Interim Planning Policy
Position Statement

July 2017
Northumberland Interim Planning Policy Position Statement

1. Introduction

1.1 This Interim Planning Policy Position Statement is intended to assist those interested in development proposals by clarifying the general approach to be taken to planning applications following the withdrawal of the Northumberland Local Plan: Core Strategy, with particular regard to proposals for housing development.

1.2 On 5th July 2017, Northumberland County Council resolved to withdraw the Northumberland Local Plan: Core Strategy Pre-Submission Draft Plan and associated proposed modifications documents from submission and carry out 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.

1.3 The reasoning for withdrawal of the Core Strategy was as follows:

*The submitted Core Strategy was informed by and developed predominantly on the basis of the 2012 Sub-National Population Projections (SNPP). The SNPP 2014-based population projections are now available and it is clear from the tables presented in the Addendum Report that the levels of residential growth required to support and sustain economic growth in Northumberland are significantly different based on the SNPP 2014 data when compared to the 2012 data.*

*Whilst the SNPP 2014 data suggests an annual jobs loss, and therefore a positive "Policy On" approach would still be required in order to reverse the trend of jobs loss which is predominantly due to a loss of people of working age population from within Northumberland, it is evident from the tables provided in the Addendum Report that it is possible to address the jobs loss issue with less houses being required than are currently proposed in the submitted Core Strategy.*

*At a national level, it is clear from changes to statute and the contents of the Housing White Paper that the national policy context is also currently evolving and, in the near future, Government policy will have changed in certain respects. Government consultation is expected to commence on a standardised methodology to calculating housing need later this month and this will also have a material bearing on future housing requirements.*

*Finally, discussions are currently ongoing between the three North of Tyne authorities and Government regarding the possibility of a devolution deal that will see the creation of a mayoral combined authority in the North of Tyne area. This deal would aim to support economic growth in the North of Tyne area, and wider North East, thereby supporting the North East LEP’s Strategic Economic Plan that was refreshed earlier this year. A review of the Northumberland Local Plan Core Strategy would allow the Council to ensure that the plan directly supports the economic ambitions in the North of Tyne area.*
1.4 Following the decision to withdraw, the Council will no longer be proceeding with the Northumberland Local Plan: Core Strategy Pre-Submission Draft Plan and associated proposed modifications documents. The Council does, however, still have a statutory duty to prepare a planning framework for Northumberland and is now considering the options for its emerging policy having regard to the guidance in the PPG, as follows:

“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.

Paragraph: 025 Reference ID: 12-025-20140306
Revision date: 06 03 2014”

1.5 Until the amended Local Plan is produced, the adopted Core Strategies and the “saved” policies of a number of planning policy documents put in place by the former County Council and District/Borough Councils will be used to guide development proposals and will provide the starting point when considering planning applications. A number of neighbourhood plans in the County are also at various stages of preparation or “made”. Once a neighbourhood plan is “made” by the Council it will also form part of the statutory development plan.

1.6 The statutory development plan for Northumberland currently comprises the following:

- Alnwick Core Strategy (October 2007)
- Alnwick District Wide Local Plan (April 1997) - Saved Policies
- Berwick-upon-Tweed Borough Local Plan (April 1999) - Saved Policies
- Blyth Valley Core Strategy (July 2007)
- Blyth Valley Development Control Policies Development Plan Document (September 2007)
- Blyth Valley District Local Plan (May 1999) - Saved Policies
- Castle Morpeth District Local Plan (February 2003) - Saved Policies
- Tynedale Core Strategy (October 2007)
- Tynedale District Local Plan (April 2000) - Saved Policies
- Wansbeck District Local Plan (July 2007) - Saved Policies

- Northumberland Minerals Local Plan (March 2000) - Saved Policies
- Northumberland Waste Local Plan (2001) - Saved Policies
- Northumberland County and National Park Joint Structure Plan (February 2005) Saved Policy S5
- Allendale Neighbourhood Development Plan (July 2015)
- Morpeth Neighbourhood Plan (May 2016)
1.7 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004\(^1\), planning applications will continue to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

1.8 Such material considerations include the National Planning Policy Framework (NPPF) and other national planning guidance. Planning law\(^2\) states that where policies in the development plan conflict with each other, the conflict must be resolved using the policies contained in the last document to form part of the development plan.

