

**PROOF OF EVIDENCE
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**NEW TYNE CROSSING
PLANNING PROOF OF EVIDENCE
TWPTA12**

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1. INTRODUCTION

Qualifications

- 1.1 I am Harvey Edward Emms. I am a graduate from the University of Newcastle upon Tyne, having obtained a degree (with honours) in Town and Country Planning. I am a Member of the Royal Town Planning Institute.
- 1.2 I joined Newcastle City Council in April 2001 as Group Manager of the Strategic Planning and Transportation Department, with particular responsibility for the development of Planning and Transportation Policy at a regional and local level and the transport assessment of developments. Newcastle City Council is the Lead Authority in Tyne and Wear for Transport Planning. As Chair of the Joint Transport Working Group, I am responsible for the production, monitoring and reporting of the Local Transport Plan for Tyne and Wear. It is for this reason that I have been asked to give planning evidence on behalf of the PTA to this inquiry.
- 1.3 Prior to my current position I was a planning officer (3 years) and then principal planning officer (for 6 years) in the Strategic Planning and Regeneration Team at Ipswich Borough Council. My role included the preparation of the first local plan for the town, consultation on strategic planning issues, planning appeals and involvement in the Suffolk Local Transport Plan (LTP).
- 1.4 I am familiar with the application site and its surroundings, the background and consideration of the application and the details of the application.

Scope of Evidence

- 1.5 My evidence outlines and considers the planning policy issues that must be taken into consideration in determining the proposal for the New Tyne Crossing as set out in the Statement of Matters. In particular I focus on the justification for the particular proposals in the TWA Order including the extent to which they are consistent with national, regional and local planning and transport policies; the loss of open space and proposals for its replacement; and, the extent to which the proposed demolition and other works to the listed buildings affected by the proposed New Tyne Crossing may conflict with Planning Policy Guidance Note 15 - Planning and the Historic Environment.

2. REGULATORY FRAMEWORK

Background

- 2.1 The TWPTA submitted an application, under Section 3 of the Transport and Works Act 1992, for a Transport and Works Act Order on 31 May 2002 to authorise the construction of a road tunnel of part cut and cover and part immersed tube construction between Jarrow on the south bank of the River Tyne and East Howdon on the north bank of the River Tyne. The TWPTA's application also sought a planning direction for deemed planning permission under Section 90 (2A) of the Town and Country Planning Act 1990. Separate applications have also been submitted by the TWPTA for listed building consent.
- 2.2 The Secretary of State determined that the application for a TWA Order and planning direction would be subject of an Inquiry on 20 September 2002 and confirmed that the listed building applications would be considered concurrently on 30 October 2002. Accordingly, this proof deals with the planning considerations in relation to the application for a TWA Order, a planning direction and the listed building applications.

Regulatory Framework

- 2.3 Obtaining a TWA Order does not remove the need to gain planning permission and other statutory consents for development provided for by the Order, although in some instances it may alter the process.
- 2.4 Planning permission can either be sought in conjunction with an application for an Order whereby the Secretary of State will issue a planning direction if successful, or planning permission can be sought separately from the local planning authority. For this proposal, a planning direction has been sought with the Order. A number of draft conditions have been attached to the planning direction, including matters that are reserved for later consideration. The TWPTA and/or Concessionaire will be responsible for discharging these conditions by submitting the relevant information to North Tyneside and South Tyneside Metropolitan Borough Councils for approval and/or to comply with any conditions imposed.

Listed Buildings

- 2.5 Consents will also be required in addition to the TWA Order and planning direction in respect of the listed buildings that will be affected by the proposals. Accordingly, the TWPTA has submitted four applications for listed building consent in conjunction with the TWA Order. The applications are for:
- i.the relocation of the Charles Palmer statue from Riverside Park to Jarrow town centre;
 - ii.the demolition of the Gaslight public house; and
 - iii.the demolition of a wall within the curtilage of the pedestrian and cycle tunnels (one application to each local planning authority).
- 2.6 These are considered in detail in section 4 of this proof.

3. **Planning Policy Framework**

3.1 In this section I consider the policy context in which this application should be considered. First I review planning policy guidance as set out in various planning policy guidance notes. Secondly, I summarise relevant regional planning policy, including, the Regional Transport Strategy, the Regional Economic Strategy, and the Tyne and Wear Economic Strategy. This is followed by an appraisal of the development plan policy framework, which comprises both North Tyneside UDP and South Tyneside UDP. Finally, I consider other relevant local policy including the Local Transport Plan, which I judge to be material to consideration of this application.

National Planning Policy

PPG1 – General Policy & Principles

3.2 PPG1 requires that development should be in accordance with the development plan and the principles of sustainable development. Proposals should be determined in accordance with the Plan unless material considerations indicate otherwise, conforming with Section 54A of the Town & Country Planning Act 1990.

3.3 Paragraph 22 sets out guidance for planning for industry and commerce and states *“It is important that the locational needs of businesses are taken into account ... In defining suitable locations for development, plan policies should take into account: the contribution to regenerating existing urban areas; access to customers; access to raw materials and suppliers; links with other businesses and the special needs of small businesses; the workforce catchment area; the availability of adequate infrastructure; and various transport considerations including the particular needs of the freight industry”*. Additionally, guidance is provided in respect of economic considerations stating *“account should be taken of economic considerations, such as revitalising and broadening the local economy and stimulating employment opportunities”*.

PPG4 – Industrial & Commercial Development & Small Firms

3.4 The PPG emphasises the need to integrate economic growth with a high quality environment (paragraph 1) and recognises the role of the planning system in achieving this objective. Accordingly, development plans in allocating sufficient land for industrial and commercial purposes to provide choice, flexibility and competition to

“stimulate economic activity” (paragraph 6), will play an important role in integrating environmental and economic objectives. Planning authorities can channel *“particular types of business development into particular locations, although in each such case a justification for the distinction must be made”* (paragraph 8). Development should also assist in reducing the need to travel and be in locations well served by energy efficient modes of transport.

- 3.5 The PPG also recognises that business will always seek *“locational advantage in response to various external factors. These include ... the workforce catchment area; and various transport considerations. Business often gives high priority to good access to roads, and sometimes rail, airports and ports”* (paragraph 9). As such development plans should take into account locational demands as well as seeking to achieve wider objectives and therefore provide an opportunity to *“encourage new development in locations which minimise the length and number of trips, especially by motor vehicles; encourage new development in locations that can be served by more energy efficient modes of transport; discourage new development where it would be likely to add unacceptably to congestion; and locate development requiring access mainly to local roads away from trunk roads, to avoid unnecessary congestion on roads designed for longer distance movement”* (paragraph 10). Therefore development plans are the mechanism by which transport proposals can be linked to the development opportunities they create, with all development maximising use of its site and combining mixed uses where appropriate.

PPG9 – Nature Conservation (October 1994)

- 3.6 PPG9 gives guidance on how the Government’s policies for the conservation of our natural heritage are to be reflected in land use planning. I make the following observations on the guidance, given the application site has no specific environmental designations.
- 3.7 The Government is concerned that adequate provision is made for development and economic growth whilst ensuring effective conservation of wildlife and natural features. The Government is of the view that with careful planning and control, conservation and development can be compatible.

- 3.8 In looking at specific development proposals, local planning authorities should not refuse planning permission if development can be subject to conditions that will prevent damaging impacts on wildlife habitats or if other material factors are sufficient to override nature conservation considerations (Paragraph 27). Where there is risk of damage, local planning authorities should consider the use of conditions or planning obligations in the interests of nature conservation. Planning obligations can be used to secure long-term management to provide nature conservation features and to compensate for features lost.

PPG12 – Development Plans

- 3.9 PPG12 reiterates the guidance provided at PPG1, in that an application for planning permission shall be determined in accordance with the development plan unless material considerations indicate otherwise. The guidance also requires that there should be consistency between local transport plans and development plans and that only proposals which are “*firm with a reasonable degree of certainty of proceeding within the plan period*” (paragraph 5.17) should be included. Where local planning authorities safeguard land for future transport schemes “*this should be identified as a proposal and shown clearly on the proposals map*” (paragraph 5.22).

PPG13 – Transport (March 2001)

- 3.10 National policy guidance on transport aims to:

“promote more sustainable transport choices for both people and for moving freight;

promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and

reduce the need to travel, especially by car” (paragraph 4),

whilst accepting that the car will continue to have an important part to play (paragraph 5).

- 3.11 PPG13 stresses that planning and transport need to be linked, advising that strategies in development plans should complement those in the Local Transport Plan. It also advises a partnership approach involving local authorities, transport providers and operators, developers, businesses and local residents to ensure that proposals are both acceptable and feasible.

- 3.12 The importance of traffic management and demand management are noted, and public transport is viewed as “...a very important ingredient in determining locational policies designed to reduce the need for travel by car” (paragraph 72).
- 3.13 The importance of mitigating the impact of new transport infrastructure is addressed and acknowledges that for major roads an environmental impact assessment will be required, as set out at Annex C of the guidance.

Planning Policy Guidance (PPG) 15: Planning and the Historic Environment

- 3.14 This PPG was adopted in September 1994 and, “provides a full statement of Government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment” (paragraph 1). It complements the guidance given in PPG16 Archaeology.

