69 that there are a range of conditions attached to the approval, but in seeking to prepare a concise and readable plan it would be impractical to list all 32 conditions. However, all conditions will be dealt with as appropriate when the applicant applies for full (reserved matters) planning permission and subsequently, subject to approval, as the development proceeds on site.

## Policy H3.8

153

### PLP\_166

Full Name G and M Collins

Organisation

Agent GVA Grimley Ltd.

Agent Organisation  
GVA

### Summary of Representation

Additional housing land allocations are required including increased development on the proposed allocation site at Normanby High Farm.

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3.9

154

### PLP\_031

Full Name Mr Dave McGuire

Organisation Sport England

Agent

Agent Organisation

### Summary of Representation

Objections to the plan are maintained as the Council's justification for developing the land at the Former Eston Park School, (as previously set out in the Draft Local Plan Report of Consultation, October 2016) is incorrect in stating that the Playing Pitch Strategy indicates that the existing facilities at the Hillsview Academy are not in community use due to lack of demand. The Playing Pitch Strategy (PPS) observes shortfalls in youth provision in Greater Eston and confirms that the existing pitches at Hillsview Academy are not in community use due to the terms of the PFI agreement rather than reflecting any lack of demand. It is also opined that Eston Recreation Ground would not, as suggested by the Council, present a suitable replacement for the loss of playing field land due to poor quality issues, which have impacted on the declining use of that site.

### Council Response

It is accepted that the PPS notes that PFI agreements prohibit the potential use of the existing facilities at Hillsview Academy, though it is also noted that there is no local current demand. It is also observed in the PPS that the adjacent pitch facilities at Hillsview Academy VI form are used by a local football club, that they are of good quality and there is spare capacity on all pitches. It is therefore conceivable that the underutilisation of these facilities may impact on demand for using the Hillsview Academy facilities, or for using the allocation site for the same purpose. The PPS recommends that improving pitch quality and remarking adult pitches (of which there is an oversupply) in order to address wider shortfalls in Greater Eston; it is not suggested that more pitches are required. It is also noted in the PPS that Eston Recreation Ground should be held as part of the reserve supply and, to that end, the Council's approach reflects this. While the Eston site may be of poor quality it is also the case that through securing developer's contributions in lieu of on-site provision can support improvements to the quality and security of facilities to increase realistic usage capacity where latent demand exists. The allocation site is not recorded by the PPS as part of the supply or potential supply, and wasn't in the previous strategy undertaken in 2011. There is not, then, any reasonable justification for bringing the allocation site back into use as playing fields.

## Policy H3.9

155

### PLP\_192

Full Name Ian Dunn  
Organisation Redcar & Cleveland Borough Council  
Agent  
Agent Organisation

### Summary of Representation

The site could be extended to include the area comprising the buildings of the former Eston Park Academy. The buildings are currently empty with no educational re-use planned at the present time. The Council are due to consider the potential surrender of the buildings. In the event no further education use is proposed for the buildings/land, a logical use would be to include this land within the proposed H3.9 housing allocation site, subject to satisfying statutory conditions.

### Council Response

The allocation site at Policy H3.9 includes part of the former school. Subject to availability and any other matters, future consideration may be given to including this site at a later date as part of the development of the allocation site.

## Policy H3.16

156

### PLP\_081

Full Name  
Organisation West Midlands Metropolitan Authority Pension Fund  
Agent David Staniland  
Agent Organisation Planner Knight Frank LLP

### Summary of Representation

Following earlier representations (to the Draft Local Plan), no further justification for the allocation of Land at Mickle Dales on land in the green wedge between Redcar and Marske not been provided.

### Council Response

The earlier representations questioned the inclusion of the site within the green wedge when a strategic site nearby, to the south of Marske, had been removed from the plan, and suggested that a similar level of public objection would likely ensue. Justification for the inclusion of the site a Mickle Dales was provided in the supporting text to the policy. The inclusion of the Mickle Dales site, which is considerable smaller than the site at Marske and proposed an extension to an existing development scheme, did not elicit considerable objections. However, as noted in the response to PLP\_111, it is proposed that the Mickle Dales allocation is deleted as part of the proposed modifications to the plan due to the impact of the proposed Forewind Underground Cable Route which crosses the site and would significantly undermine any development potential.

## Policy H3.16

157

### PLP\_111

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff

### Summary of Representation

Please see accompanying representations prepared in support of the draft allocation of Land at Mickledales, Redcar.

### Council Response

Support for the proposed housing allocation is noted.



Agent Principal Planner England Lyle Good  
Organisation

## Policy H3.22

158

### PLP\_112

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd

Agent Mr Steven Longstaff

Agent Principal Planner England Lyle Good  
Organisation

### Summary of Representation

The representation document is fully supportive of Policy H3.22.

### Council Response

The support for Policy H3.22 is noted.

## Policy H3.25

159

### PLP\_075

Full Name Laura Kennedy  
Organisation Northumbrian Water

Agent

Agent  
Organisation

### Summary of Representation

Criterion h). of policy H3.25 and the supporting text at Para 6.160 are considered unnecessary as it is Northumbrian Water's duty to provide, maintain and extend the public sewer to support housin growth.

### Council Response

The removal of policy criterion h). and the supporting text at 6.160 will be included in the proposed modifications to the plan as requested by the statutory undertaker. The wording was originally included in the plan following advice, received from Northumbrian Water several years ago through the SHLAA process, pertaining to the need for developer contributions to support increased pumping capacity in higher parts of Brotton.

## Policy H3.25

160

### PLP\_154

Full Name Mr Russel Hall  
Organisation Taylor Wimpey (Uk) Ltd

Agent Mr Steven Longstaff

Agent Principal Planner England Lyle Good  
Organisation

### Summary of Representation

Please see accompanying representations prepared in support of the draft allocation for Land at Kilton Lane, Brotton. As set out in the accompanying representations, TW would respectfully request that the draft allocation is extended into the area shown in yellow as this was included within the previous outline planning application (blue area was included for required SUDs infrastructure) which was only refused on the basis that the site was not, at the time, included within the LDF for development. All technical matters were addressed and it was therefore demonstrated that the site (inc. the yellow and blue area) was suitable for development

### Council Response

Please see separate paper - Summary of Detailed Representations in Relation to Policies H3 and Council Response.

## Policy H3.29

161

### PLP\_012

Full Name Mr Michael Bulmer

Organisation

Agent Mr Rod Hepplewhite BSc (Hons) MRTPI

Agent Director Prism Planning  
Organisation

### Summary of Representation

Support the inclusion of policy H3.29.

### Council Response

Support noted.