1.9 The withdrawn Northumberland Local Plan: Core Strategy will no longer carry any weight in the determination of planning applications.

1.10 The approach to take to the determination of planning applications is set down by statute and must take into account the NPPF and the Government’s Planning Policy Guidance (PPG), which should be referred to for comprehensive policy and guidance. The text below draws from and highlights aspects of that policy and guidance.

2. Assessing Development Proposals

2.1 This Interim Planning Policy Position Statement is primarily aimed at assisting those interested in housing development proposals in Northumberland in the period before an amended Local Plan can attract weight.

2.2 The principal matters to assess in considering development proposals are:

i) The status of the adopted Core Strategies and Local Plans in Northumberland

2.3 The NPPF provides comprehensive guidance on this matter. The policies in adopted Core Strategies and Local Plans, although aged, are still the starting point for decision making. However, the weight to be attached to them will depend on the degree to which they are consistent with the NPPF. Some policies in the statutory development plan remain consistent, some are partially consistent, and others are not consistent with the NPPF. Officers will set out the consideration of weight to be afforded to relevant policies when preparing reports in respect of individual schemes.

2.4 Paragraph 14 of the NPPF states that where relevant policies are found to be out of date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

Officers will therefore also consider whether or not there are relevant policies that are out of date and the application of paragraph 14, as appropriate.

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\(^1\) Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

\(^2\) Section 38(5) of the Planning and Compulsory Purchase Act 2004
ii) The status of the Northumberland Local Plan Core Strategy and its Evidence Base

2.5 The Northumberland Local Plan: Core Strategy Pre-Submission Draft Plan has been withdrawn so is no longer material to the decision-making process. Some of its supporting evidence nevertheless remains as available evidence on a topic basis that might be useful to inform the assessment of individual development proposals.

iii) The status of Neighbourhood Plans in Northumberland

2.6 As of July 2017 there are two “made” neighbourhood plans in the County and a further 21 at various stages of preparation. The Alnwick and Denwick Neighbourhood Plan is at the most advanced stage and is expected to be “made” subject to Cabinet approval at the end of July 2017. Other neighbourhood plans are less well advanced. The weight to be attached to them will depend on the stage of their preparation, the extent to which there are unresolved objections and the degree to which they consistent with the NPPF.

2.7 The Planning Practice Guidance (PPG) clarifies that refusal of a planning application on prematurity grounds will seldom be justified unless an emerging neighbourhood plan has reached the stage where it has been submitted to the County Council and has been subject to consultation.

2.8 In cases when there is potential conflict between a development proposal and an emerging neighbourhood plan, the PPG does not prescribe the level of weight to be applied in cases of conflict and this would be a matter of planning judgement. Where a proposal conforms with an emerging neighbourhood plan, the stage of neighbourhood plan preparation, the sustainability of the site, and the nature of representations to the site through the neighbourhood plan consultation process will be among the material considerations to be taken into account in forming the Officer recommendation.

iv) Sustainable Development

2.9 The sustainability of a proposed development will be assessed by reference to the policies in the NPPF. The NPPF sets out what are referred to as three dimensions of economic, social and environmental sustainability, and these will help guide the approach to this question.

v) Five Year Housing Land Supply

2.10 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The five year housing land supply position is pertinent to proposals for residential development in that paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. In such cases, paragraph 14 of the NPPF will be engaged.

2.11 In respect of neighbourhood plans, a Ministerial Statement issued on 12 December 2016 confirmed that where communities plan for housing in their area in a neighbourhood plan, those plans should not be deemed to be out-of-date unless there is a significant lack of land for housing in the wider Local Authority area.

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3 https://www.gov.uk/guidance/determining-a-planning-application#para014
“This means that relevant policies for the supply of housing in a neighbourhood plan, that is part of the development plan, should not be deemed to be ‘out-of-date’ under paragraph 49 of the National Planning Policy Framework where all of the following circumstances arise at the time the decision is made:

- This written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
- the neighbourhood plan allocates sites for housing; and
- the local planning authority can demonstrate a three-year supply of deliverable housing sites.

