

NORTHUMBERLAND

Northumberland County Council

COUNCIL

DATE: 5 JULY 2017

NORTHUMBERLAND LOCAL PLAN CORE STRATEGY

Report of the Director of Planning and Economy

Cabinet Member: Councillor John Riddle - Planning, Housing & Resilience

Purpose of Report

To inform Council's consideration of the following motion in relation to the Northumberland Local Plan Core Strategy Draft Plan which was submitted to Government for independent examination on 7 April 2017 following approval at the meeting of Council on 22 February 2017:

- Rescind the previous decision to approve the Northumberland Local Plan Core Strategy Pre Submission Draft Plan (as modified) for submission to Government for independent examination;
- Formally withdraw the Core Strategy from the independent examination process and advise the Secretary of State of this decision;
- Instruct Officers to undertake a full review of the housing and employment numbers, and strategic land use allocations, required during the Plan period to sustain County-wide and regional economic growth; and
- Resolve to undertake the work required to carry out the review and progress any necessary associated work and public consultation to enable the Council to reconsider approval of the Core Strategy for submission to Government as soon as practicable.

Link to Corporate Plan

This report is relevant to the Places and Environment priority included in the Northumberland County Council Corporate Plan 2013 - 2017.

Report Author

Mark Ketley (Head of Planning Services)

Telephone: 01670 625542

Email: mark.ketley@northumberland.gov.uk

Background

1. The Northumberland Local Plan Core Strategy will set out the proposed strategic planning policies of the Council to guide future development and planning decisions in Northumberland from 2011 to 2031. The Plan will include the general scale and distribution of new development that is required to meet Northumberland's needs up to 2031 and identify strategic land allocations for housing and employment growth.
2. In accordance with national planning policy the Council must, through the Northumberland Local Plan Core Strategy, provide a positive planning policy framework that supports and grows the economy.
3. The most significant challenge to the delivery of the vision of the Core Strategy is the profile of the Northumberland population. Without positive policy intervention, Northumberland will not have the working age population to support delivery of the Council's Economic Strategy, the Core Strategy or the ambitions of the North East LEP Strategic Economic Plan. Projections show that there is likely to be a significant acceleration in the ageing of Northumberland's population and this change in the age profile has substantial potential to have a negative impact on the long term diversity and resilience of communities across the County.
4. The Core Strategy Draft Plan was submitted to Government on 7 April 2017 for independent examination and comprises the following six documents:
 - Northumberland Local Plan Core Strategy Pre-Submission Draft Plan (October 2015)
 - Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Major Modifications (June 2016)
 - Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Further Major Modifications (November 2016)
 - Northumberland Local Plan Core Strategy - Pre-Submission Draft: Schedule of Proposed Additional Major Modifications (February 2017)
 - Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Minor Modifications (February 2017)
 - Northumberland Local Plan Core Strategy Pre-Submission Draft - Consolidated document showing proposed modifications (February 2017)
5. A substantial number of evidence based studies have also been used to inform preparation of the Core Strategy which are published on the Council's website. In addition to the evidence base work, a number of legal compliance documents have also been prepared and are available to view on the Council's website.

6. Hearing sessions are currently scheduled to commence in late September 2017 and initial questions/issues from the Inspector were responded to in early June. Further information from the Inspector is due in late June / early July on the timetabling and content of the hearing sessions.

Key Issues

7. It is important for the Council to support an economic and housing growth agenda aimed at creating sustainable and successful communities across the County. It is equally important that the Council fully commits to the ambitions of the North East LEP Strategic Economic Plan. Ongoing support for, and commitment to, the North of Tyne devolution agenda is also critical.
8. The motion to Council highlights concerns over the proposed level of new housing development in the Core Strategy Draft Plan and, whilst wishing to support appropriate levels of economic growth in the County, North of Tyne and the North East, is seeking a review of the housing needed to support this economic growth. The proposed level of new housing in the County, at 24,320 by 2031 plus the inclusion of up to an additional 2,000 houses at Dissington Garden Village over and above objectively assessed need, is currently contained in the submitted Northumberland Local Plan Core Strategy Draft Plan.
9. Recent and anticipated national publications on housing and population projections, expected revisions to the National Planning Policy Framework (NPPF) later this year, and the recent refresh of the North East Strategic Economic Plan (SEP) present an opportunity to review the housing numbers required for Northumberland to play its part in securing long term sustainable economic and housing growth across the whole of the North East.
10. This would require further work and consultation in relation to the Core Strategy Draft Plan and this would need to be undertaken in a timely manner in order to minimise the period that Northumberland has without an up-to-date Plan in place.
11. Relatively minor “major modifications” to the Core Strategy could be presented at the Examination as suggested amendments for the Inspector to consider and, if found acceptable, would be subject to consultation as part of any other main modifications required by the Inspector.
12. However, a reduction in the overall housing numbers, changes to the housing distribution levels across the four delivery areas within the County and/or alterations to strategic land use allocations such as the proposed Green Belt deletions for example, have the potential to represent a change in the overall strategic direction of the Plan requiring its withdrawal from the examination process. Formal

notification to Government of the Draft Plan being withdrawn would be required and advice sought from DCLG, the Planning Inspectorate and expert Counsel on what stage the Plan would need to go back to in the plan-making process to legally allow for any required changes to be made.