General

- 3.15 Paragraphs 3.5 to 3.7 set out four criteria, which are “generally relevant to the consideration of all listed building consent applications”, these being (in summary):
- i. The importance of the building, its intrinsic architectural and historic interest and rarity;
 - ii. The particular physical features of the building;
 - iii. The building’s setting and its contribution to the local scene; and
 - iv. The extent to which the proposed works would bring substantial benefits for the community.

Use

- 3.16 Paragraph 3.8 notes that the best way of securing the upkeep of historic buildings is to keep them in active use. “...this must mean economically viable uses if they are to survive, and new, and even continuing uses will often necessitate some form of adaptation. The range and acceptability of possible uses must therefore usually be a major consideration when the future of listed buildings or buildings in conservation areas is questioned”.

Alterations

- 3.17 Paragraph 3.13 notes that *“many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing new uses...Nevertheless, listed buildings do vary greatly in the extent to which they can accommodate change without the loss of special interest.”*

Demolition

- 3.18 Paragraphs 3.16 to 3.19 consider demolitions of existing buildings. Whilst there is a very strong presumption against permitting the demolition of any listed building, paragraph 3.16 states that, *“...there will very occasionally be cases where demolition is unavoidable”*. Paragraph 3.17 continues, stating that demolition would require ‘the strongest justification’ and that ‘clear and convincing’ evidence needs to be provided. Such evidence includes, *“that redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition”*.
- 3.19 Paragraph 3.19 sets out three considerations which the local planning authority would be expected to address where demolition works are proposed, these being (in summary):
- i. “The condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use:*
 - ii. The adequacy of efforts made to retain the building in use; and*
 - iii. The merits of alternative proposals for the site.”*

Recording Buildings

- 3.20 Paragraph 3.23 notes that local planning authorities should consider in cases of demolition whether it is appropriate to make it a condition of consent that applicants arrange suitable programmes of recording of features that would be destroyed in the course of works for consent.

PPG 16 Archaeology and Planning

- 3.21 This guidance sets out Policy on archaeological remains on land and how they should be preserved or recorded both in an urban setting and in the countryside.
- 3.22 Paragraph 6 notes: *“Archaeological remains should be seen as a finite, and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction.”* Paragraph 8 points out that *“where nationally important archaeological*

remains, whether scheduled or not, and their settings, are affected by proposed developments there should be a presumption in favour of their physical preservation. Cases involving archaeological remains of lesser importance will not always be so clear cut and planning authorities will need to weigh the relative importance of archaeology against other factors including the need for the proposed development.”

- 3.23 PPG16 advises on early consultations between the developer and the archaeological department to provide advance warning of the archaeological sensitivity of the site, and agree a comprehensive methodology for site assessment.
- 3.24 Paragraph 22 notes that local planning authorities can expect developers to provide archaeological field evaluations and the results of these should form part of the application for sites where there is good reason to believe that there are remains of archaeological importance. It also recommends the submission of a formal Environmental Assessment for some particular forms of development. (Annex 3)

PPG17 – Planning for Open Space Sport & Recreation (July 2002)

- 3.25 PPG17’s objectives identify the value of open space to communities and the need to maintain open space for amenity, sport and recreation purposes. The guidance recognises that in order to assess the need for open space it is necessary for local authorities to undertake ‘robust assessments’ (paragraph 1) to review the needs of the local area for different types of open space and the adequacy of provision. Where an up-to-date assessment is available it may be possible to demonstrate that there is surplus open space and that development proposals will not be detrimental to the local area (paragraph 10)
- 3.26 The Annex to PPG17 illustrates the broad range of open spaces that may be of public value and should be included in audits. These include (in summary): -
- Parks and gardens – including urban and country parks;
 - Natural and semi-natural greenspaces (including woodland, forests and wetlands);
 - Green corridors (river and canal banks);
 - Outdoor sports facilities;
 - Amenity greenspace (in housing areas);

- Provision for children and teenagers;
- Allotments, community gardens and city farms;
- Cemeteries and churchyards; and
- Civic spaces including civic and market squares.

3.27 Although PPG17 recognises the value of open space, it also identifies that development provides an opportunity for enhancement of provision, particularly in qualitative terms, to address any deficiencies (paragraphs 11 and 12). Paragraph 3 notes that *“Audits of quality will be particularly important as they will allow local authorities to identify potential for increased use through better design, management and maintenance.”*

3.28 Paragraph 7 sets out the criteria for determining local standards. These should include:-

- Quantitative elements (how much new provision is needed);
- A qualitative component (against which to establish the measure of need for enhancement of existing facilities); and
- Accessibility (including distance thresholds and the costs of utilising a facility).

3.29 Paragraph 10 notes that existing open space, sports and recreational buildings should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements. Paragraph 11 continues *that “open space and sports and recreational facilities that are of high quality, or are of particular value to a local community, should be recognised and given protection by local authorities through appropriate policies in plans.”*

PPG23 – Planning and Pollution Control (September 1994)

3.30 This guidance note recognises that the role of the planning system is to determine whether the proposed use is acceptable and states at paragraph 1.36 *“In deciding whether to grant planning permission, planning authorities must be satisfied that planning permission can be granted on land-use grounds, and that concerns about potential releases can be left for the pollution control authority to take into account in*

considering the application for the authorisation or licence". In this case the relevant pollution control authorities are DEFRA and the Environment Agency and these bodies have been actively consulted in respect of the application and the potential for pollution that might arise as a result of the construction programme or the operation of the New Tyne Crossing. However, planning conditions or obligations are also recognised as mechanisms to protect the environment where they are relevant to the proposed development.

3.31 Paragraph 3.1 of PPG 23 notes that *"Decisions on planning applications for development which may give rise to pollution, like all planning applications, must be made in accordance with the development plan, unless material considerations indicate otherwise"*. Paragraph 3.2 details a number of potential material planning considerations including (amongst others): -

- The sensitivity of the area, in particular as reflected in landscape, agricultural land quality, nature conservation or archaeology;
- The loss of amenity which the pollution would cause;
- Any particular environmental benefits;
- The design of the site and the visual impact of the development;
- The proposed after use of the site and feasibility of restoring to the required standard;
- The hours of operation required by the development;
- The possibility that nuisance may be caused; and
- Transport requirements arising from the need to transport waste from the site.

3.32 There may also be other material considerations to be taken into account which have land-use implications. These are likely to be the responsibility of the relevant pollution control authority and include: -

- *The possibility of land contamination arising from the proposed development, and protection and remediation measures as appropriate;*

- *The impact of any discharge of effluent or leachates, which may pose a threat to current and future surface or underground water resources or to adjacent areas;*
- *The risk of toxic releases, whether on-site or on access roads; and*
- *The waste generated by the development, including that arising from the preparation and construction phases, and proposed arrangements for storage, treatment and disposal.*

3.33 PPG23 also stresses the need to maintain a balance between economic and environmental consideration and states “*Material considerations also include the potential economic and social benefits of the development*”.

3.34 Paragraph 3.9 notes that information on the impact of individual planning applications on the environment should be provided in the Environmental Statement, if the proposal falls within the scope of the Environmental Assessment Regulations.

PPG24 – Planning & Noise (September 1994)

3.35 PPG24 provides guidance for local authorities on minimising the impact of noise and outlines the considerations to be taken into account in determining planning applications for noise generating activities. The guidance introduces the concept of Noise Exposure Categories (NECs) to help local planning authorities in their consideration of applications for residential development near transport related noise sources.

3.36 The guidance acknowledges “*Much of the development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development. Nevertheless, local planning authorities must ensure that development does not cause an unacceptable degree of disturbance*” (paragraph 10). The guidance also identifies measures to control the source of noise including engineering solutions, layout and design amendments and administrative restrictions, although any such measures “*should be proportionate and reasonable*” (paragraph 13).

3.37 Annex 3 of PPG24 sets out detailed guidance on the assessment of noise from different sources. Annex 4 provides examples of planning conditions. Detailed consideration of noise issues are contained in Chris Manning's proof of evidence.

PPG25 Development and Flood Risk

3.38 The susceptibility of land to flooding is a material consideration in determining planning applications. The land concerned may be that subject to the application or elsewhere if the development may have flood implications there. Paragraph 60 requests that *"applicants discuss with the local planning authority the requirements they will be expected to meet to satisfy the authority on flood risk and the run-off implications of the development proposed. They should consult with the Environment Agency on the potential risks to their development, on the likely effects of their proposals on flood risks to others and on whether mitigation is likely to be effective and acceptable. They should carry out an assessment of flood-risk and the run-off implications of their proposal that is appropriate to the scale and nature of the development and the risks involved and submit this with the application."*

Transport White Paper

3.39 The Government's White Paper on the future of transport was published in July 1998 and sets out the Government's action plan for an integrated transport strategy. This White Paper is reviewed more fully in Mr Henderson's evidence (TWPTA 4). I do not, therefore, review the White Paper in detail in my evidence, save to identify the following key themes.

3.40 The White Paper continues the PPG13 theme of integration between transport and land use planning. The development of a close relationship between these two sectors will assist with the "planning out" of the need to drive and "planning in" of more environmentally sustainable alternative means of travel.

3.41 A second element of integration of transport with land use planning policies common to PPG13 is the aim to contain the dispersal of development (paragraph 4.158). Generally, such locational policies reduce the need to travel. However, the aims of reducing car reliance can also be met through improving non-car means of travel. Only by altering current habits and attitudes to travel will there be a significant shift away from car driving.

- 3.42 The White Paper makes clear that the responsibility for delivering an integrated transport strategy will be shared between all levels of government, business and individuals.