## Policy H4

162

### PLP\_097

Full Name Matthew Good

Organisation Home Builders Federation Ltd

Agent

Agent  
Organisation

### Summary of Representation

The policy is considered unsound as it is not effective or justified. The HBF does not dispute the need for affordable housing and indeed supports its delivery. We are, however, concerned with the viability implications of the policy. It is notable that the 2016 SHMA (part 1) identifies a net imbalance of just 20 units. Whilst it is recognised that not every site will provide affordable housing, due to size and viability considerations, the net annual need would suggest a more appropriate target would be closer to 10%. The 15% target may lead to an over-supply of affordable housing. The justification for a 15% target is therefore questioned. Further to our previous comments upon this policy at the draft plan stage it is noted that the threshold has been amended to exclude developments of 10 units or less from making contributions, unless they are rural exception sites. Whilst in principal this is considered consistent with our previous comments we recommend that the wording of the second paragraph be amended to read;  
“Developments of 10 or fewer dwellings will not be required to make an affordable housing contribution,....”  
The amendment would ensure greater clarity and conformity with national policy as set out in a Written Ministerial Statement of 28th November 2014 and the PPG (ID 23b-013).  
The third paragraph of the policy does not take account of the impending introduction of ‘Starter Homes’. Once the full

### Council Response

In relation to the level of housing need, the need as identified within Part 1 of the 2016 SHMA, is a net balance made up of a series of projected under-supplies and over-supplies. As the projected under-supplies must also be addressed, the actual need is higher than the total overall requirement figure. The Council considers 15% as viable for delivery. Nevertheless, modifications have been proposed to include flexibility to take account of changing market conditions. In relation to the threshold of 10 units, in accordance with the current definition in national policy, the Council considers small sites of 10 dwellings or less in rural exception areas as appropriate to meet a specific need of the local community whilst also preventing large developments potentially changing the character of the area. Comments in relation to 'generally' are agreed and modifications to the policy have been proposed. In relation to Starter Homes, text has been added to reflect the current position and the need to be aware of the changing policy environment.

details are known this will need to be reflected within the policy.

The final paragraph of the policy is essentially a rural exceptions policy. The current wording restricts development to sites of 10 or fewer dwellings. The justification for a cap of 10 dwellings is unknown and in our opinion is rather arbitrary. It is recommended that the reference to 10 units be removed and replaced with a reference to the character of the area.

The HBF supports the recognition that some rural exception sites may require market housing to ensure that the scheme is viable. The amended wording, relating to this issue, is considered to accord with our previous comments on this issue.

## Policy H4

163

### PLP\_108

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

TW would raise concerns over this policy and its viability implications particularly given the findings of the Council's own Viability Assessment which concludes that once full policy contributions are included the majority of sites are unviable.

### Council Response

The affordable housing target is considered appropriate in order to meet the affordable housing needs of the borough. The Viability Assessment has indicated that the level of affordable contribution is appropriate. Affordable housing where viability is an issue can be taken into account through the submission of a viability assessment and the policy has been amended to make clearer the flexibility in relation to viability and changing market conditions.

## Policy H4

164

### PLP\_127

Full Name Mr Nick McLellan  
Organisation Story Homes  
Agent John Wyatt  
Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

Story Homes support the view of the HBF that the requirement for 15% affordable housing to be provided will, when other contributions are factored in, render the majority of sites unviable. Story Homes therefore support the view of the HBF that, taking into account both viability and housing need considerations, a more appropriate target would be around 10%. Story Homes therefore object to Policy H4 on the grounds that, in line with paragraph 182 of the NPPF, it is not effective or justified. The policy could be made sound through the adoption of a lower percentage affordable housing requirement.

### Council Response

The level of housing need, as identified within Part 1 of the 2016 SHMA, is a net balance made up of a series of projected under-supplies and over-supplies. As the projected under-supplies must also be addressed, the actual need is higher than the total overall requirement figure. The Council considers 15% as viable for delivery. Nevertheless, modifications have been proposed to make clearer the flexibility to take account of changing market conditions and viability.

## Policy H4

165

### PLP\_160

Full Name Mr Ben Stephenson  
Organisation Persimmon Homes Teesside Ltd  
Agent  
Agent Organisation

### Summary of Representation

Persimmon Homes object to Policy H4 as we do not consider the Council's approach to be justified. It is recommended that the Council reconsider the affordable housing and / or contributions on the basis of its own viability evidence, particularly within the low and standard value zones. The 15% target cannot be justified given the available SHMA evidence and should therefore be amended to reflect the evidence base. The third paragraph of the policy requires a minimum of 70% of the affordable housing requirement to be provided on-site as social rented/affordable rented housing within the remaining 30% provided as intermediate housing. By identifying a rigid tenure mix for affordable housing delivery, the policy does not provide the plan with any flexibility to align with changing market conditions or changes in government policy such as starter homes. Persimmon Homes therefore recommended that the policy is amended to allow the final mix and tenure of affordable units to be agreed on a site by site basis with weight given to the most up-to-date evidence and national guidance.

### Council Response

The level of housing need, as identified within Part 1 of the 2016 SHMA, is a net balance made up of a series of projected under-supplies and over-supplies. As the projected under-supplies must also be addressed, the actual need is higher than the total overall requirement figure. The Council considers 15% as viable for delivery. The tenure mix is supported with evidence presented in Part 1 of the 2016 SHMA. Nevertheless, modifications have been proposed to make clearer the flexibility to take account of changing market conditions and viability.

## Policy H4

166

### PLP\_179

Full Name Theakston Estates  
Organisation  
Agent Neil Westwick  
Agent Organisation

### Summary of Representation

Policy H4 does not reference Starter Homes. Once details of Starter Homes are understood from a national perspective, the policy may need to be revised to take account of this. The policy references guidance set out in the Affordable Housing SPD. This will need to be reviewed following the adoption of the Local Plan to ensure it is consistent, up-to-date and should not introduce new policy.

### Council Response

Comments noted. Reference to the current position with regards to Starter Homes and the potential for future policy changes has been included within the reasoned justification.

## Policy H4

167

## PLP\_187

Full Name mr stuart white  
Organisation CPRE  
Agent Katie Atkinson  
Agent Organisation Director KVA Planning Consultancy

### Summary of Representation

It is considered that this policy is not consistent with national policy relating to the provision of affordable housing, therefore should be considered unsound. The policy identifies a 15 dwelling threshold for on-site affordable housing delivery, below this commuted sums are required. This is contrary to national policy. On 13th May 2016 the Court of Appeal (West Berkshire District Council and Reading Borough Council v. Secretary of State for communities and Local Government Case No: C1/2015/2559) allowed the Secretary of State's appeal on the provision of affordable housing on small sites of 10-units or less, and which have a maximum combined floorspace of no more than 1000sqm. Within designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less, this should be via a commuted sum. The Council will, therefore need to amend the threshold to take account of this judgement and subsequent amendment to the PPG.

### Council Response

It is agreed that some planning obligations may still be required to make a development acceptable in planning terms on small sites of 10 dwellings or less, in exceptional cases such as Rural Exception sites. The Council considers the thresholds depicted within the policy are in accordance with the current definition in the PPG.

## Policy H5

168

## PLP\_026

Full Name Mr Andy Stephenson  
Organisation National Farmers Union  
Agent  
Agent Organisation

### Summary of Representation

I note the allowance for conversion of buildings outside development limits which can offer sustainable development in the countryside. Whilst fundamental rebuilding is to be avoided, the age and condition of agricultural buildings often means structural work is needed. I would hope in such instances it can be looked at objectively and allowances made as the alternative to re-use is frequently to become derelict and deteriorate over time.

### Council Response

The Council considers that the wording of the policy is flexible enough to allow some necessary structural work to be carried out on rural buildings that are to be converted.