13. In this context there is a need for discussions with DCLG, the Planning Inspectorate and expert Counsel on how to proceed should fundamental modifications to the Core Strategy be sought, including a discussion on the implications of potential Government intervention. The Housing White Paper published in February 2017 reiterated the importance of Local Planning Authorities having Plans in place with the Government reaffirming its threat of intervention, when necessary, to ensure that plans are put in place so that communities are not disadvantaged by unplanned growth in their areas.
14. DCLG have offered a Ministerial visit to speak to the Council leadership about the potential scenarios relating to the Core Strategy. It is considered important by Officers that this discussion takes place at the earliest opportunity to inform any future decisions and timescales on modifications to the Core Strategy.
15. Withdrawal of the Core Strategy would leave the Council and local communities at risk of being disadvantaged by speculative/unplanned development whilst changes are made to the Plan. There is an increased likelihood of significant planning appeals in cases where the Council seeks to resist development proposals on the basis of a Plan that is withdrawn and carries no weight in the interim period. It is therefore essential that, should the Plan be withdrawn, any time gap between withdrawal and resubmission to Government for examination is minimised. There are also a number of major development proposals that currently have a “minded to approve” resolution from Strategic Planning Committee that have not yet had a final decision issued and it is possible that some of these applications would require re-consideration by Committee where weight was given to the emerging policy position in the officer recommendation and Members decision.

Process for withdrawing the Core Strategy

16. Advice has recently been sought from DCLG concerning the process for withdrawing a submitted Plan. The advice received has confirmed that a Local Planning Authority can withdraw a submitted Plan at any time prior to adoption under Section 22 of the Planning & Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)
17. Once a Local Planning Authority has withdrawn a Plan, they are required (in accordance with Regulation 27 of the 2012 Regs) to make available a statement of

that fact at their offices and on their website, send notification to the general consultation bodies and remove all of the Local Plan documents from their website.

18. The statutory provisions are silent as to the consequences of withdrawing a Plan. Planning Practice Guidance (PPG) at paragraph 025 states however that *“Following withdrawal of a Local Plan from examination a Local Planning Authority should consider whether to republish under Regulation 19 or reconsult under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and what matters this republication or reconsultation should address”*.
19. On the basis of the above advice it is possible for the Council to withdraw the Core Strategy from the examination process to allow for a review and further modifications to be made, and for the Council to determine which stage in the plan-making process it needs to go back to in order to make necessary changes.

Implications

Policy	The Core Strategy when adopted will form part of the Council's planning policy framework. Withdrawal of the Core Strategy at this stage would leave the Council and local communities at risk of being disadvantaged by speculative/unplanned development whilst changes are made to the Plan.
Finance and value for money	Additional Plan preparation costs are capable of being met from within existing Council budgets. There is an increased likelihood of significant planning appeals and costs being awarded against the Authority in cases where the Council seeks to resist development proposals on the basis of a Plan that is withdrawn and carries no weight in the interim period.
Legal	Local Planning Authorities must prepare a Local Plan which sets planning policies in a local authority area. Local Plans must be positively prepared, justified, effective and consistent with national policy in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework.
Procurement	None
Human Resources	Work on the Core Strategy involves both Council Officers and Members.
Property	The Core Strategy once adopted will apply to land and buildings owned by the County Council and others.
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Previous drafts of the Core Strategy have been subject to an Equality Impact Assessment. An updated Equality Assessment would be published alongside any subsequent revisions to the Northumberland Local Plan Core Strategy Draft Plan.
Risk Assessment	Preparation of the Northumberland Local Plan Core Strategy is the subject of a risk assessment.
Crime & Disorder	Crime and disorder considerations will be taken into account in the preparation of the Core Strategy.
Customer Consideration	The Core Strategy, once adopted, will bring together and supersede many planning policies from the former County and District Council planning documents into a single document, ensuring consistency in decision-making across the County and thereby making it easier for the public to understand.
Carbon reduction	The Northumberland Local Plan Core Strategy will include draft policy approaches relating to climate change and carbon reduction.
Wards	All

Background Papers

- Northumberland Local Plan Core Strategy Issues and Options (May 2012)
- Northumberland Local Plan Core Strategy Preferred Options, Stage 1 (Feb 2013)
- Northumberland Local Plan Core Strategy Preferred Options (Stage 2) Housing, Employment and Green Belt consultation document (Oct 2013)
- Northumberland Local Plan Core Strategy Full Draft Plan (Dec 2014)
- Northumberland Local Plan Core Strategy Pre-Submission Draft Plan (Oct 2015)
- Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Major Modifications (June 2016)
- Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Minor Modifications (June 2016)
- Cabinet Report on DCLG: Locally Led Garden Villages (12 July 2016)
- Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Further Major Modifications (Nov 2016)
- Northumberland County Council Local Development Scheme 2016-2019 (November 2016)
- Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Additional Major Modifications (Feb 2017)
- Northumberland Local Plan Core Strategy Pre-Submission Draft Plan: Schedule of Proposed Minor Modifications (Feb 2017)
- Northumberland Local Plan Core Strategy Pre-Submission Draft - Consolidated document showing proposed modifications (Feb 2017)

Report Sign Off

	initials
Finance Officer	n/a
Monitoring Officer/Legal	LH
Human Resources	n/a
Procurement	n/a
I.T.	n/a
Executive Director	GP
Portfolio Holder	JR

Author and Contact Details

Mark Ketley - Head of Planning Services
Telephone: 01670 625542
Email: mark.ketley@northumberland.gov.uk