Regional Planning Policy

RPG1 – For the North East (November 2002)

- 3.43 This guidance note, published in November 2002, supersedes the two existing guidance notes for the North East: RPG1: Strategic Guidance for Tyne and Wear (1989) and RPG7: Regional Planning Guidance for the Northern Region (1993). Although the RPG was recently adopted an early review is expected so that it fully conforms to PPG11, by incorporating a Regional Transport Strategy.
- 3.44 The primary purpose of RPG is to provide a regional spatial strategy within which local authority development plans and local transport plans can be prepared. The importance of RPG1 is that it provides the overall vision and strategy that enables these separate plans to contribute to a coherent framework of regional development.
- 3.45 The policies included in RPG1 have been the subject of a sustainability appraisal. This has had a significant influence on its final content.
- 3.46 Improving accessibility to employment, retail, education, health and social facilities is a key element in the strategy to improve living standards, to tackle social exclusion and to contribute to the quality of life in the North East. A priority of the Strategy is to ensure that the Region's population has access to transport networks and the knowledge through Information Communications Technology (ICT).
- 3.47 The vision of the RPG is "*a dynamic economy, a healthy environment and a society where everyone has the opportunity to achieve their full potential*" (paragraph 2.1). This reflects the need to revitalise the regional economy which has been affected by the demise of the coal industry and despite "*radical restructuring of the economy and comprehensive regeneration schemes*" (paragraph 1.13) will "*continue to lag behind other parts of the country unless action is taken*" (paragraph 1.22), given the regional economy is not strong enough to meet job requirements. Accordingly, the RPG recognises the need to provide a land use and transport context for other initiatives by setting out a clear long-term framework. Paragraph 1.31 states "*The land use planning system in the region needs to demonstrate sensitivity to the requirements of*

a range of economic activities ... It also needs to provide and keep under review a portfolio of land use opportunities for these that are appropriate in terms of the needs both of the economy, the population and sustainability principles". In order to achieve economic and physical restructuring, regeneration should be co-ordinated to focus on the renaissance of Tyneside, Wear and Teesside to create the right conditions which will allow industry and business to flourish through indigenous and existing business development as well as attracting inward investment.

- 3.48 The RPG acknowledges that there are rising traffic levels and that despite substantial improvements to road infrastructure "*the capacity of the strategic road network in and adjoining the North East, which has, until recently, been an advantage in attracting new activity is now congested in some locations at peak times*" (paragraph 1.35). RPG1 reflects the principles contained in the Transport White Paper and includes interim policies, which will be developed into an integrated regional transport strategy in the review of RPG1 in 2002/03.
- 3.49 RPG1 seeks to promote accessibility for all whilst reducing the local and global environmental impacts of transport in support of the other three strategy themes of Regeneration, Opportunity and Conservation.
- 3.50 Paragraph 2.33 states that the strategy seeks to: -
- *Support investment and enhance the region's position in relation to national, European and global markets;*
 - *Promote accessibility to employment, education, retailing, health, leisure facilities and other services by public transport, cycling and walking;*
 - *Improve individual's health by promoting walking and cycling as an alternative mode of transport;*
 - *Reduce congestion, which can both undermine regional and local competitiveness and exacerbate problems of pollution and noise; and*
 - *Reduce the impact of transport on the global and local environment and the health of the region's population.*

3.51 The section on Conservation in RPG1 sets out a strategy to preserve and develop the region's natural resources and ensure wise management of natural and cultural heritage. This is to be achieved through: -

- *According appropriate protection to assets recognised by international, national, regional and local designations, and recognising the overall biodiversity of the region;*
- *Supporting management activities and initiatives to upgrade damaged or degraded environment; and*
- *Taking advantage of opportunities for positive gains to the environment and biodiversity through regeneration and development. (para 2.40)*

3.52 A series of sub-regional areas are listed in para 2.63 of the RPG, including a series of potential topic areas for further study. For the geographic sub-area of Tyne and Wear, this includes (amongst other things): -

- *Priorities for regeneration to maximise development and improve the environment within the Tyne and Wear conurbation;*
- *Priorities for public transport links;and*
- *Consideration of the Tyneside Area Multi Modal Study (TAMMS) which is considering issue of congestion and road safety on the A1 (T) and A19 (T) in Tyneside.*

3.53 The environment of the North East is a major asset in its own right and a significant factor in attracting people to live and work in the region. The objectives for the environment in RPG1 are: -

- *To integrate environmental considerations into decision making at every level, ensuring that plans and development options are assessed for potential positive contributions as well as negative effects on the environment;*
- *To complement other measures aimed at urban and rural renaissance through protecting and improving the environment;*

- *To ensure that provision for development is balanced with the need to protect the region's natural and man-made assets. Unnecessary loss of, or damage to, these assets should be avoided; and*
- *To ensure that, as far as possible, development does not cause significant environmental harm; where such development is to be allowed, mitigation and compensation measures should be fully employed. (Pg 43)*

3.54 The RPG promotes the re-use of brownfield sites in order to meet the Region's development needs, to provide opportunities to enhance the quality of the environment including protection of best and most versatile agricultural land, to maintain the Green Belt and locate development where it can be served by high capacity public transport routes. However, the RPG provides for an exception to this aim in that it also supports the release of up to 200 hectares of Green Belt land for employment uses at a single strategic site yet to be determined, in a broad corridor north of Sunderland.

3.55 There are over 12,000 listed buildings in the North East (around 11,000 of which are Grade II), and policy ENV19 sets out a clear framework for the determination of applications for development of listed buildings.

3.56 Paragraph 4.1 of RPG clearly states that the economic regeneration of the North East is a key aim of both RPG1 and the Regional Economic Strategy. Paragraph 4.4 emphasises this point further, and *states, "the competitive position of the North East must be strengthened. An important element of this will be to provide the appropriate infrastructure to increase and broaden employment opportunities"*

3.57 The RPG also discusses poor health and high mortality rates in the NE, citing likely causes as unemployment and poor quality housing.

3.58 For a number of reasons, a Regional Transport Strategy has not yet been developed for the North East. The North East Assembly is currently progressing the development of the RTS, which will be incorporated into the review of RPG1 in 2002/03, to inform the next round of development plans, local transport plans and other strategies.

3.59 The management and improvement of transport infrastructure and services in the region is essential in the successful implementation of RPG1's strategy of

regeneration, opportunity, accessibility and conservation. Policy T3 sets out the strategy for consideration of regionally important transport infrastructure.

T3 Transport infrastructure and Services of Regional Significance

Investment in, and the management of, strategic air, sea, rail and road transport infrastructure should support regeneration, opportunity, accessibility and conservation and should be based on a multi-modal assessment of problems and opportunities. Particular priority should be given to: -

- *Maintaining, and making the best use of, existing infrastructure;*
- *Promoting the use of public transport;*
- *The efficient and sustainable movement of freight;*
- *Improving safety across all aspects of the strategic transport network;*
- *Reducing the environmental impact of strategic movement on local communities;*
- *Reducing congestion across all modes of transport; and*
- *Improving journey time reliability.*

3.60 Particular importance is given to working in partnership with public transport operators to meet travel requirements to, from and around the region.

3.61 Policy T5 Public Transport, seeks the development of a balanced transport strategy through development plans and local transport plans, by amongst other things: -

- Ensuring that new development and redevelopment is located and designed to assist public transport provision;
- Protecting sites with high public transport accessibility for development likely to give rise to a high level of demand for travel. Sites which are to benefit from proposals to improve public transport accessibility to a high level should similarly be protected;
- Promoting the introduction of new public transport services, particularly to employment and retail developments, currently poorly served by public transport;

- Introducing measures which improve the frequency, journey time and reliability of existing public transport services; and
- Facilitating the better integration of public transport with other modes.

3.62 With regard to roads, RPG1 acknowledges, “the provision and maintenance of high quality strategic road links enabling travel to, from and within the region, have a role to play in maintaining and improving regional competitiveness and promoting regeneration. Paragraph 5.42 notes that the A19 is part of the Core network of **nationally** (my emphasis) important roads. As part of the consultation exercise on the Trunk Roads, it was identified that congestion particularly on the A1 and A19 around Tyneside was a particular concern. Paragraph 5.47 details the overall objectives for trunk roads in supporting regeneration, opportunity, accessibility and conservation. These are: -

- *Maintaining to a high standard, and making the best use of, existing infrastructure for long distance traffic;*
- *The efficient and sustainable movement of freight;*
- *Improving safety;*
- *Reducing the environmental impacts of traffic at both the local and global level;*
- *Reducing congestion;*
- *Improving journey time reliability; and*
- *Promoting the use of public transport and the movement of freight by rail and sea.*

3.63 Policy OL1 Open Land, seeks to protect open land that is of recreational or amenity value from development. This is complemented by Policy SR1 – Sport and Recreation which requires development plans to provide for the growing and increasingly varied demands for sport and recreation, including the recreation/open space needs of strategic development, whilst ensuring that they are accessible to all sections of the community.

3.64 Policy Guidance on minerals in RPG1 will be revised as part of the early review of RPG, as it was not debated at the EIP, due to the pending review of MPG6. Policy MIN6 provides development control criteria for the consideration of applications involving mineral resources, and seeks amongst other things to protect the environment and quality of life for local people by ensuring high standards of site operation and restoration to beneficial after uses.