## Policy H7

169

## PLP\_027

Full Name Mr Andy Stephenson  
Organisation National Farmers Union  
Agent  
Agent  
Organisation

### Summary of Representation

When looking at the provision of gypsy and traveller sites, not just the number of pitches should be considered. The livestock which accompany the travellers often require space for grazing etc. which can often result in livestock straying onto adjacent land causing nuisance to the landowner. Adequate space should therefore be provided on-site for both travellers and associated livestock.

### Council Response

The existing site at The Haven operates successfully without the provision of space for livestock and it is not anticipated that the allocated extension will include this provision. Policy H7 does not prevent the provision of grazing land with any proposals for travelling community sites, should there be a demand for this arrangement from the community. Incidents of trespass or fly grazing within the Borough will be dealt with under other appropriate legislation.

## Policy N1

170

## PLP\_007

Full Name Mr John Gaffney  
Organisation  
Agent  
Agent  
Organisation

### Summary of Representation

Local Plan is unsound and fails to comply with Duty to Cooperate in respect of N1. As it:

- a) goes against the implied and explicit legislation in the Localism Bill of 2011 which requires that planning reflects the wishes of the local people
- b) ditto NPPF 2012 which requires local involvement in planning. The current plan does not reflect the wishes of the local people.
- c) goes against the intentions of EU Habitats Directive 92/43/EEC which at Annex II list the Great Crested Newt (*Tristus Cristatus*) as an animal species of Community Interest whose conservation requires the Designation of Special areas of Conservation.

### Council Response

Policy N1 seeks to protect sensitive landscape areas from inappropriate development, with specific reference to Eston Hills included to highlight the importance of this area locally. The policy states that we will prioritise retention of elements which make up the landscape character, in many cases with little intervention to change this character. However, it is acknowledged that there may be instances where development in sensitive landscapes could be considered necessary or appropriate, in such cases the policy includes criteria which development must meet in order to protect the landscape. Any development would also be required to comply with other Local Plan policies including SD3 which restricts development outside of main development limits and N4 which protects biodiversity and geodiversity. The protection of any legally protected species would also be required as part of any proposal. The Local Plan does not include the site as a proposed housing allocation. It is therefore not considered necessary to amend the wording of the policy which aims to protect the historic landscape of the Eston Hills.

## Policy N1

171

## PLP\_063

Full Name Mrs Natasha Rowland

Organisation National Trust

Agent

Agent  
Organisation

## Summary of Representation

Policy N1 Landscape - The National Trust welcomes the framework contained within policy N1 which sets out the strategic approach for the protection and enhancement of areas of heritage coast.

## Council Response

Support noted.

## Policy N1

172

## PLP\_188

Full Name mr stuart white

Organisation CPRE

Agent Katie Atkinson

Agent  
Organisation Director KVA Planning Consultancy

## Summary of Representation

CPRE campaign to protect all rural landscapes and the 'ordinary' undesignated countryside, reflecting a core planning principle in the NPPF. Whilst CPRE welcomes the inclusion of the importance of preserving and maintaining nationally designated landscapes and their settings found within the Redcar and Cleveland area, it is equally vital to recognise and protect the non-designated but equally valued countryside of the rest of the region. NYCPRE believe there should be a stronger recognition of the value of the open countryside to residents and visitors within the policy in order to protect it from inappropriate developments in a heavily industrialised region.

## Council Response

Policy N1 aims to protect all of the borough's landscapes, including those of local importance. To aid implementation of this policy all rural areas of the borough have been categorised into sensitive landscape areas or restoration landscape areas, with further guidance included within an SPD. It is therefore considered that the value of open countryside is recognised and protected by the policy, nevertheless reference to the value of open countryside could be added to the supporting text to strengthen this recognition.

## Policy N1

173

## PLP\_209

Full Name Richard Crosthwaite

Organisation Gladman Developments Ltd

Agent

Agent  
Organisation

## Summary of Representation

Any policy for the protection and enhancement of the environment should be established in light of the national policies contained in the Framework, particularly paragraphs 109 to 125. Paragraph 109 sets out that the planning system should contribute to and enhance valued landscapes with advice in paragraph 113 stating that local planning authorities should set criteria based policies against which proposals affecting such sites will be judged. In addition, Paragraph 113 highlights that distinctions should be made between the hierarchy of international, national and locally designated sites so that any protection is commensurate with status.

## Council Response

Policy N1 has been prepared in accordance with the NPPF. The policy sets out the criteria against which proposals impacting on the landscape will be assessed, in accordance with a hierarchy of designation, and does not place a ban on development.

It is important to note that this advice does not suggest a ban on all development in or adjacent to these designated areas and that the weight that can be attached to any conflict with such designations should be aligned with their importance based on the hierarchy above.

## Policy N1 - Para. 7.7

174

### PLP\_050

Full Name Louise Tait  
 Organisation Environment Agency  
 Agent  
 Agent Organisation

### Summary of Representation

Bathing waters have been referenced in section 7.7. However, this is in respect to the North Yorkshire and Cleveland Heritage Coast, which stretches only as far 'north' as Saltburn and does not include the section west of Saltburn pier through Marske to Redcar and Teesmouth and South Gare. We note that there are also several well used designated bathing waters in the coastal stretch between South Gare and Saltburn.

### Council Response

Reference to inshore waters at paragraph 7.7 relates specifically to the purposes of the Heritage Coast which is protected by policy N1. The protection of water bodies, including bathing waters, is covered by other policies in the Local Plan, including Policy SD7 Flood and Water Management, LS2 Coastal Area Spatial Strategy and development specific policies.

## Policy N2

175

### PLP\_076

Full Name Laura Kennedy  
 Organisation Northumbrian Water  
 Agent  
 Agent Organisation

### Summary of Representation

We support Policy N2 , specifically with reference to the aim for green infrastructure to be multifunctional, and to seek opportunities to improve the water environment. Green infrastructure can play an important role in sustainable water management, including flood risk reduction and water quality improvements, therefore, we welcome the promotion of multi-functional green infrastructure as part of the Local Plan. We further welcome this role is recognised in greater detail in paragraph 7.19, with references to flood risk reduction through green infrastructure describing an approach we strongly support.

### Council Response

Support noted.

## Policy N2

176



## PLP\_109

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

TW object to policy N2 and in particular the extent of proposed Green Wedge between Redcar and Marske, particularly its northern extent, and the Strategic Gap between Saltburn and Markse. The Council's Green Wedge and Strategic Gap Review (May 2016) assessment concludes: "in the northern part of the wedge, limited development could be possible without coalescence of the built up area. However, given the open coastal landscape any development in this sensitive landscape could impact on the openness and character of the area. Development would also have an impact on the recreational value of the wedge unless these uses were relocated". TW support this conclusion and suggest the Council must reconsider boundaries in this location and remove land which is not required to fulfil the Green Wedge objectives listed at paragraph 7.23 of the draft Local Plan which states, "green wedges are open areas within the urban and coastal area which provide buffers between different uses and delineate distinct communities". A Landscape and Visual Appraisal has been prepared in support of development at Land at Grundales.

TW object to the extent of the strategic gap between Saltburn and Marske. The Review acknowledges that limited development could be possible without undermining the openness of the strategic gap, "limited development could take place without the undesirable coalescence of the built up area". TW support these conclusions and consider that Land to North of Markse Road presents a suitable location for future housing development in Saltburn and could be achieved without conflicting with the aims and objectives of the strategic gap to maintain separate identities, and to ensure settlements do not coalesce. TW would request that the Council undertake a more detailed review of this strategic gap taking into consideration Land North of Markse Road and only include land that required for the strategic gap to meet its objectives.

