CABINET
DATE: 23 NOVEMBER 2017

NORTHUMBERLAND LOCAL PLAN

Report of the Director of Planning and Economy

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

Purpose of Report

To provide a progress update on the Northumberland Local Plan and seek approval of:

● The Northumberland Local Plan - Local Development Scheme (2017-2020);
● The Northumberland Five Year Supply of Deliverable Sites 2017/18 to 2021/22; and

Recommendation

It is recommended that Cabinet:

1. Agrees the timetable for the preparation of the Northumberland Local Plan;
2. Approves the draft Local Development Scheme 2017-2020 (attached as Appendix A) for publication and delegates authority to the Director of Planning and Economy, in consultation with the Cabinet Member for Planning, Housing and Resilience, to update the Local Development Scheme annually;
3. Agrees that the Five Year Supply of Deliverable Sites 2017/18 to 2021/22 document (attached as Appendix B):
   ● Provides an evidence base for the determination of planning applications;
   ● Provides an evidence base for use by other Council Services and external stakeholders; and
   ● Makes the Five Year Supply of Deliverable Sites 2017/18 to 2021/2022 document available online and, if requested to supply copies on CD or as hard copy, to recover the media cost of making these available.
4. Approves the amended Position Statement Following Withdrawal of the Draft Core Strategy (November 2017) (attached at Appendix C) with the additional amendment to the Ponteland Neighbourhood Plan should it be made at Cabinet on 23 November 2017;

5. Agrees the implementation of the amended Position Statement with immediate effect, and that the amended Position Statement is published on the Council's website and publicised elsewhere in order to bring it to the attention of all stakeholders in the planning process.

Link to Corporate Plan

This report is relevant to the Economic Growth, Places and Environment and Stronger Communities and Families priorities of the Northumberland County Council Corporate Plan 2013 to 2017.

Key Issues

1. The Northumberland Local Plan Core Strategy (NLPCS), intended to set out the proposed strategic planning policies of the Council to guide future development and planning decisions in Northumberland up to 2031, was withdrawn from Government examination following a decision by Full Council on 5 July 2017.

2. The purpose of the Core Strategy withdrawal was to allow for 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.

3. The reasoning for withdrawal of the Core Strategy from submission at the meeting of Full Council on 5 July 2017 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.

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 has been considering options for its emerging policy having regard to the guidance set out in National Planning Practice Guidance (‘the PPG’). Officers have been working with Members of the Local Development Framework Working Group on the preparation of a new Local Plan for Northumberland.

Northumberland Local Plan - Local Development Scheme 2017-2020

5. The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires Local Planning Authorities to prepare and maintain a Local Development Scheme (LDS). The LDS should set out what Development Plan Documents, which will comprise the Local Plan for an area, are to be produced by the Council, their content and broad timetable for preparation.

6. Following the withdrawal of the Northumberland Local Plan Core Strategy (NLPCS) there is the need to prepare a new Local Development Scheme for the preparation of the Northumberland Local Plan. Options for the preparation of a new Local Plan for Northumberland have been reviewed, having regard to the procedural arrangements as set out in the Local Plan Regulations and the reasons for the withdrawal of the NLPCS.

7. Changes such as a reduction in the overall housing numbers, changes to the housing distribution levels across the County and / or alterations to strategic land use allocations such as the proposed Green Belt deletions, would result in fundamental changes being made to the overall strategy and strategic direction of the Plan.

8. In circumstances where a fundamental change is to be made to the overall strategy of a Local Plan, legal advice received from the Council’s QC is that it is important to ensure that all of the legal and procedural processes have been adhered to and that a full re-consultation on the Plan is undertaken going back to Regulation 18 Stage - Plan Preparation. In the context of vulnerability to legal challenges, the Council’s QC has also advised that it would be prudent to adopt this course of action.
9. In addition, advice contained in the Chief Planning Officer’s letter dated 31 July 2017 on the new methodology for calculating housing need stated that:

“In order to give you greater certainty we want to make it clear that if you submit your plan for examination on or before 31 March 2018 you will be able to progress with your plan, using the existing methodology for calculating local housing need, as set out in current guidance. If a plan is withdrawn from examination or found unsound, depending on the outcome of the forthcoming consultation, you would prepare a new plan based on the new standardised method.”

10. It should also be noted that the Government’s “Planning for the right homes in the right places: consultation proposals” published in September 2017 on the standard method for calculating local housing need proposes transitional arrangements in relation to the use of the standard methodology and, where a Local Plan has not been submitted to the Secretary of State on or before 31 March 2018, there will be no transitional arrangements and the new standardised methodology would apply.