Tyneside Area Multi Modal Study (TAMMS)

3.65 TAMMS is one of a number of major studies commissioned by the Government Offices for the Regions since 1998 to develop more integrated solutions in addressing problems on the strategic road network. The studies were one of the outcomes following the publication in 1998 of the integrated transport White Paper 'A New Deal for Transport' and 'A New Deal for Trunk Roads in England' the latter of which reported on its strategic review of the roads programme.

Objectives

3.66 The key objective of TAMMS was to develop a transport strategy to address problems on the A1 and A19 trunk roads in the Tyneside area for the next thirty years, in a way that was consistent with both national and local objectives for the provision of sustainable transport. The study was undertaken in accordance with the guidelines set down by the Government in its 'Guidance On the Methodology for Multi-Modal Studies – GOMMMS'. The report considers all forms of transport and has assessed how effective various strategy options would be in satisfying the Government's transport objectives. These are

- To protect and enhance the built and natural **environment**;
- To improve **safety for travellers**;
- To contribute to an efficient **economy** and to support economic growth in appropriate locations;
- To promote **accessibility** to everyday facilities for all, especially those without a car;
- To promote better **integration** of all forms of transport and land use planning, leading to a better, more efficient transport system.

3.67 Additional local objectives were specified as follows: -

- To reduce congestion on the A1 in Tyneside;
- To reduce congestion on the A19 approaches to the Tyne Tunnel;
- To improve safety on the A1 in Tyneside;
- To improve safety on the A19 in Tyneside; and
- The accrued benefits to the A1 and A19 should be achieved without causing unacceptable problems on other transport networks in the area.

3.68 Thus the TAMMS study is primarily concerned with measures to ameliorate existing levels of congestion on the trunk road network, which are currently of concern. Whilst the study seeks solutions on a multi modal and area-wide basis, it does so with a view to solving the problems of the trunk road network.

3.69 A comprehensive consultation exercise was undertaken, involving the establishing of a Reference Group involving around 200 Stakeholders, as well as holding public meetings to debate both problems and the potential solutions.

3.70 The consultation process identified a range of problems which included issues related to the capacity of both the road and rail network, lack of integration of public transport services as well as environmental concerns arising from current trends with respect to the changing social and economic geography of the region. Concerns were expressed about the existing levels of traffic congestion at the Tyne Tunnel.

Solutions Considered

3.70 The study examined a range of solutions to the congestion problems on the A1 and A19. These solutions covered strategies based on major public transport investment; making best use of the existing networks by measures including demand management strategies as well as solutions focussed only on highway improvements. The study also considered the possible future impact of soft factors including initiatives to change travel behaviour, electronic communications, etc. The appraisal of the alternative strategies demonstrated that major investment in rail and metro/light rail would not be sufficient to address the traffic problems on the A1 and A19 including the Tyne Tunnel although such a strategy would meet some other Government objectives such as improved integration.

Recommended Strategy

3.71 Following an extensive appraisal process a recommended strategy has been defined as a package of complementary measures. The general thrust of the Strategy is to adopt a balanced solution to transport provision in the area over the next thirty years, based on a 'monitor and manage' rather than a 'predict and provide' approach. The objectives are: -

- *To make best use of the existing highway infrastructure in the area through a combination of limited widening with associated junction improvements, and the introduction of traffic management techniques and/or demand management;*
- *To provide realistic and practicable ways by which rail passenger and freight usage can be increased in particular, and public transport usage increased in general;*
- *To encourage reduction in car usage through measures such as travel behaviour initiatives, and through pricing mechanisms in the major conurbations; and*
- *To ensure that land use planning policies and institutional mechanisms in the area are supportive of these objectives.*

3.72 The recommendations of this study includes the provision of a New Tyne Crossing, highlighting its strategic importance in the development of a future transport strategy for the area and its contribution to addressing problems on the trunk road network. The measures in the Strategy have major implications for the Regional Transport Strategy and Regional Planning Guidance for the North East.

3.73 The final report for the study was published in November 2002 and submitted to the North East Regional Planning Body for their consideration. The Wider Reference group will be asked for their views and their comments will be made available to the Regional Planning Body. When the Regional Planning Body have considered the study findings it will make recommendations to Minister and the relevant transport authorities.

Regional Transport Strategy (RTS) for the North East

- 3.74 The purpose of the Regional Transport Strategy is to guide the region's transport policy and investment decisions for the next 15-20 years. Once agreed the Regional Transport Strategy will form an integral part of Regional Planning Guidance and help support its overall strategy and objectives. The RTS is still in draft form following public consultation, and will be incorporated within the revised statutory Regional Spatial Strategy. Within the RTS the New Tyne Crossing is identified as one of the "major schemes that should aim to be delivered in the short-term". The strategy also refers to the outcomes of TAMMS in so far as "due to the severity of the congestion problems in this area it will be important that the recommended schemes that are consistent with this Transport Strategy are developed as a matter of urgency in the short-medium term.

Regional Economic Strategy

- 3.75 The first Regional Economic Strategy for the North East - *Unlocking Our Potential* - was submitted by the Regional Development Agency, One North East, to the Secretary of State for the (then) DETR in October 1999. It sets out a vision for where the region should be in 2010 and identifies six strategic priorities:
- *create wealth by building a diversified, knowledge-based, economy;*
 - *establish a new entrepreneurial culture;*
 - *build an adaptable, highly skilled workforce;*
 - *place the universities and colleges at the heart of the North East economy;*
 - *meet 21st century communication and property needs; and*
 - *accelerate the renaissance of the North East.*
- 3.76 The Regional Economic Strategy (RES) provides a framework for economic development, development of skills and training, and regeneration priorities. It emphasises the need for concerted action between all the key players in the region and the need to integrate and harmonise policies, plans and programmes across a broad agenda. The RPG draws on the priorities and needs identified in the RES to determine broad areas of land for economic development, how to make optimum use of infrastructure and assets, and identify priorities for regeneration and improvement.

3.77 It states, *“increased efforts will be made to recycle brownfield sites through the Land Reclamation Programme and other measures. This will reduce the demand for greenfield sites, which will only be brought forward for development when potential occupiers have already expressed firm interest in the site and it has been demonstrated that suitable brownfield sites are not available”*. In some circumstances, however, One North East and the Local Authorities may agree that it is necessary to prepare key strategic employment sites in advance so that the Region can respond quickly to the potential needs of inward investors. Some sites may be suitable for clusters of companies that need to be close to one another.

3.78 One of the vision statements contained in the plan is:

“By 2010 the North East will be an outward looking region with world class telecommunications, excellent international air and rail services and expanding ports. It will boast a premier portfolio of premises and sites and high quality public transport and road networks” (page 64).

3.79 The strategy highlights a number of challenges related to transport. These include:

- Ensuring that transport meets the needs of business, reducing costs, and enhancing competitiveness;
- Improving the accessibility of employment to enhance the areas attractiveness as a location for business;
- Improve public transport, cycling and pedestrian facilities to address social exclusion, sustainability and improve quality of life; and
- Encouraging more international and national service providers to locate in the area to provide greater choice for passengers and freight.

3.80 The strategy seeks to reduce the traffic on the region's trunk roads but recognises that the trunk roads are critical to the region's economy. It highlights the need to invest in upgrading specific trunk roads to reduce congestion, improve safety and improve access to key sites in particular improvements including dualling the A69, the A66 and increasing the road capacity across the Tyne. These improvements are considered critical to ensure that congestion does not increase as the economy strengthens. In summary the RDA recognises that the implementation of the Tyne

Tunnel in association with improvements to A19 junctions are important for the regeneration of the area.

Other policy considerations

Local Transport Plan for Tyne & Wear 2001-2006

3.81 The objectives of the Local Transport Plan are stated as:

- **Accessibility** – improving access and enhancing opportunities to reach a full range of facilities and activities, especially those without access to a car and with specific emphasis on people with mobility problems;
- **Economy** – supporting economic growth, promoting regeneration and improving prosperity;
- **Environment** – reducing transport related atmospheric pollution and other adverse environmental impacts of traffic to ensure sustainable transport policies;
- **Integration** – improving the links between public transport networks, closer integration of land use and transportation planning and close liaison with transport policies of neighbouring authorities; and
- **Safety** – improving road safety and reducing the fear of crime associated with transport.

3.82 These objectives are developed through individual policies. In respect of the TWPTA's proposal the New Tyne Crossing is identified as a 'Major Scheme' in the Local Transport Plan and is considered to be "*one of the more important transportation projects completed during the life of the first Local Transport Plan*" (LTP) (section 4.5). The LTP identifies the main problems of the tunnel as being delays that are typically between 20 minutes and 1 hour, creating localised noise and air pollution, spread of congestion onto local roads and other crossings.

3.83 The proposal for the crossing is also considered in the 'District Annex Plans' for both North and South Tyneside, which include further background to the project and how it will be brought forward. The Annexes note the completion of the Cross Tyne Study, which was commissioned largely, "*In view of the serious problems of congestion and*

delay experienced at the Tyne Tunnel, inhibiting access to jobs and business". The LTP also identifies that the project as *"key to the Local Transport Plan strategy"*.