This statement applies to decisions made on planning applications and appeals from today. This statement should be read in conjunction with the National Planning Policy Framework and is a material consideration in relevant planning decisions.”

2.12 In circumstances such as when a plan is withdrawn, paragraph 30 of the PPG indicates that:

“Where there is no robust recent assessment of full housing needs, the household projections published by the Department for Communities and Local Government (DCLG) should be used as the starting point, but the weight given to these should take account of the fact that they have not been tested…”

2.13 An OAN range for Northumberland is considered to lie between the level of development required by the official 2014-based projections (12,420 dwellings i.e. 621 dwellings p/a) and the amount of development proposed in the withdrawn plan (24,320 i.e. 1,216 dwellings p/a).

2.14 DCLG have indicated that a standard methodology for the calculation of the OAN will be subject to consultation in July 2017. The above position may therefore need to be reviewed following publication of this consultation document.

2.15 Following the withdrawal of the Northumberland Local Plan Core Strategy, the starting point for the determination of five year housing supply will revert to being calculated on a County-wide basis while an amended Local Plan is being prepared. The Northumberland Five Year Supply of Deliverable Sites 2016 to 2021 report sets out the latest published five year housing land supply position using a base date of 31 March 2016. This indicates that on the basis of an OAN of 24,320 dwellings i.e. that contained in the now withdrawn Core Strategy, the Council can identify a 6.3 year supply of housing land across Northumberland.

2.16 Given the reasons for withdrawal of the Core Strategy, a future housing requirement is likely to be lower than presented in the withdrawn plan when a five year housing land supply could be demonstrated. Therefore, despite the lack of a tested final OAN for Northumberland, the Council is able to demonstrate a five year housing land supply at this time. An updated five year supply position with a base date of 31 March 2017 will be published in late 2017.

4 https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-12/HCWS346/
vi) Policies for the Protection of the Countryside

2.17 Policies designed to protect the countryside will continue to be given due weight, including settlement boundary policies in so far as they can be regarded as up to date and consistent with the NPPF. The Wansbeck Local Plan (2007) and the Castle Morpeth Local Plan (2003) contain “saved policies” which aim to control the type of development permitted beyond defined settlement boundaries, while the Blyth Valley Development Control Policies DPD (2007) controls the type of development permitted beyond settlement boundaries as identified on the Blyth Valley Local Plan Proposals Map (1999). The Morpeth Neighbourhood Plan which was “made” in 2016 also identifies settlement boundaries.

2.18 Blyth Valley Policy DC1 aims to ‘avoid unnecessary new development in the open countryside’, while Castle Morpeth Local Plan Policy C1 seeks ‘to protect and enhance the character and natural heritage of the open countryside’. Wansbeck Local Plan Policy GP1 also identifies a number of proposals relating to identified settlement limits including to ‘prevent the unnecessary intrusion of development into the countryside’.

2.19 In the context of paragraph 49 of the NPPF, none of the policies identified above are relevant policies for the supply of housing. The intention of the policies is to prevent encroachment of development into the countryside and not to direct new housing supply. This approach reflects the Supreme Court’s judgment of 10 May 2017 on Suffolk Coastal District Council V Hopkins Homes Ltd and SSCLG, Richborough Estates Partnership LLP and SSCLG v Cheshire East Borough Council where the Court found that a non-housing policy which has the effect of restricting the supply of housing (e.g. in relation to the Green Belt, Areas of Outstanding Natural Beauty, heritage designations or features) is not deemed to be out-of-date by paragraph 49 of the NPPF. The weight to be given to such policies, alongside other material considerations, within the tilted balance set by NPPF paragraph 14, remains a matter for the decision-maker with the level of protection offered to designations commensurate with their status and importance.

vii) Green Belt

2.20 Saved Policy S5 of the Northumberland County and National Park Joint Structure Plan First Alteration 2005 (JSP) identifies the general extent of an extension to the Green Belt in Northumberland. It defines the general extent as:

- West of Netherwitton, Hartburn and Belsay;
- North of Longhorsley and west of Widdrington Station, excluding the Stobswood Opencast site;
- East of Pegswood;
- West of Ashington, Guidepost, Bedlington and the A1068; and
- East of Bothal, Hepscott, Nedderton and Hartford Bridge.