### Council Response

The Council has reconsidered the boundaries of these designations and consider that they remain robust.

## PLP\_149

Full Name Mr Nick McLellan

Organisation Story Homes

Agent

Agent  
Organisation

### Summary of Representation

Story Homes considers that Policy N2 is inconsistent with national policy. Policy N2 states that "...where there is a loss of green infrastructure resource a principle of 'net gain' should apply where possible." Paragraph 114 of the NPPF sets out that LPAs should plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure, however, it does not seek 'net gains' should there be a loss.

Although the Tees Valley Green Infrastructure Strategy (2008), which provides an overarching framework for strategic green infrastructure planning and management, sets out that the principle of a 'net gain' should apply when there is a loss in green infrastructure resource; we would encourage the Council to produce a Local Green Infrastructure Strategy and Delivery Plan which forms a key part of the supporting evidence base and sets out why Redcar and Cleveland explicitly requires 'net gains' of green infrastructure.

We also note that the Policy N2 states that proposals affecting open space provision will also be assessed against Policy N3 'Provision of Open Space and Recreation Facilities'. Story Homes also raises concerns with the Council's considerable use of SPDs in the Local Plan (e.g. SD5, H2, H4 and N3). Although we appreciate that they are useful for providing further guidance for development on specific sites or in relation to specific issues, we must emphasise that the Council should not use SPDs as a mechanism for introducing policy requirements and burdens outside of the formal plan-making process as set out in NPPF. We urge the Council to review their SPDs following Local Plan adoption to ensure that they are still in conformity with national guidance and continue to assist with the interpretation of Local Plan policies.

### Council Response

The Tees Valley Green Infrastructure Strategy recognises the importance of green infrastructure, the multiple benefits it provides and identifies areas of priority. In particular the role that green infrastructure can play in creating an attractive environment and changing the poor image of Teesside is recognised and identified as a priority. It is therefore considered that the policy is justified. Furthermore, the principle of providing a net gain of green infrastructure resource, where possible, where a loss has occurred as a result of development is in accordance with paragraph 114 of the NPPF, particularly in terms of enhancing the green infrastructure network. Consideration will be given to preparing a local Green Infrastructure Strategy and Implementation Plan to aid implementation of this policy.

## PLP\_167

Full Name G and M Collins  
Organisation  
Agent GVA Grimley Ltd.  
Agent Organisation GVA

### Summary of Representation

It is our opinion that whilst the Council has undertaken a review of Strategic Gaps and Green Wedges, further amendments are required to Green Wedges in order to increase the supply of housing land to meet housing needs. A purposeful Green Wedge would be retained to the west of site 418, providing a strong buffer between different uses and delineate distinct communities. Furthermore it would be of a similar depth to the remaining Green Wedge located to the west of High Farm existing and Site 419, which has been deemed satisfactory by the Council. Site 418 should be released for housing, by doing so a purposeful Green Wedge would still remain, whilst providing much needed additional housing land. We therefore consider Policy N2 to be unsound.

### Council Response

The Council considers that a suitable amount of land has been allocated to meet identified housing needs, including a buffer to support delivery. The High Farm North site (Site 418) was rejected for allocation in the Local Pla for a number of reasons, including that the site is visually prominent from the A1085 and development would have a noticeable impact on the openness of the Green Wedge at this point. The site provides an attractive green area at the entrance to the High Farm development. Subject to access considerations, limited appropriate development on the proposed allocation on land South of the High Farm development is deemed more appropriate in terms of the potential impact on the green wedge and broadening the new housing offer in Greater Eston. Furthermore, a significant level of development is already proposed in the north of Greater Eston over the plan period on other sites in more sustainable locations, including the strategic site at Low Grange Farm. The site also forms part of the community woodland agreement attached to the High Farm planning consent. It is therefore considered appropriate to maintain the site as green wedge, particularly given the impact of existing and proposed further development.

## Policy N2 - Para. 7.19

179

## PLP\_048

Full Name Louise Tait  
Organisation Environment Agency  
Agent  
Agent Organisation

### Summary of Representation

In general, we support the references to biodiversity in the Local Plan and in particular the additional reference in section 7.19 which promotes seeking opportunities to improve the water environment through deculverting.

### Council Response

Support noted.

## Policy N2 - Para. 7.26

180

## PLP\_051

Full Name Louise Tait  
Organisation Environment Agency

Agent

Agent  
Organisation

### Summary of Representation

We are in support of the reference made to the Tees Estuary strategic framework in section 7.26 of the Local Plan and the acknowledgement that framework will help to identify conservation opportunities in the estuary.

### Council Response

Support noted

## Policy N3

181

## PLP\_110

Full Name Mr Jonathan Abbott  
Organisation Taylor Wimpey (Uk) Ltd  
Agent Mr Steven Longstaff  
Agent Organisation Principal Planner England Lyle Good

### Summary of Representation

TW object to the current wording of this policy and in particular with regard to the land at Redcar Rugby Club being identified under this policy given the redevelopment proposals shown as part of the TW Promotional Document related to the Land at Grundales. It should be made clear whether a proposal only needs to meet one of the four criteria (a to d) when assessing whether the redevelopment of open space, sport and recreational buildings and land, including playing fields would be allowed. It would be unreasonable to require compliance with all four as this would not comply with national policy which does not provide for such stringent protection of open space and recreational facilities. In addition to clarifying the above the policy should enable the redevelopment of land covered by the policy where the existing open space/facility is replaced elsewhere in the locality. This would accord with NPPF.

### Council Response

Policy N3 seeks to protect open space and recreational facilities. Following consultation on the Draft Local Plan it was considered appropriate to identify private facilities as secondary open spaces on the policies map in recognition of their importance, that they are included in the Playing Pitch Assessment which forms part of the evidence base for policy N3, and to highlight that they are also covered by the policy. Given its current use it is considered appropriate to identify Redcar Rugby Club as a secondary open space. The wording of policy N3 will be made clearer to aid its implementation, however it is considered reasonable and appropriate that development may have to meet more than one criteria. This is to ensure that the loss of amenity open space would not harm the character of the surrounding area. Reference to provision of equivalent provision will also be added to the policy in accordance with NPPF.

## Policy N3

182

## PLP\_150

Full Name Mr Nick McLellan  
Organisation Story Homes  
Agent  
Agent Organisation

### Summary of Representation

Story Homes considers that Policy N3 is unsound as it is not effective. Although we broadly support Policy N3 and its approach to the provision of open space and recreation facilities, we consider that the policy should have a greater degree of flexibility and have regard to economic viability to ensure that the policy is fully compliant with paragraph 173 of the NPPF which requires that the sites and scales of development identified in plans are not subject to such a

### Council Response

The viability testing of the Local Plan assesses different levels of developer contributions. Specific contributions towards open space will need to be negotiated on a site by site basis and subject to individual site requirements. The use of SPDs is to provide detail and guidance to aid the implementation of policies. Following the adoption of the Local Plan Supplementary Planning Documents will be reviewed and updated where necessary, including the

scale of obligations and policy burdens that their ability to be developed viably is threatened. We would also expect the quantity and quality of open space requirements to be included within the whole plan viability testing process to ensure that new development is not subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

Story Homes also raise concerns with the Council's considerable use of SPDs, including in Policy N3. Although we appreciate that they are useful for providing further guidance for development on specific sites or in relation to specific issues, we must emphasise that the Council should not use SPDs as a mechanism for introducing policy requirements and burdens outside of the formal plan-making process. We advise the Council to review their SPDs following Local Plan adoption to ensure that they are still in conformity with national guidance and continue to assist with the interpretation of Local Plan policies.