Local Planning Policy

South Tyneside

- 3.84 The development plan for South Tyneside comprises the South Tyneside Unitary Development Plan (STUDP) that was adopted in October 1999. I set out below a summary of the relevant policies contained in the STUDP.
- 3.85 The adopted STUDP safeguards a road line for a new crossing adjacent to the existing tunnel. Policy T15/2 'River Tyne Crossing', states: *"The route for an additional tunnel or bridge crossing at the River Tyne, as shown on the proposals map, is safeguarded by the Local Planning Authority. Planning permission will not be granted for development that would prejudice the implementation and operation of either of these proposed crossings"*. Policy T15/1 outlines the authority's desire to implement the A19/Tyne Tunnel Junction Improvement through the TPP (now LTP) process.
- 3.86 Paragraph 13.14.6 goes on to state that the need for a further crossing has been identified and that the preferred location is St Bede's. The paragraph goes on to say: *"The Tyne Tunnel roundabout is recognised as a major area of traffic congestion, often causing lengthy delays. This concentration of sitting traffic also impedes the operation of bus services and leads to a build up of exhaust fumes. Additionally, traffic movement across the Tyne, within the Borough and to the developing areas of Jarrow and Hebburn is impeded. The safeguarded routes will be protected from prejudicial development pending the outcome of further study"*.
- 3.87 The proposal for a New Tyne Crossing is consistent with the objectives of this policy and the supporting text.
- 3.88 Although the STUDP recognises the importance of reducing the environmental impact of transportation (paragraph 13.14.1), it also notes the need for some road construction *"to assist in securing economic and/or environmental benefits"*. Policy T15 'Strategic Road Network' identifies that the strategic road network (which includes the A19 and Tyne Tunnel) will be used to establish priorities for highway construction, improvement and maintenance. Additionally, Policy T15/1 identifies

improvements to the A19/Tyne Tunnel junction that will be implemented through the LTP/Package process.

- 3.89 Other relevant transport policies include T1 which states that the local planning authority will seek to support urban regeneration and improve access to education, training and employment opportunities for all; reduce the effects of vehicular traffic on the environment and improve road safety. In respect of highways proposals, Policy T3 deals with highway modification and requires that any modifications are designed to the satisfaction of the highways authority and that provision is made for access and use by public transport, pedestrian, cyclists and people with disabilities (as appropriate).
- 3.90 Policy T5 states the local planning authority will give priority to improvement measures in major road and rail routes, in predominantly industrial areas and sites where the proposal will assist their prospects for attracting future investment. Policy T16 refers to traffic management proposals that will improve safety and access for all road users' optimise the capacity of all distributor roads and encourage the use of the strategic road network.
- 3.91 In relation to sustainable transport the STUDP identifies the importance of environmental impact reduction (Policy T4) through land use planning and encouraging the use of public transport. With regard to freight transport Policy T5/2 identifies that freight will be encouraged to use the strategic route network and transfer to rail and ship where possible. The Council will also promote cycling and walking through the identification and maintenance of a network of routes, which will be safeguarded, from inappropriate development, as detailed in Policies T6 and T6/1. Policy T6/2 states that there is an aim to develop pedestrian access to the River Tyne. Enhancement of links to Jarrow riverside and the cycle and pedestrian tunnels is an aim that will be achieved as a result of the proposals, given the content of the development brief currently in preparation by STMBC for the after-use of the site following completion of the tunnel.
- 3.92 Investment in and promotion of public transport is supported through Policy T9 of the STUDP. Public transport investment measures will include buses, Metro, the rail network and river transport links.

- 3.93 In relation to economic development the STUDP states “...*the sites attracting interest are those which are generally well-located, well-serviced and well presented. The Council believes that a shortage of serviced, good quality land and premises will constrain the regeneration of the South Tyneside economy*” (paragraph 9.1.2). The STUDP goes on to identify its primary objectives for economic development to be “*the creation of new jobs in the Borough through the expansion of existing firms and inward investment and to ensure that job opportunities outside the Borough are accessible to all sections of the Borough’s populations.*” Additionally Policy UR1 aims to secure the regeneration of South Tyneside by “*facilitating the growth and diversification of the local economy*” amongst other objectives. This is reiterated in the supporting text, which states “...*injecting public resources directly into the improvement of South Tyneside’s physical condition is seen as the best means of encouraging the private and voluntary sectors to invest in the local economy and provide employment*” (paragraph 8.1.1). Policy UR2 develops this theme and identifies urban regeneration initiatives which reduce car usage, traffic congestion, the environmental impact of transport, encourage the use of public transport and utilise the capacity of existing infrastructure.
- 3.94 Policy RL1 sets out general principles in relation to sport, recreation and leisure. Part of this policy states that the local planning authority will encourage proposals that “*enhance the provision and quality of open space for recreational purposes*”. In particular Policy RL4 provides guidance on the standards of open space provision that STMBC will aim to achieve. Policy RL5 identifies that the loss of open space will be permitted where the site is required pursuant to other policies in the Plan, ie Policy T15/2. Policies RL6, RL7 and RL8 emphasise the importance of the provision, protection and retention of areas of recreational open space and playing fields, whilst supporting the further development of the Linked Open Space System (LOSS) and the need to protect it from inappropriate development. The River Don valley LOSS corridor and the Jarrow Riverside Park area are important resources.
- 3.95 The STUDP includes a number of policies that identify the need to minimise the potential adverse environmental impacts of development on the local area. Of particular relevance are Policies ENV1, ENV2 and ENV3 which emphasise the need to improve the quality and appearance of the A19 corridor and its relationship with

Jarrow town centre; ENV4 promotes quality of the built up area; policies ENV12, ENV14, ENV16 and ENV17 which give overall guidance on pollution control, protection of water resources and flood risk in accordance with PPG25; and Policies ENV19, ENV20, ENV21, ENV22 and ENV23 relate to nature conservation. Additionally, Policy ENV11 supports the enhancement of transport corridors.

- 3.96 In respect of heritage issues, Policy ENV6 reiterates the guidance provided at PPG15 in respect of historic buildings, as does Policy ENV7 in relation to conservation areas and ENV8 and ENV8/1 in respect of archaeology and nationally important remains.

Summary

- 3.97 The STUDP's primary objective for economic development is *"the creation of new jobs in the Borough through the expansion of existing firms and inward investment and to ensure that job opportunities outside the Borough are accessible to all sections of the Borough's populations"*.
- 3.98 The Plan sets out a general policy framework that is supportive of a new Tyne crossing, recognising the need for additional capacity to reduce the detrimental effects of congestion. A road line for a new crossing adjacent to the existing tunnel is identified on the Proposals Map and is safeguarded from inappropriate development. The STUDP also acknowledges that there will be a requirement for some further road building, despite supporting sustainable transport options, on the basis that this will assist in economic regeneration of South Tyneside by making it more attractive to employers and to increase access to job opportunities for local residents.

North Tyneside

- 3.99 The development plan for North Tyneside consists of the North Tyneside Unitary Development Plan (UDP), which was adopted in March 2002.
- 3.100 Policy T7/1 identifies the A19 Tyne crossing duplication as a major improvement proposal for the highway network. Supporting text at paragraph 8.19 identifies that support for a PFI scheme has been confirmed and that the crossing will be located immediately downstream of the existing Tyne Tunnel.
- 3.101 The transport aims of the NTUDP seek to reduce pollution, congestion and accidents as well as providing a safe and efficient system (paragraph 3.40). The highway network will be improved to provide better conditions for public transport, pedestrians

and cyclists; improved safety, accessibility; and protecting the built and natural environment as detailed at Policy T7A.

3.102 The UDP also safeguards the route for the Stephenson Jobs Link/Metro Complementary Route which links regeneration opportunities along the A19 Corridor particularly employment and housing at Policy T3/1A. Paragraph 8.25A outlines that this is a multi-modal public transport scheme designed to serve the existing and proposed residential, industrial, commercial and leisure developments along the A19 currently not served by public transport. It will head south from Backworth Interchange through Cobalt Business Park, New York Industrial Park, Silverlink Retail, Business and Leisure Park, the Tyne Tunnel Trading Estate, interchanging with the Metro at Percy Main and terminating at Royal Quays. The implementation of the MCR has commenced following financial approval from Central Government. Early discussions are being held to explore the potential of extending the bus service through the New Tyne Crossing to Jarrow.

3.103 The NTUDP aims to provide a range of employment sites, including the A19 corridor (paragraph 4.34 and Policies LE1, LE1/1 and LE1/5 refer). This is in response to the decline in key sectors of the economy and the location of service sector employment in Newcastle City and new manufacturing investment south of the Tyne (paragraph 4.3). Paragraph 4.4 states *“A primary aim of the UDP must therefore be to revitalise the local economy by appropriate land use planning and economic development policies. This will achieve for North Tyneside a stronger and more diversified economic base, a more successful share in the region’s manufacturing and service sector activity, and an ability to attract and retain an economically active population”*. The UDP takes account of the physical regeneration objectives of the Council’s Economic Development Strategy which requires the provision of a range of development sites to satisfy anticipated demand and improvement of North Tyneside’s internal and external transport and communications links (paragraph 4.15). Its principal objectives include (2) providing residents with optimum access to employment opportunities, which includes “strong support of a new lower Tyne river crossing” and (3) focussing employment in the A19 corridor, as further detailed by Policies LE1/6, LE1/7 and LE1/11 which seek to protect employment land for other uses and land with river frontage for marine use.