2.21 This broad extent of Green Belt extension is established with JSP Policy S5 stating that the precise boundaries, including those around settlements, should be defined in Local Plans.

2.22 Boundaries of the extension of the Green Belt are defined in the Blyth Valley Core Strategy and the Wansbeck Local Plan. In the former Castle Morpeth area, Green Belt boundaries are yet to be defined. However, the lack of a defined boundary is insufficient justification to arbitrarily exclude any site contained within the general extent of the Green Belt.
2.23 For development proposals located in areas beyond the settlement boundaries as defined in
the Castle Morpeth Local Plan (2003) and the Morpeth Neighbourhood Plan (2016), in order
to determine whether a proposal is located within the general extent of the Green Belt, its
contribution to the five purposes of the Green Belt as defined in paragraph 80 of the NPPF
will be assessed. A site will be considered to be within the general extent of the Green Belt
extension if it makes a contribution to one or more of the five Green Belt purposes and, in
such cases, Green Belt policy will be applied.

2.24 This approach has been taken by Planning Inspectors in relation to a number of recent
appeal decisions and has been endorsed by the Secretary of State:

- Land west of High House, Morpeth: APP/P2935/W/17/3167263
- Lynebank, Ulgham: APP/P2935/W/17/3167852
- Land Off Avon Drive, York: APP/C2741/W/16/3149489

viii) Infrastructure Requirements and Planning Obligations

2.25 The NPPF identifies the importance of development requirements, including the provision
of infrastructure. The Council will continue to use planning conditions and legal agreements,
including Section 106 Agreements, where appropriate, to address any necessary
infrastructure requirements arising from a proposed development.

Affordable Housing

2.26 A number of the adopted Core Strategies and Local Plans feature saved policies requiring
the provision of an element of affordable housing from new development schemes. Some of
these policies have become time expired while others are aged and informed by out of date
evidence. However, Table B1 of the Northumberland SHMA (October 2015) identifies an
annual net shortfall in affordable housing across Northumberland of 191 dwellings per
annum.

2.27 An affordable housing contribution will therefore be required on all proposals involving
residential development except in the circumstances set out in PPG paragraph 031
Reference ID: 23b-031-20161116. Further, affordable housing will be expected to be
delivered on-site unless off-site provision or a financial contribution of broadly equivalent
value can be robustly justified in accordance with paragraph 50 of the NPPF.

2.28 Based on the level of housing proposed, and taking into account the amount of affordable
housing committed, the withdrawn Core Strategy required new developments to provide a
15% affordable housing contribution. In advance of a revised OAN and an updated
affordable housing need calculation, a 15% affordable housing contribution will continue to
be expected from all applicable development proposals unless a higher requirement is set in
a neighbourhood plan or justified by a published Local Housing Need Assessment.

2.29 The exact quantity and mix of affordable housing required on each development proposal will
be negotiated on a site-by-site basis, informed by the Northumberland SHMA and up-to-date
local housing needs information. Where the specific circumstances of a scheme mean a
developer considers that an affordable housing requirement would make the scheme
unviable, the developer will need to robustly demonstrate this by providing a full financial
viability appraisal which will be verified by the Council.
Other infrastructure

2.30 A number of saved Local Plan policies require new developments to make appropriate provision or financial contributions for open space, recreational facilities, education and other community facilities, highway improvements and the provision of other works or facilities. These policy requirements will continue to be applied subject to the provisions of the NPPF including with regards to the application of planning conditions and obligations.

ix) How the matter of Prematurity will be addressed

2.31 The PPG sets out that prematurity will seldom be justified as a reason to refuse an application for planning permission unless a Plan has been submitted for examination and then only when the Council indicates clearly how the grant of permission would prejudice the outcome of the plan-making process. As the submitted Northumberland Local Plan Core Strategy has now been withdrawn, such prejudice could not presently be demonstrated. In relation to neighbourhood plans, guidance on prematurity is set out above.