Developer Contributions SPD referred to in Policy N3. The word 'appropriate' will be added before financial contribution in the fourth paragraph of the policy and reference to economic viability inserted.

## Policy N3

183

### PLP\_190

Full Name Theakston Estates  
 Organisation  
 Agent Neil Westwick  
 Agent  
 Organisation

### Summary of Representation

Our client broadly supports the thrust of Policy N3 and the proposals at Flatts Lane meet the objectives of this policy by proposing significant improvements to the Flatts lane Country Park in conjunction with the associated housing development.

### Council Response

Comment noted.

## Policy N4

184

### PLP\_098

Full Name Mr Nick Sandford  
 Organisation Woodland Trust  
 Agent  
 Agent  
 Organisation

### Summary of Representation

We strongly support the wording on protection of ancient woodland and ancient/veteran trees in the last paragraph of Policy N4 and in particular the statement that damage to these irreplaceable habitats will only be allowed in "very exceptional circumstances". Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of

### Council Response

Support noted.

rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. We also welcome the statements in the supporting text from para 7.52 onwards where some of the benefits of trees and woods are clearly stated. It is also good that the Council has adopted a trees and woodland strategy, to give a further more detailed policy context to decision making around trees, both those on private land and those in council ownership.

## Policy N4

185

### PLP\_212

Full Name Andrew Whitehead

Organisation Natural England

Agent

Agent  
Organisation

### Summary of Representation

The Local Plan refers to the strategic management plan in the supportive text of policies SD5, REG1, ED9, ED11 and ED13. To improve the link between the policies that are likely to have significant effects on European and internationally designated sites and the strategic mitigation approach that is aimed at preventing these impacts, we advise to refer to strategic mitigation within policy N4.

### Council Response

The Council will amend policy N4 to refer to strategic mitigation within the policy itself, as recommended by Natural England, in order to add clarity and strengthen the link to the strategic mitigation.

## Chapter 8: Historic Environment

186

### PLP\_138

Full Name Barbara Hooper

Organisation Historic England

Agent

Agent  
Organisation

### Summary of Representation

As previously commented, we welcome and support the very positive and proactive approach taken to the historic environment, as evidenced throughout the plan and in particular by the this chapter. We particularly welcome the references to the role that heritage plays in the economy (para.8.2); the commitment to collaborative working (para.8.3); the intention to minimise heritage at risk (para.8.4); the intention to produce Conservation Area Management Plans (para.8.5); and the commitment to conservation-led regeneration (para.8.8)

### Council Response

Support welcomed.

## Chapter 8 - Para. 8.3

187

## PLP\_061

Full Name Mrs Natasha Rowland

Organisation National Trust

Agent

Agent  
Organisation

### Summary of Representation

Include reference to Ormesby Hall in the list of the Boroughs finest heritage assets within paragraph 8.3

### Council Response

Agree that Ormesby Hall should be recognised as a valuable asset to the Borough.

## Policy HE1

188

## PLP\_062

Full Name Mrs Natasha Rowland

Organisation National Trust

Agent

Agent  
Organisation

### Summary of Representation

Include key elements that form part of the cultural identity of Redcar and Cleveland within the policy wording at the start of HE1. This could include therefore reference to the Borough's historic country houses, parks and gardens.

### Council Response

Agree that policy introduction could include reference to the Borough's historic country houses, parks and gardens.

## Policy HE1

189

## PLP\_139

Full Name Barbara Hooper

Organisation Historic England

Agent

Agent  
Organisation

### Summary of Representation

While we welcome and support this policy, it is worth noting that, in section (f), redevelopment of a site may not always be the preferred option in order to enhance a Conservation Area. (For example, if a building which has been blighting a Conservation Area and blocking key views, its redevelopment may not be the preferred option, compared to well designed open space). The wording of this section may need slightly amending to reflect that alternative uses might also be appropriate.

### Council Response

Accept policy change.

## Policy HE1

190

## PLP\_148

Full Name Mr Nick McLellan

Organisation Story Homes

Agent

Agent  
Organisation

### Summary of Representation

Story Homes considers that Policy HE1 is unsound as it is not effective. Although we broadly support Policy HE1, we raise concerns with its approach to demolition of buildings or structures in a conservation area. In particular we consider the approach to permitting demolition to be overly onerous, for example, an applicant could satisfy points e and f of the policy which relate to the building or structure making no significant positive contribution to the architectural or historic character of the conservation area; and that there are approved detailed plans for the redevelopment of the site and a contract has been entered into for the implementation of that redevelopment. However, we consider that the policy should include greater flexibility in relation to point d which states that demolition will only be permitted if it is also demonstrated that the structural condition of the building or structure prevents its repair. This point is incredibly onerous as it is often not applicable to redevelopment schemes.

### Council Response

Comments Noted. Modifications have been proposed to provide greater flexibility within HE1.

## Policy HE1

191

## PLP\_189

Full Name mr stuart white

Organisation CPRE

Agent Katie Atkinson

Agent Director KVA Planning Consultancy  
Organisation

### Summary of Representation

CPRE feel this policy could be strengthened by the reference to the need for robust heritage assessments to be submitted alongside any planning applications at the validation stage where a proposed development may impact upon a Conservation Area, a Heritage Asset or its setting.

### Council Response

Comment noted. It is the duty of the planning authority to assess whether or not a development proposal affects the setting of a heritage asset. At this stage a planning application has already been validated and cannot be invalidated at that stage.

## Policy HE1

192



## PLP\_210

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd  
Agent  
Agent  
Organisation

### Summary of Representation

Paragraphs 132 to 134 of the NPPF relate specifically to designated heritage assets and highlight that the more important the asset, the greater the weight that should be attached to it. The policies in this Local Plan must therefore make such a distinction so as to ensure they are consistent with the Framework. The Framework states that if the harm to a heritage asset is deemed to be substantial, then the proposal needs to achieve substantial public benefits to outweigh the harm. If the harm is less than substantial, then the harm should be weighed against public benefits of the proposal including its optimum viable use. The policies of the Local Plan should therefore make such a distinction between the two tests included in the NPPF for designated and non-designated heritage assets to ensure they are sound. Paragraph 135 of the NPPF relates specifically to non-designated heritage assets and the policy test that should be applied in these cases is that a balanced judgment should be reached having regard to the scale of any harm and the significance of the heritage asset. Once again, policies in the Local Plan should reflect this guidance. In light of the judgment in FODC V. SSCLG and Gladman Developments Limited. [2016] EWHC 421, Gladman consider it necessary for the Local Plan to carry out an assessment of the potential impact of proposed development on heritage assets, as set out in paragraph 129 of the NPPF.

### Council Response

Comment noted. The Council has now undertaken an assessment of the site allocations on heritage assets following the consultation on the Publication Local Plan. Other part of comment is in relation to HE2 and has been responded to as part of comment 211.