- 3.104 Policy E7/2 identifies sites for reclamation including Low Flatworth Land Fill, it is envisaged that the construction of the New Tyne Crossing will facilitate reclamation of this site for employment uses.
- 3.105 The NTUDP protects open space from development and recognises the contribution that open space makes to visual amenity and the quality of the urban environment, as detailed at Policies R2/1A, R2/1B and R4.
- 3.106 In relation to the environment NTUDP identifies at Policy E1 that it will seek to maintain protect and enhance local biodiversity and environmental quality. The effects of development should be minimised in terms of pollution (Policy E3); and noisy development should be suitable mitigated in accordance with PPG24 (Policy E4). Development that would have an adverse affect on wildlife species or their habitats (protected by law or international obligation) will not be permitted unless appropriate mitigation is provided (Policy E12/5A).
- 3.107 Policy R4 seeks to protect recreation corridors as identified on the proposals map, which includes a number of strategic cycle routes passing close to and linking with the entrance to the Tyne Tunnel.
- 3.108 Given the proposed New Tyne Crossing is within consultation distance of an existing hazardous substances installation, Policy E6 also applies and requires the proposal to demonstrate that there will not be a significant safety risk. Relevant consultations have been carried out to comply with this requirement.

Summary

- 3.109 The transport aims of the NTUDP seek to reduce pollution, congestion and accidents as well as providing a safe and efficient transport system.
- 3.110 The NTUDP notes the need for a New Tyne Crossing and allocates a route on the Proposals Map. The NTUDP also identifies the economic and regeneration benefits of the New Tyne Crossing and allocates a number of sites along the A19 corridor as a part of its aim to compensate for the loss of industry within declining sectors in North Tyneside.

4.0 ANALYSIS OF MAIN ISSUES

4.1 I have assessed the proposals submitted by the TWPTA and have determined that they raise a number of planning issues in respect of the following:

- Transport;
- Economic effect;
- Nature Conservation;
- Heritage; and
- Amenity.

I assess each of these issues below.

Transport

4.2 Mr Henderson provides a full analysis of relevant transport policy in his proof of evidence (TWPTA 4). I assess here the planning and transportation policy merits of the New Tyne Crossing (NTC).

4.3 A New Tyne Crossing is identified in the NTUDP, STUDP and the LTP. Both NTUDP and the LTP identify the scheme as a major improvement scheme and STUDP safeguards a route for a NTC. Each of these documents acknowledges that the current single crossing results in congestion at and around the tunnel and consequential noise and air pollution and that a NTC will help address these issues.

4.4 PPG1 and PPG12 require that proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, given the proposal is in accordance with policies contained in the UDPs and LTP it is in accordance with PPG1 and PPG12. Additionally, PPG12 and PPG13 require that there should be consistency between development plans and LTPs, as is the case in Tyne and Wear in relation to the provision of a NTC between Jarrow and East Howdon.

4.5 Guidance set out at PPG13 promotes sustainable travel and land use planning with an emphasis on the provision of public transport in order to reduce the need to travel by car. However, the guidance also recognises that there will be a need for some road building and that the negative effects of transport infrastructure should be effectively mitigated. The evidence of Mr Tunnell (TWPTA 13) has identified that the

NTC will open up development opportunities in the A19 corridor, both north and south of the River Tyne consistent with the economic development aspirations of both UDPs for North and South Tyneside. Fulfilment of these aspirations will result in increased traffic congestion unless additional capacity is provided.

- 4.6 The NTC will reduce congestion and enable the provision of more reliable bus services and potentially the extension of the Stephenson Jobs Link to South Tyneside, which will create a more attractive public transport service for local users who will wish to access sites in the A19 corridor. However, these improvements cannot be delivered if there is insufficient road capacity.
- 4.7 Mr Henderson has also identified at Section 8 of his evidence (TWPTA 4) that investment in public transport would not in any event obviate the need for a NTC as proposed, but that the NTC as proposed will provide an opportunity for improved public transport access to employment opportunities in the A19 corridor. The proposal will provide the infrastructure to promote access to jobs, facilities and services, reduce congestion and car mileage, enhance public transport services and the potential to provide additional public transport in the A19 corridor. The proposal is, therefore, in my opinion, consistent with PPG13 as well as regional and local planning policy.
- 4.8 In relation to transportation issues, I conclude that the NTC will reduce congestion which will result in consequential benefits for the wider transport network; provide opportunities for enhancement of public transport services which would not otherwise arise; and develop the existing road system to enhance access to the A19 corridor. Given the proposal is identified in the STUDP, NTUDP and LTP it is entirely consistent with the principles of PPG1 and PPG12. In addition, given that it creates the circumstances in which sustainable transport can be enhanced I consider that the transport planning elements of the proposals are supported by development plan policy.

Economic

- 4.9 The STUDP identifies that one of the Council's key objectives is urban regeneration together with improving access to opportunities and attracting new and future investment in the local area. The UDP acknowledges that the most attractive sites are generally well served by transport infrastructure and that a shortage of well

serviced sites will constrain the opportunities for regeneration and the creation of new jobs, and result in the Council failing to meet its overreaching objectives.

- 4.10 Similarly the NTUDP has identified that the decline of key sectors of the economy should be addressed. Accordingly, the NTUDP aims to revitalise the local economy through land use and economic development policies to diversify the economic base, to develop the manufacturing and service sectors and to retain an economically active population. This strategy is in accordance with the Economic Development Strategy and a number of development sites have been allocated for employment use, primarily in the A19 corridor. The NTUDP recognises that a New Tyne Crossing will enhance the A19 corridor.
- 4.11 Equally the RPG and RES aim to attract investment to Tyne and Wear in order to create jobs and to build on the initiatives that have sought to restructure the economy following the decline of traditional industries.
- 4.12 The NTC will assist the local authorities of North and South Tyneside in meeting their objectives of economic regeneration by providing improved accessibility to the area thus enhancing the attractiveness of local employment sites and building an image of connectivity and growth. Mr Tunnell has provided additional detail on economic development in his evidence. What is clear from his evidence and that of Mr Henderson is that more development along the A19 is needed to meet the requirements of the local labour market. Without intervention at the Tyne Tunnel congestion will be compounded, which will further constrain growth contrary to the aims of the RES, RPG and relevant UDP policies.
- 4.13 It is necessary to evaluate the need and demand for economic growth in Tyne and Wear and in particular in the A19 corridor and set this against the provision of an additional NTC as proposed and that of not providing improved transport infrastructure. Mr Tunnell has addressed the economic case and concluded that development will locate in the A19 corridor if the circumstances are right. He has demonstrated that development will be less attracted to the area without the proposed road improvements. Mr Henderson has assessed the proposal and identified that it will address congestion in and around the tunnel. Equally Mr Henderson has identified that if no changes are made then congestion will worsen

significantly with consequential effects for commuters, business and commercial vehicles, throughout the day and not just at peak hours.

- 4.14 The planning policies support growth and regeneration. However guidance also requires that this growth should be sustainable, as should any investment in the transport infrastructure. The evidence indicates that economic growth will be heavily influenced by provision of sufficient capacity in the local road network. If new development is to be attracted to North and South Tyneside, it will be necessary to provide the right circumstances to attract and even more importantly to retain that investment, and the NTC is part of this effort.

Nature Conservation

- 4.15 The impact of the proposals on the local environment are dealt with by Mr Johnson (TWPTA 9). Nevertheless I believe that it is useful to assess the planning policy context against which the scheme should be determined.
- 4.16 The site of the proposed NTC is not subject to any specific environmental designations. There are however a number of environmentally sensitive residential areas. The scheme has been designed to mitigate any adverse effects of the proposal, by the measures described more fully by Mr Johnson and the Environmental Statement submitted with the application. This is in accordance with STUDP and NTUDP policies and PPG9 and should therefore be considered acceptable, subject to the implementation of appropriate conditions and obligations to ensure that full mitigation is provided. Draft conditions are set out in the Planning Direction.

Heritage

- 4.17 A Study of the archaeological and cultural heritage impact of the proposed New Tyne Crossing was undertaken and submitted as part of the Environmental Statement (Sections 9.1 and 9.2)

Archaeology

- 4.18 This assessment consisted of a comprehensive desk based review of documentation, cartographic and aerial photographic information relating to the corridor and surrounding area.

- 4.19 Although a number of archaeological sites are recorded on the line of the proposed scheme, the archaeological potential of much of the study area is low due to the scale of late 19th and 20th Century redevelopment. Buried archaeological remains are thought to lie behind the existing riverbanks preserved beneath ballast deposits and later waterfronts.
- 4.20 Due to the scale and depth of excavation required to construct the proposed New Tyne Crossing it would not be possible to preserve in situ archaeological remains within the tunnel corridor. There is no evidence, however, that construction of the tunnel or associated works would affect any archaeological remains that could be considered to be of sufficient importance to warrant preservation.
- 4.21 In order to mitigate the impact of construction and associated works it will be necessary to implement a staged programme of archaeological investigation where the presence of buried archaeological remains are suspected.
- 4.22 Some limited testpitting should be undertaken to establish the upper limit of preservation of structural remains and surfaces at Howdon, and also at Jarrow to determine the southern edge of ballast deposits and whether any 17th/18th century structural remains can be identified above the ballast. These works would assist in clearly defining the areas of archaeological interest.
- 4.23 Taking into account the results of the testpitting, the construction method and timetable should be designed so as to enable an appropriate level of archaeological investigation and recording to take place. The aims and objectives of this investigation would be to expose, excavate and record the archaeological features present within the area to:
- Confirm the sequence and extent of reclamation on both sides of the River;
 - Establish the nature of those activities undertaken close to the foreshore;
 - Enable the investigation of the nature and relationships of archaeological remains; and
 - Establish, where possible, absolute and relative chronologies for the various activities and features represented.