11. The submission of a revised Local Plan for Northumberland will not be achievable by 31 March 2018 given that evidence will have to be recast against an altered housing requirement. There would also be legal and procedural compliance implications such as Strategic Environment Assessment (SEA), Sustainability Assessment (SA), Habitat Regulations Assessment (HRA) and consultation would be required to allow stakeholders to comment upon a revised housing requirement.

12. The Local Development Framework Member Working Group have considered the various options for the preparation of a new Local Plan and have agreed that the preparation of a Full Local Plan, going back to Regulation 18 stage, would be the correct process legally and procedurally and the preferred route to follow.

13. The draft Northumberland LDS for 2017-2020, attached as Appendix A, sets out the following timetable for the preparation of the Northumberland Local Plan:

<table>
<thead>
<tr>
<th>Stage</th>
<th>Dates</th>
</tr>
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<tbody>
<tr>
<td><strong>Plan Preparation (Regulation 18)</strong></td>
<td><strong>Summer 2017 - Summer 2018</strong></td>
</tr>
<tr>
<td>Evidence base work and informal consultation</td>
<td>Summer 2017 to Summer 2018</td>
</tr>
<tr>
<td>Initial consultation</td>
<td>Early Spring 2018</td>
</tr>
<tr>
<td>Consultation on draft Local Plan</td>
<td>Summer 2018</td>
</tr>
<tr>
<td><strong>Publication of draft Local Plan (Regulation 19)</strong></td>
<td><strong>Winter 2018</strong></td>
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<tr>
<td><strong>Submission of Local Plan (Regulation 22)</strong></td>
<td><strong>Summer 2019</strong></td>
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<tr>
<td>Independent Examination</td>
<td>Winter 2019</td>
</tr>
<tr>
<td><strong>Adoption (Regulation 26)</strong></td>
<td><strong>Summer 2020</strong></td>
</tr>
<tr>
<td>Post-adoption (monitoring and review)</td>
<td>On-going</td>
</tr>
</tbody>
</table>

14. Rather than the previous two-phased approach of preparing a Core Strategy followed by a detailed Delivery Document, progressing on the basis of a Full Local Plan negates the need for two separate phases of document preparation and double examinations and cuts the overall plan preparation process by at least 18
months to 2 years when compared to the previous Core Strategy plus Delivery Document approach.

15. Once adopted a single Local Plan would also ensure full plan coverage and replace all of the existing Core Strategy and saved Local Plan policies, allowing for a consistent set of planning policies across Northumberland.

The Northumberland Five Year Supply of Deliverable Sites 2017-2022

16. 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 National Planning Policy Framework (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, the presumption in favour of sustainable development, as stated in paragraph 14 of the NPPF, will be engaged.

17. Following the withdrawal of the Core Strategy, and given that the housing requirement figures in the development plans for each of the former Districts and Boroughs across Northumberland, which pre-date or were informed by the revoked Regional Spatial Strategy (RSS), are out of date, there is a need to establish a baseline housing requirement against which to calculate the Council’s five year housing land supply position.

18. In such circumstances, the Planning Policy Guidance (PPG) states that a Local Planning Authority should assess housing supply against the most up-to-date figure for Objectively Assessed Need (OAN). The Northumberland Strategic Housing Market Assessment (SHMA, 2015) is the latest assessment of need undertaken by the Council. Following the withdrawal of the Northumberland Core Strategy in July 2017, this is no longer considered to contain an up-to-date objective assessment of need for the five year period 2017-22.

19. In September 2017, the Government published the consultation document “Planning for the right homes in the right places” which sets out a standardised methodology for calculating local housing need and provides indicative figures for each Local Planning Authority. However, the methodology and the housing requirement figures issued by DCLG remain in draft form and are still subject to consultation. Given the status of the DCLG document, and that it does not align with current extant national policy and guidance, the consultation document has not formed the basis of calculating Northumberland’s objectively assessed need. This decision has also been informed by legal advice and a review of a small number of appeal decisions since the publication of the document.

20. In the absence of an up-to-date OAN identified in a SHMA and the inability to use the methodology set out in the DCLG consultation document, the Council has calculated an OAN in accordance with the methodology set out in the PPG, using the most up-to-date official 2014-based household projections as the starting point, making adjustments following the consideration of longer term demographic trends,
likely changes in jobs, and market signals. The five-year housing land supply is calculated against the OAN identified by applying this methodology.

21. Northumberland’s OAN has been identified using the most up to date demographic and economic evidence available to the Council, in advance of preparing an updated evidence base for the new Local Plan. While this evidence informed the withdrawn Core Strategy for the period 2011-31, elements of it are policy neutral so it is reasonable to use this evidence to inform an updated OAN.