## Policy HE2

193

## PLP\_140

Full Name Barbara Hooper  
Organisation Historic England  
Agent  
Agent  
Organisation

### Summary of Representation

We welcome and support this policy. However, as we have previously commented, there may need to be some clarification with regards the hard and soft landscaping. While this can be an integral part of the historic landscape, and form a key part of the significance or contribute to the setting of a heritage asset, there may be some instances where they can also be a negative factor and require management removal. For example, many Scheduled Ancient Monuments are at risk due to vegetation encroachment, and designed landscapes may require opening up of key views and vistas to better reveal their significance.

### Council Response

Agree with comment.

## Policy HE2

194

### PLP\_211

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd  
Agent  
Agent Organisation

### Summary of Representation

Paragraphs 132 to 134 of the NPPF relate specifically to designated heritage assets and highlight that the more important the asset, the greater the weight that should be attached to it. The policies in this Local Plan must therefore make such a distinction so as to ensure they are consistent with the Framework. The Framework states that if the harm to a heritage asset is deemed to be substantial, then the proposal needs to achieve substantial public benefits to outweigh the harm. If the harm is less than substantial, then the harm should be weighed against public benefits of the proposal including its optimum viable use. The policies of the Local Plan should therefore make such a distinction between the two tests included in the NPPF for designated and non-designated heritage assets to ensure they are sound. Paragraph 135 of the NPPF relates specifically to non-designated heritage assets and the policy test that should be applied in these cases is that a balanced judgment should be reached having regard to the scale of any harm and the significance of the heritage asset. Once again, policies in the Local Plan should reflect this guidance. In light of the judgment in FODC V. SSCLG and Gladman Developments Limited. [2016] EWHC 421, Gladman consider it necessary for the Local Plan to carry out an assessment of the potential impact of proposed development on heritage assets, as set out in paragraph 129 of the NPPF.

### Council Response

Policy HE2 includes different policy requirements for designated and non designated heritage assets as required by paragraphs 132 - 134 of the NPPF. The policy also takes into account paragraph 135 and includes a requirement for a balanced judgment having regard to the scale of any harm and the significance of the heritage asset. The Council has now produced an assessment of the site allocations on heritage assets following the consultation on the Publication Local Plan.

## Policy HE3

195

### PLP\_141

Full Name Barbara Hooper  
Organisation Historic England  
Agent  
Agent Organisation

### Summary of Representation

We welcome and support this policy, and the protection it affords archaeological sites.

### Council Response

Support welcomed.

**PLP\_041**

Full Name Mr Chris Bell

Organisation Highways England

Agent

Agent Organisation

**Summary of Representation**

Highways England' concerns regarding the soundness of the Plan relates to the lack of a sufficient transport and infrastructure evidence base, which therefore has implications for a number of policies that allocate development and promote transport infrastructure improvements. During consultation on the previous draft of the Plan, Highways England raised concerns that the infrastructure proposals identified in the Plan needed to reflect the latest spatial development aspirations and be based on up to date evidence. At this stage it is not clear that this is the case, as the current transport infrastructure evidence supporting the Plan, notably the IDP (May 2016), which has not been updated since the previous consultation and particularly the Tees Valley Area Action Plan (2011) and Strategic Transport Assessment (October 2013) are significantly out of date. Consequently, we are not in a position to confirm that the evidence accompanying the Plan is robust and appropriately considers the impact on the Strategic Road network (SRN) and supports the scope and requirements of the transport infrastructure improvements proposed in the Plan. In summary, we would expect, as a minimum, the following process to have been undertaken as part of the evidence base development, to ensure the policies, proposals and supporting infrastructure measures have been appropriately assessed: identification of the transport demands arising from the spatial aspirations of the plan; assess the impacts of these spatial aspirations on the performance of the transport network (including the SRN); identify policy responses/infrastructure measures in an Infrastructure Delivery Plan (IDP) assess the adequacy of these policy responses / infrastructure measures; and identify the phasing and funding requirements to ensure the infrastructure measures are viable and deliverable. Until we have had the opportunity to review the Tees Valley Area Action Plan, which is in the process of being updated and which we understand will form the key piece of evidence to support the transport infrastructure requirements of the Plan, we cannot confirm that the above process or similar robust process has been followed. Therefore, we cannot currently consider the Plan to be sound and consider that it

**Council Response**

The Council is working with Tees Valley Combined Authority to ensure the Tees Valley Area Action Plan is updated prior to the start of the examination hearing sessions. A list of development sites has been sent to TVCA and the transport model will be re-run to determine the impact of the site allocations on the Strategic Road Network. This will ensure that the transport and infrastructure evidence base is up-to-date and provides Highways England with the assurance that the safe and efficient operation of the Strategic Road Network will be maintained and will be capable of supporting the Local Plan's development and growth aspirations.

fails the test of being effective and justified, due to these deficiencies. However, provided that the evidence can be completed prior to the commencement of the Examination and the conclusions ultimately support the Plans developments and infrastructure aspirations and the provisions included within the Plan and the IDP, then Highways England should be in a position to be able to withdraw this representation.

## Policy TA3

197

### PLP\_059

Full Name mr william hayes

Organisation

Agent

Agent  
Organisation

### Summary of Representation

There is a failure to mention the worst and best known congestion blackspot ie the Marton Crawl which is representative of the south east Middlesbrough nightmare congestion. A significant proportion of this congestion has been identified by independent Studies as originating and terminating within RCC, particularly in the growing town of Guisborough. These Studies by Arup Partners of 2009 and 2010 and Nathaniel Lichfield and Partners of 2015 all concluded that the East Middlesbrough Bypass would alleviate the congestion and vastly improve connectivity. Notwithstanding this RCC have obstinately refused to accept the evidence from these studies despite protest from their cross boundary neighbour Middlesbrough Council. Indeed RCC have given planning permission to build on the line of this vital cross boundary bypass.

### Council Response

Construction of the approved development on land at Swans Corner has already commenced and the Council considers that it fully engaged with Middlesbrough Council in relation to the potential East Middlesbrough Bypass prior to the approval of development and sale of the site. In 2005, a study in respect of the possible implementation of an East Middlesbrough Bypass was undertaken in order to determine whether the Bypass was deliverable. This study included consultation with Middlesbrough Borough Council, Network Rail, the National Trust and Highways England. The study concluded that the scheme would not be deliverable due to the impact of the scheme on the land owned by the National Trust. Also, Network Rail raised concerns regarding the possible impact on the Esk Valley line railway bridge and the impact of closure of the line if the bridge was to be rebuilt in a wider form. In addition Highways England raised concerns regarding the slip road onto the A174. As a result of the consideration of these issues, it was judged that there was no realistic possibility of constructing an East Middlesbrough Bypass.

## Policy TA3 - Para. 9.31

198

## PLP\_006

Full Name Mr William James Kelly

Organisation

Agent

Agent  
Organisation

### Summary of Representation

The para talks about "enhanced frequency on the railways" (and para 9.34 moots a "half-hourly service" on the Saltburn/Middlesbrough line. Please, please, please address the Redcar rail crossings issue. The town comes almost to a complete standstill currently every hour, whilst for most of the day an empty train passes in each direction. What with all the traffic lights on the north side of the crossing in West Dyke Road, it is an absolute nightmare!