- 4.24 In all instances where ground investigation is undertaken a written scheme of works detailing the scope of such investigations will need to be agreed with the County Archaeologist.
- 4.25 The majority of impacts on archaeology will be associated with the construction phase. The only potential residual effect may be that former waterfront deposits on the north bank could become more vulnerable to dewatering if there are localised changes to the hydrology. This is considered to be not significant due to the depth of the tunnel and tidal influences.
- 4.26 The County Archaeological Unit was consulted on the Archaeological Assessment included within the Environmental Statement for the NTC on the 18th July 2002. They have forwarded a number of relevant conditions to be applied to any approval. I consider these to be appropriate and necessary. These are included in Appendix B.

Listed Buildings

- 4.27 The listed structures within the application area are the Gaslight Public House, the Charles Palmer statue and the pedestrian and cycle tunnels. Details of the listed building designations are included within the Environmental Statement. Both North and South Tyneside MBCs have recommended that listed building consent be granted for these works (Appendix A).

i Charles Palmer Statue

- 4.28 This Grade II statue, erected as a monument to Sir Charles Mark Palmer, is located to the east of the Tyne Pedestrian Tunnel entrance. The monument consists of a bronze statue standing on a substantial stone pedestal.
- 4.29 As detailed in the listed building application statement the Charles Palmer Statue was moved from Jarrow town centre to the riverside park several years ago, since which time the statue base has been subject to vandalism. The physical fabric and condition of the monument is deteriorating rapidly. Accordingly, STMBC has been investigating alternative sites for relocation since the mid 1990s and has concluded that the optimal location would be opposite the entrance to Jarrow town hall. This option has been investigated in relation to technical feasibility and found to be achievable.

- 4.30 English Heritage has been consulted and supports the repair of the monument and its removal and considerate re-use in another more suitable location, worthy of the contribution of Charles Palmer to the history of Jarrow. A copy of their consultation letter is included at Appendix B.
- 4.31 Table 9.3 in the Environmental Statement sets out the significance criteria for impacts on listed buildings. The proposal is for relocation of the statue that will not materially affect the fabric of the listed structure. The restoration of the monument and its relocation to a more secure location that would ensure its longer-term protection can be seen to have a beneficial impact.
- 4.32 As such, STMBC has recommended that listed building consent be granted as the proposal accords with its own plans for the listed statue and policy guidance set out in PPG15 and the UDP. A copy of the committee report on the 20th September 2002 is provided at Appendix A. Additional information has been submitted, setting out the feasibility of the proposal, which demonstrates the proposed site and the proposed methodology for dismantling and re-erecting the statue is acceptable to the local authority.
- 4.33 Furthermore if permitted the relocation will enable the restoration and preservation of this listed structure in a location that benefits from natural surveillance. This will result in a net benefit for the community and safeguard the statue, which is entirely in accordance with the aims of PPG15.
- 4.34 Therefore, I consider that the application to relocate the Charles Palmer statue is in accordance with PPG15 and should be granted listed building consent.

ii. Gaslight public house

- 4.35 This Grade II listed public house was originally constructed as a house in the late C18 / early C19. It is the last surviving remnant of the thriving 19th Century riverside settlement of Jarrow, and it is for this reason, rather than the building's intrinsic architectural qualities that gave it its historic value.
- 4.36 The Gaslight public house is located on the line of the proposed cut and cover section of the New Tyne Crossing. Mr Thurlow's evidence demonstrates that the engineering solution requires the building to be demolished. An application to this

effect has been submitted to and recommended for approval by South Tyneside MBC.

- 4.37 PPG15 acknowledges that in very exceptional cases demolition of listed buildings may proceed, although redevelopment of the site should result in substantial benefits to the community that outweigh that loss (Para 3.19 [iii], and Para 3.5 [iv]). English Heritage acknowledge in their letters of 30th July and 12th September 2002 that the proposed new tunnel would meet that 'very exceptional case' as it is of such strategic importance to the transport infrastructure of Tyneside and is likely to be a major contributor to the regeneration of that area. English Heritage recommend that the building should be subject to full PPG16 recording and the possibility of the building being taken by Beamish Museum, either wholly, or in part should be considered.
- 4.38 The TWPTA has sought to relocate the building to an appropriate site and has contacted the Beamish Museum to determine whether it would be interested in the building as an exhibit. The Museum has confirmed by letter (Appendix B) that it would not consider the pub suitable for a full deconstruction and re-build on their site due to the lack of original material features and fittings. The Museum would, however, be interested in the stone, lintels and quoins which make up the main structure of the building for re-use. In addition, there are a small number of material / external features which could be worthy of removal prior to demolition, if approved.
- 4.39 Additionally, the TWPTA has proposed that a drawing and photographic record of the building is undertaken prior to demolition in consultation with English Heritage to create a record. This is in accordance with Section 17 of the Town and Country Planning (Listed Buildings) Act 1990. The suggestion has been reiterated by STMBC in its recommendation for approval of demolition of the listed building, and is in accordance with comments received from the County Archaeological Unit dated 9th September 2002. A copy of the committee report is provided at Appendix A.
- 4.40 Therefore the proposal for demolition is justified as the New Tyne Crossing will result in wider benefits for the local community. The applicant has undertaken to provide a record of the building and has also determined that suitable organisations have no interest in the structure other than its constituent elements. As such, listed building consent should be granted, subject to the application of necessary conditions set out in Appendix B.

iii Wall

- 4.41 The applications are in respect of a wall that is not listed, but which forms part of the curtilage of the listed pedestrian and cycle tunnel southern portal. It has been determined that it will be necessary to demolish the whole wall (at the southern end) as a part of the proposal for the New Tyne Crossing, but this is not considered to have a detrimental impact on the setting of the listed building and as such is in accordance with PPG15 and Policy ENV6 of the STUDP. Indeed English Heritage has confirmed that the Tyne Pedestrian and Cycle Tunnels will not be affected by the proposals. Both STMBC and NTMBC have recommended that listed building consent be granted in respect of each application.
- 4.42 Earth works to the surrounding area will alter the setting of the listed building. Full consideration will be given at the detailed design stage to the details of the works. It is clear that accessibility to the pedestrian and cycle tunnels will be improved and that the reinstatement of the riverside park will maintain the setting of the listed building. Therefore, on balance, the demolition of the walls should not be considered to be detrimental and should be granted listed building consent.
- 4.43 Therefore, in conclusion I consider that the listed building elements of the proposals are in accordance with national and local planning guidance in respect of listed buildings and listed building consent should be granted.

Amenity

- 4.44 The TWPTA is aware that the proposals will result in some temporary and some permanent changes to the surrounding area. The construction phase of the proposals will lead to temporary changes to the local environment although a series of mitigation measures have been prepared to minimise the effects.
- 4.45 In particular it is recognised that Stoddard Street and Epinay Walk in South Tyneside and Brinkburn Street in East Howdon will be affected. In order to mitigate the impact on these residents the TWPTA has prepared a policy in relation to noise insulation and offered discretionary purchase to qualifying properties. Additionally, the wider survey of property that is proposed will ensure that any detrimental impact will be rectified

- 4.46 Additionally, the TWPTA Code of Construction Practice (CoCP) will address the environmental standards, objectives and measures to be applied throughout the construction period so as to minimise the potential impact of the proposals. A copy of the CoCP is included as part of Mr Johnson's evidence (TWPTA 9).
- 4.47 Here I assess the planning policy amenity aspects in relation to noise, air quality and open space.

Noise

- 4.48 The evidence of Mr Manning (TWPTA 6) identifies that noise generated as a result of the construction of the New Tyne Crossing will be significant at those properties identified at Table 6.6 of the Environmental Statement.
- 4.49 The planning policy framework set out at PPG24 and reiterated in the relevant UDPs acknowledges that some development will generate associated noise, but that suitable mitigation can and should be implemented to minimise the impact. Such measures should be proportionate and reasonable. Mr Manning has clearly demonstrated that all reasonable measures will be taken to minimise noise impact during the construction of the tunnel, by implementation of best practice in accordance with the Control of Pollution Act 1974. The proposed condition in the Planning Direction to provide the Code of Construction Practice will ensure that noise and vibration is minimised during the construction period. Additionally, it should be noted that the additional noise would be temporary.
- 4.50 With regard to the operational impact of the New Tyne Crossing Mr Manning has shown that the scheme will not give rise to significant operational noise effects, with the majority of properties experiencing a negligible change. The only exceptions are properties in Priory Road where there will be a beneficial improvement in noise levels. Given the scheme has been designed to ensure that the operation of the NTC will not result in additional noise generation I consider it accords with policy set out at PPG24 and ENV15 of the STUDP and E3 of the NTUDP.
- 4.51 Therefore, whilst there will be an increase in noise in some locations during the construction of the New Tyne Crossing all reasonable efforts have been taken to ensure that the impact is minimised. In relation to operational noise it has been demonstrated that there will not be an increase in current noise levels, due to

appropriate mitigation being provided through the tunnel design process to minimise the impact. Accordingly, the proposal is in accordance with government guidance and development plan policy in relation to noise.