22. While the 2014-based household projections provide the starting point, long-term migration and a baseline jobs-led scenarios indicate that, in order to accommodate higher levels of migration and job growth, a higher level of housing is required. The latest assessment of the housing market did not recommend an adjustment to take into account market signals. Given that PPG is not prescriptive in how adjustments should be made to the household projections, to take into account migration and jobs, an OAN range is considered to fall between these two scenarios. A mid-point between these scenarios indicates a requirement for 18,880 dwellings over the period 2011-31, equating to 944 dwellings per annum. This figure is considered to represent Northumberland’s OAN, against which the five year housing land supply will be calculated for the purposes of the Council’s annual monitoring obligations to identify its five year housing land supply position. **It is important to emphasise that this figure is not a new housing requirement for the new emerging Local Plan and is solely intended for the purpose of calculating the Council’s five year housing land supply position while an updated evidence base for a new Local Plan is prepared as explained above.**

23. The Council’s Five Year Supply of Deliverable Sites 2017/18 to 2021/22 report, attached as Appendix B, sets out the Council’s five year supply position, which identifies housing land equivalent to a 6.5 years supply. The **five year supply** equates to approximately 9,100 dwellings, of which approximately 7,300 have planning permission. In total across Northumberland, there are approximately 13,400 dwellings with planning permission, with approximately a further 6,100 dwellings currently minded to approve (including 2,443 dwellings in the Green Belt).

**An amended Position Statement Following Withdrawal of the Draft Core Strategy (November 2017)**

24. At the Cabinet meeting on 27 July 2017, Members approved a Position Statement 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 whilst a new Local Plan is being prepared.

25. Following approval in July, there is now the need to update the Position Statement to take into account the Northumberland Five Year Supply of Deliverable Sites 2017-2022, the status of made neighbourhood plans, and recent appeal decisions as well as to provide additional clarity in the wording of the document.

26. The amended Position Statement Following Withdrawal of the Draft Core Strategy (November 2017) is attached at Appendix C. It should be noted that the reference
to the Ponteland Neighbourhood Plan will need to be amended within the Position Statement should it be formally “made” at Cabinet on 23 November 2017.

**Implications**

<table>
<thead>
<tr>
<th>Policy</th>
<th>The Local Plan when adopted will form part of the Council’s policy framework. The Position Statement will provide assistance to those interested in development proposals by clarifying the general approach to be taken to planning applications whilst a new Local Plan is being prepared.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance and value for money</td>
<td>Plan preparation costs will be met from within existing Council budgets. Without an up-to-date development plan there is an increased likelihood of significant planning appeals and costs being awarded against the Authority. The provision of a five year housing land supply position and a Position Statement will provide assistance to those interested in development proposals by clarifying the general approach to be taken to planning applications whilst a new Local Plan is being prepared.</td>
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<tr>
<td>Legal</td>
<td>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.</td>
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<td>Procurement</td>
<td>None</td>
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<tr>
<td>Human Resources</td>
<td>Work on the Core Strategy involves both Council Officers and Members.</td>
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<td>Property</td>
<td>The adopted Local Plan will apply to land and buildings owned by the County Council as they apply to land and buildings owned by others. The Position Statement will provide assistance to those interested in development proposals, which may involve land owned or controlled by the Council, by clarifying the general approach to be taken to planning applications whilst new Northumberland Local Plan is being prepared.</td>
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<tr>
<td>Equalities</td>
<td>An Equality Impact Assessment will be undertaken and published alongside each stage of the new Local Plan.</td>
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Yes ☐ No ☒ N/A ☐
Risk Assessment | The preparation of the Northumberland Local Plan has been the subject of a risk assessment.
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Crime & Disorder Consideration | Crime and disorder considerations will be taken into account in the preparation of the new Northumberland Local Plan.
Customer Consideration | The Local Plan 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 planning policies across the County and thereby making it easier for the public to understand. The Position Statement following withdrawal of the Draft Core Strategy will ensure consistency of approach in decision-making across the County while the new Northumberland Local Plan Core Strategy is being prepared.
Carbon reduction | The new Northumberland Local Plan will include policy approaches relating to climate change and carbon reduction.
Wards | All

**Background Papers**


**Report Sign Off**

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<thead>
<tr>
<th>role</th>
<th>initials</th>
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<tr>
<td>Finance Officer</td>
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<tr>
<td>Monitoring Officer/Legal</td>
<td>LH</td>
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<tr>
<td>I.T.</td>
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<tr>
<td>Executive Director</td>
<td>GP</td>
</tr>
<tr>
<td>Portfolio Holder</td>
<td>JR</td>
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