### Council Response

Comments noted. The Local Plan considers the overall transport network across the borough and does not address detailed junction design or have responsibility for train timetabling. Nevertheless, the Plan does support increased accessibility and improvements to the rail and road networks.

## Appendix 1: Implementation Plan and Monitoring Framework

199

## PLP\_129

Full Name Mr Nick McLellan

Organisation Story Homes

Agent John Wyatt

Agent Associate White Young Green (WYG)  
Organisation

### Summary of Representation

With regard to the trigger points set out in respect of Policy SD2, Story Homes is concerned that no reference is made to the need to plan, monitor and manage the delivery of the 40% rural development target that the Council is seeking to achieve. Instead, the Plan refers only to the 60% urban/coastal target and states that further release of sites within the conurbation will be considered if this target is not achieved. However, the monitoring framework neglects to state what measures the Council will undertake in instances where they are failing to deliver 40% of housing development in the rural area. As such, the lack of any contingency plan should rural housing delivery falter is a concern that should be addressed in order that any delivery failure can be appropriately remediated.

In respect of the monitoring framework for Policy H1, Story Homes agree with the HBF who wish to see more specific triggers included with regard to a potential Plan review in instances where it fails to deliver against the housing requirement. The remedial actions are not currently written in such a form so as to provide any certainty of the circumstances in which the Council would seek to review the Plan and Story Homes consider that this is a flaw as, if housing delivery is failing, developers require certainty as to when and how the Council will intervene in this situation.

### Council Response

Policy SD2 seeks to deliver a minimum of 60% of all new development within the urban/coastal area, with the remainder being located in the rural area. The Council cannot also seek to deliver a minimum of 40% of development within the rural area as the achievement of over 60% in the urban/coastal area will unavoidably lead to less than 40% of development being within the rural area. Persistent under delivery of the housing requirement will prompt the Council to consider interventions to improve completion levels. It is considered that the interventions required will depend upon the reasons for under delivery and can only be specifically identified should this situation occur. The Council considers that the plan should only be reviewed if there are no other more appropriate interventions or identified actions fail. The monitoring framework for H1 has been amended to make this clearer.

## Appendix 1: Implementation Plan and Monitoring Framework

200

## PLP\_142

Full Name Barbara Hooper

Organisation Historic England

Agent

Agent  
Organisation

## Summary of Representation

We welcome the comprehensive Implementation Plan and Monitoring Framework and note our role in supporting the Council in delivering its policies.

## Council Response

Support welcomed.

## Key Diagram

201

## PLP\_080

Full Name

Organisation West Midlands Metropolitan Authority  
Pension Fund

Agent David Staniland

Agent  
Organisation Planner Knight Frank LLP

## Summary of Representation

Only very minor changes are proposed to the version in the Publication Local Plan, when compared against that in Draft Local Plan and the Core Strategy. Indeed it would appear that the only difference between the Draft Local Plan and the latest version in the Publication Local Plan is the inclusion of a Strategic Green Infrastructure Network. Significantly, and as was expressed previously, our client's site is identified on the Key Diagram in the Draft and now the Publication Local Plan as falling within the a Urban / Coastal Area (coloured in violet). There is no question whether our client's site is included or not because the A174, which runs to the south of our client's site, is the southern boundary of this Urban / Coastal Area. The significance of the inclusion of our client's site within the Conurbation (as identified on the Key Diagram in the Core Strategy) and the Urban / Coastal Area (as identified on the Key Diagram in the emerging Local Plan) was discussed at length during the Inquiry. It is, therefore, somewhat surprising to see that our client's site is still identified as falling within the Urban / Coastal Area. Given the uncertainty over this Key Diagram, and its significance, and the lengthy debate that took place during the Inquiry, we had expected that the Council would provide some clarity on the position, however, despite a further revision to the Key Diagram, by way of the inclusion of a Strategic Green Infrastructure Network, the Council have chosen to retain our client's site within the Urban / Coastal Area. We find this very interesting, if somewhat confusing.

## Council Response

Comment noted. The Council consider that the area included within the Urban / Coastal area is appropriate.

## Policies Map

202

### PLP\_014

Full Name Mr M Scaife  
Organisation  
Agent Mr Rod Hepplewhite BSc (Hons) MRTPI  
Agent Organisation Director Prism Planning

### Summary of Representation

The development limits to Yearby should be modified (extended) slightly to include the site of the constructed holiday cottage within the village's settlement boundary, situated immediately adjacent to the current and proposed development limits for the village at the north eastern edge of the village.  
All other residential at Yearby lies within the defined development limits, the current situation whereby the holiday cottage lies outside the limits is anomalous. The proposed revision to the Yearby's Development Limits would regularise the situation on the ground, bringing the holiday cottage residential development within the village's settlement boundary.

### Council Response

The permission to develop the holiday cottage was granted due to the exceptional circumstances of that application and, as such, it is not a location that would be generally suitable for other types of development. Therefore, the Council does not consider it appropriate to include the site within development limits.

## Policies Map

203

### PLP\_055

Full Name Mr Michael Bulmer  
Organisation  
Agent  
Agent Organisation

### Summary of Representation

I write to express my full support for the inclusion of this parcel of land being included in the development limits of the village for housing.

### Council Response

Support noted.

## Policies Map

204

### PLP\_079

Full Name  
Organisation West Midlands Metropolitan Authority Pension Fund  
Agent David Staniland  
Agent Organisation Planner Knight Frank LLP

### Summary of Representation

Our client's site is identified within the Publication Policies Map (November 2016) as falling within the strategic gap between Marske and New Markse. The site's identification as land within the strategic gap is premature, given the Appeal on our client's site is pending determination. The concerns we raised within our previous representations remain. The Policies Map shows a strategic gap to the south and east of Marske which, whilst providing a buffer between Marske and New Marske and Marske and Saltburn, also ends abruptly to the south, in open

### Council Response

The Council have reviewed the proposed boundaries and consider they remain appropriate. The southern boundary is formed by Errington Wood which has a strong influence on landscape locally, and Hob Hill Lane. Given the location of the site we consider it is appropriate at this time to identify it within the strategic gap.

countryside and land identified as open space. Strategic gaps are described as areas which provide a buffer between different distinct communities. A gap between the settlement and the open countryside / open space does therefore not meet the purpose of a strategic gap. We reiterate our previous comments that the extent of the area currently identified as falling within the strategic gap needs to be amended to ensure the land shown within it fulfils the purpose of a strategic gap. If a strategic gap is to be shown, it should only include the land directly between Marske, New Marske and Saltburn. It should not include land between the settlements and the open countryside / open space.

## Policies Map

205

### PLP\_119

Full Name Mr Martin Sanderson  
 Organisation BJP Developments  
 Agent Mr Paul Robinson  
 Agent Organisation Director Orbis Town Planning Ltd

### Summary of Representation

The area designation of Cleveland Gate Business Park is outdated on the Proposals map, since it includes and aims to safeguard the land at Belmont View, Fountains place as industrial and employment space, when this has been used continuously as a residential care home (Use Class C2) since 2006 and continues to be used as such. The site needs to be taken out what remains of the area designation and thereby removed from the requirements of consideration of policy ED6.