Air Quality

- 4.52 As set out at Section 4 of Dr Bull's evidence (TWPTA 7) there will be potentially substantial adverse impacts at St Bede's and Dunn Street Schools, which are identified as highly sensitive sites, during the construction period. The potential impacts will be minor after construction. Moderately sensitive sites that will be affected by dust arising from implementation of the proposals include Brinkburn Terrace, the Community Centre in East Howdon, Priory Road, Chaytor Street, Epina Walk, Debussey Court and Regent Road. Appropriate mitigation is proposed to protect these sensitive areas and those other areas that will potentially be affected by the construction phase. The Code of Construction Practice includes measures to prevent dust becoming airborne or to contain dust within enclosures to prevent dispersion beyond the emission source. Mr Bull sets out full details of the measures that are proposed and these are consistent with best practice and the requirements of PPG23
- 4.53 In relation to operational impact Dr Bull has demonstrated that the proposed New Tyne Crossing will not result in additional pollutants emitted. In fact it is considered that the scheme "is forecast to produce a small net reduction in emissions". As such no further air quality mitigation is required in relation to the operation of the tunnel.
- 4.54 PPG23 requires that DEFRA and the EA should take a view on air quality in relation to the construction and operation of schemes if it is found that the proposal is acceptable in land use planning terms. Neither DEFRA nor the EA has raised any objection to the proposal in respect of air quality. Policy E3 of the NTUDP requires the impact of pollution to be minimised and encourages measures to monitor pollution. Similarly, Policy ENV12 of STUDP states that permission will not be granted where the development would generate levels of air pollution, which would be detrimental to the environment.
- 4.55 A condition to monitor air quality and provide appropriate mitigation during the construction phase should be applied. Given the completed scheme will not

generate additional emissions and appropriate mitigation is proposed for the construction phase this aspect of the scheme is in accordance with planning and other policy guidance.

Open Space

- 4.56 Although the project would have impacts on landscape, open space and visual amenity on both sides of the River, it is on the south side that the greatest impacts will potentially occur.
- 4.57 In accordance with PPG17, South Tyneside MBC has undertaken an analysis of recreational open space provision in South Tyneside (an extract is included at Appendix C-). Policies RL1, RL4, RL5, RL6 RL7 and RL8 of the Adopted South Tyneside Unitary Development Plan emphasise the importance of the provision, protection and retention of areas of open space and playing fields, whilst supporting the future development of linked open spaces, and the need to protect open space from inappropriate development. The River Don valley linked open space corridor and the Jarrow riverside park area are considered important resources, and it is considered by STMBC that after-use plans for the immersed tube tunnel cut-and-cover corridor through Jarrow should consider enhancing local open space provision.
- 4.58 The affected areas for the NTC project south of the River covers part of Bede and Primrose wards. Both of these wards are recognised in the UDP as having adequate public recreational open space provision against the adopted standard of 3.78 hectares per 1,000 population (4.57/1,000 and 5.94ha/1000 respectively as at 1991 Census population levels) – Bede ward having 37.46 ha and Primrose ward 52.63ha. (see extract in Appendix C). These rates of provision have increased recently due to population decline. No assessment has been made of the quality of these open spaces.
- 4.59 Wards such as these which possess above standard overall provision in open space help to compensate for neighbouring wards spatially lacking in recreational land, hence the introduction of parallel accessibility standards. The Don Valley and Jarrow riverside district parks provide for areas that would otherwise not be within the accessibility criteria distances at the neighbourhood, local and pocket park / open

space levels of the hierarchy whilst the school playing fields in central Jarrow are also locally important features.

4.60 In terms of playing pitches Bede ward is below the adopted UDP standard (0.38ha/1000 as against a UDP standard of 1.21ha/1000 as at 2000) whereas Primrose ward is above the standard 1.63ha/1000 as at 1998. The Council has recently carried out a playing pitch study in accordance with PPG17 and is analysing the results. The proposals for the New Tyne Tunnel do not involve a net loss of playing fields.

4.61 A series of options for the planning and landscape development of the area in Jarrow were presented at public exhibitions held in the summer of 2001, and the views and preferences of local residents were sought and recorded. Work has been ongoing with South Tyneside MBC planners, before and since the exhibition to prepare a development brief which would give a positive lead to the future planning of the area should the New Tyne Crossing be constructed. A development brief has been taken forward by South Tyneside MBC and is being ratified by the Council in February 2003.

4.62 This Brief proposes a number of positive benefits including: -

- The Riverside Park would not be reinstated in its current form but simplified and opened out to improve visibility from surrounding areas. This would improve security and thereby encourage greater use;
- Following demolition of the Gaslight Public House the land on which it stands would be incorporated into the Riverside Park thereby extending the area of public open space;
- The removal of the redundant Jarrow St. Peter's School, which has recently been vandalised by being set on fire and Ormonde Street, would enable the Riverside Park to be extended as far south as Monastery Court. This would provide a landscaped open space with a well-lit north south footpath connecting the surrounding residential areas with the River; and
- The creation of a landscaped open area over the top of the both the existing and proposed tunnels close to Stothard Street could provide children's play and informal recreational space for local residents. It would also provide an

opportunity to create a much more open and inviting access to St Bede's School than that which they currently enjoy off Harold Street.

- 4.63 The proposals for the New Tyne Crossing will result in an increase in public open space. In South Tyneside 0.86 hectares of open space will be lost, but will be replaced with 2.61 hectares of open space (Plan No 108 in Appendix D refers). Construction of the Jarrow Junction of the Tunnel will primarily affect residents in Epinay Walk through the loss of a small area of green space and trees fronting the houses. Although it will not be possible to replace this green space directly adjacent to Epinay Walk, alternative provision will be made available on the newly created landscaped area above the tunnels as outlined in Colin Jubb's proof (TWPTA 10).
- 4.64 Within North Tyneside district, the proposed works will involve open land currently used as informal open space. Policies R2/1A and R2/1B seek to protect land identified as open space on the Proposals Map from development. However, in this case the land in question will be reinstated as open space after development and hence is consistent with the UDP policies and the thrust of PPG17. The triangular area of land to the south of the Metro embankment would be upgraded along with the C2C Cycle Route and the access into the area controlled. This would have a beneficial impact overall. The impact of the highway and engineering structures would be reduced through the provision of substantial earth mounding and tree planting, secured through planning condition.
- 4.65 Policies R3(IV) and R4 of the NTDC UDP seek to protect a network of identified recreation corridors. One particular corridor / route which is affected is the Hadrian's Wall National Trail (C2C Cycle Route), which runs across land reserved for employment uses in the UDP. It is proposed as part of the development of the NTC that this route is temporarily diverted whilst works are being undertaken to ensure that the route is continuous and not severed. An improved route will then be reinstated on completion of the NTC works, which is entirely consistent with the provisions of the UDP. The North Tyne Cycleway (Wallsend to Tynemouth route) running adjacent to the Pedestrian Tunnel will be unaffected by the works.

Summary

- 4.66 The impact of loss of green space at Epina Walk has been identified as a specific issue that has been carefully considered. PPG17 acknowledges that open space has a positive value for local residents and should be retained unless an assessment of open space has been completed. PPG17 also seeks qualitative improvements to open space or alternative provision.
- 4.67 A quantitative assessment of open space has been undertaken by South Tyneside MBC that takes into account accessibility to different areas of open space categorised by size (Appendix C). This demonstrates that the wards that are impacted upon by the New Tyne Crossing have above UDP standard provision of public open space, and are within the accessibility catchments of a number of defined open spaces. The amenity open space adjacent to Epina Walk is not identified as public open space on the South Tyneside UDP Proposals Map, nor is it included within the Open Space assessment and is thus not contributing to the open space requirement of the area. This omission is due it being below the size threshold for inclusion in the local standards. Clearly there is a partial loss of this localised amenity open space. However, there are positive alternative proposals to replace this open space, resulting in a net increase in open space in the area, which is still accessible to local residents. I consider that the proposals are therefore consistent with PPG17 and UDP policy.
- 4.68 The area between Epina Walk residents and the NTC is to be extensively planted and screened to improve amenity. I consider that the open space landscape and reinstatement proposals are appropriate and achievable and represent an acceptable means of integrating the New Tyne Crossing into its surrounding environment.

5. **CONCLUSIONS**

- 5.1 I have analysed relevant development plan policies and I am satisfied that the New Tyne Crossing is consistent with these Plans
- 5.2 I have analysed relevant Regional and national planning policy and I am satisfied that the NTC proposals generally comply with these policies.
- 5.3 The provision of a New Tyne Crossing between East Howdon and Jarrow is strongly supported by economic and transport policy on a national, regional and local level.
- 5.4 The Crossing will assist in the delivery of a long term strategy for economic regeneration in the Region by providing good access to employment opportunities whilst addressing capacity and congestion problems on the strategic trunk road network.
- 5.5 The identification and justification for the route has been through a robust and proper process, is included within both relevant authorities UDPs, and is identified as a major scheme for early implementation in the current Local Transport Plan for Tyne and Wear.
- 5.6 Potential impacts on amenity, listed buildings and archaeology have been appropriately mitigated against and endorsed by the relevant bodies and the local planning authorities.
- 5.7 I am satisfied that in planning terms that the strategic case for the New Tyne Crossing is strong, the benefits of which clearly outweigh any potential harm to the local area in terms of impact on listed buildings and loss of amenity. Suitable and robust measures are proposed to ensure that local residents are adequately protected
- 5.8 I finish by confirming that the proposed New Tyne Crossing is consistent with national, regional and local policy and recommend that the applications should be approved.