### Council Response

It is considered that the land at Belmont View should be removed from the coverage of ED6 as defined on the Policies Map. This would not impact on availability of employment land and would reflect the long-term use of the site as a care home, and the separate character and access from the wider Cleveland Gate Business Park. It is considered appropriate to retain the remainder of Cleveland Gate Business Park under the designation of ED6 to support future economic development and protect existing employment uses.

## Policies Map

206

### PLP\_128

Full Name Mr Nick McLellan  
 Organisation Story Homes  
 Agent John Wyatt  
 Agent Organisation Associate White Young Green (WYG)

### Summary of Representation

The extent of the development limits indicated to the west of Guisborough do not effectively 'round off' this settlement and if development limits are to be retained in the plan, these should be extended to the west to correspond with existing natural boundaries as this would provide greater flexibility within the Plan period and offer the potential to extend growth in the direction that is least constrained around Guisborough.

### Council Response

The Council considers the identification of development limits as being important for distinguishing the built-up areas from the countryside. The approach set out in the plan identifies sufficient development land to meet identified needs, it is therefore not considered necessary to extend development limits in this area.



## Sustainability Appraisal

207

### PLP\_054

Full Name Louise Tait  
Organisation Environment Agency

Agent

Agent  
Organisation

### Summary of Representation

We have assessed the Sustainability Appraisal Report and support the considerations that have been identified in the Sustainability Appraisal have been taken forward in the Local Plan.

We wish to note that page 29 of the Sustainability Appraisal Report refers to the status of the Northumbria River Basin Management Plan (RBMP)-Cycle 2 as expected in 2016. The Northumbria RBMP document has been updated and was published in 2016. The document can be found on our website using the following link:  
<https://www.gov.uk/government/collections/river-basin-management-plans-2015>

### Council Response

Support and comment noted.

## Sustainability Appraisal

208

### PLP\_195

Full Name Richard Crosthwaite  
Organisation Gladman Developments Ltd

Agent

Agent  
Organisation

### Summary of Representation

SA (incorporating SEA) is a process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against reasonable alternatives.

The Redcar & Cleveland Local Plan should ensure that its policy choices are clearly justified through the results of the SA process. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Redcar & Cleveland Local Plan's decision making and scoring should be robust, justified and transparent.

### Council Response

The Local Plan has been subject to Sustainability Appraisal (incorporating SEA) throughout the different stages of preparation, including assessment of alternative policy options.

## Habitat Regulations Assessment

209

## PLP\_144

Full Name        Andrew Whitehead  
Organisation    Natural England  
  
Agent  
Agent  
Organisation

### Summary of Representation

Natural England concurs with the conclusion of the Appropriate Assessment that there is potential for adverse effects to the site integrity of the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site due to recreational disturbance, as a result of housing and recreational policies and/or allocations.

We agree that measures proposed in Section 7 of the HRA are suitable and appropriate in principle to prevent adverse effects on site integrity, which includes the development of a recreational mitigation strategy and a Foreshore Management Plan that will contain details of mitigation measures such as wardening, zoning, restricting dog access, fencing and interpretation. We understand that the strategic mitigation plan cannot be completed before examination of the Local Plan will take place; however, no further details are given on the delivery and enforcement of these mitigation measures. Therefore, there is uncertainty that the mitigation can be delivered and that adverse effects on site integrity can be prevented.

Our position is based on the information we have currently available. However, we have had discussions with Redcar and Cleveland Borough Council and agreed that a document will be sent to us that shows how the mitigation measures are being funded and delivered. In addition, we discussed the need for an interim strategy detailing how mitigation will be realised before the strategic mitigation approach is in place. Once we have received this further information we could be able to reconsider our position. In addition, the Local Plan refers to the strategic management plan in the supportive text of policies SD5, REG1, ED9, ED11 and ED13. To improve the link between the policies that are likely to have significant effects on European and internationally designated sites and the strategic mitigation approach that is aimed at preventing these impacts, we advise to refer to strategic mitigation within a policy itself. This will give the strategic mitigation approach more weight in the Local Plan and will increase its effectiveness.

Furthermore, we have the following comments regarding the HRA:

In section 6.4.26 the average number of residents per dwelling is calculated by using the projected population

### Council Response

The Council will continue to work with Natural England to progress the Foreshore Management Plan and identified mitigation measures, and to ensure that these can be delivered. In the interim the Council will work with Natural England to establish an Interim Strategy for dealing with planning applications which impact on the Teesmouth and Cleveland SPA and Ramsar site.

growth divided by the number of units. This leads to an estimation of 1.42 people per dwelling. We consider this to be a low and unrealistic estimate, which is not in accordance with the precautionary approach. A more accurate estimation would be gained by using the average household size for the Redcar and Cleveland area (e.g. from census figures).

In Table 1 (p 4), the row that includes ED13: the last column should be coloured red to reflect the 'yes' potential for LSEs. Section 2.5.2 (p 11) refers to Appendix D; however, this appendix has not been included into the report.

## Habitat Regulations Assessment

210

### PLP\_152

Full Name Ms Christina Taylor

Organisation RSPB

Agent

Agent  
Organisation

### Summary of Representation

We are pleased that our previous comments have been taken into consideration and, in part, implemented in the Plan. Where our recommendations have not been implemented, our previous comments still stand. Our further comments are restricted to the HRA (in particular the AA) of the Plan. Lack of comment on any other aspect of the Plan should not be interpreted as support.

The RSPB objects to the Plan on the grounds that it is unsound and ineffective because of insufficient detail in the Appropriate Assessment (AA). The AA document requires improvement before conclusions that policies would have no adverse effect on the integrity of European sites can be reached.

The RSPB does not agree with the conclusion of the AA – that (subject to measures detailed within the AA being implemented) the Council can conclude the Plan will not lead to adverse effects on Teesmouth and Cleveland Coast Special Protection Area (SPA)/Ramsar or proposed extension to SPA (pSPA). In particular, information provided in support of the proposed Foreshore Management Plan (FMP) is insufficient to allow an assessment of its efficacy in negating the potential effects of increased recreational disturbance arising from combined housing, leisure and tourism policies.

The RSPB believes that without the further detail described in Section 6, it is not yet possible to come to the conclusion that the Plan will not lead to adverse effects on any European site. The RSPB notes the scope of measures

### Council Response

The Council will continue to work to progress the Foreshore Management Plan and identified mitigation measures, and to ensure that these can be delivered. In the interim the Council will work with Natural England to establish an Interim Strategy for dealing with planning applications which impact on the Teesmouth and Cleveland SPA and Ramsar site. We will keep the RSPB informed of this process.

contained within Table 12 Recommended Topic Items for Foreshore Management Plan. We particularly welcome the range of measures proposed for the management of recreational impacts, including wardening; zoning; use of byelaws; protocols for fencing and interpretation. However, further evidence and detail is required before the efficacy of the FMP can be assessed in adequately mitigating the impact of increased recreational disturbance upon the interest features of the SPA.

RSPB are keen to ensure that the mitigation strategy is effective for the Council over the duration of the Plan period and avoid problems with deliverability of mitigation impacting on the delivery of the wider Plan. We acknowledge that the Council will continue to develop the Plan and FMP and, should further detail, as described in Section 6, be made available, the RSPB would be happy to reconsider its position. We would also be happy to enter into further discussion to assist with that process.

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