

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
2 July 2019

Subject: **HAMBLETON LOCAL PLAN: PUBLICATION DRAFT**

All Wards
Portfolio Holder for Planning: Councillor D A Webster

1.0 PURPOSE AND BACKGROUND:

- 1.1 This report seeks approval of the Hambleton Local Plan: Publication Draft and Policies Map, attached at Annex 1 and 2, for formal publication, representations and submission to the Secretary of State for public examination. It also seeks approval for publication of the Local Development Scheme.
- 1.2 A number of supporting documents relevant to the submission of the Local Plan should be considered alongside the Publication Draft Local Plan, copies of which are provided in the Members Lounge for inspection and they are also available on the Council's website, these are as follows:
 - Sustainability Appraisal
 - Infrastructure Delivery Plan
 - Equalities Impact Assessment
 - Consultation Statement
- 1.3 Following approval of the content of the Hambleton Local Plan: Publication Draft there will be a minimum 6 week representations period where the public and stakeholders have the opportunity to comment on the "soundness" and legal compliance of the Local Plan. During this period the Council will also be consulting on the accompanying Sustainability Appraisal and Infrastructure Delivery Plan. The period for representations to be made will run from July to September 2019 and the comments received by the Council at this stage are submitted to the Secretary of State to be considered alongside the Draft Local Plan.
- 1.4 In September 2014 Cabinet (minute CA.25) and Council (minute C.16) approved the production of a new Local Plan to replace the Local Development Framework. Subsequently, Cabinet in March 2015 (minute CA.76) and Council in April 2015 (minute C.37) approved a programme and resources for its delivery. Work has subsequently taken place to develop the Local Plan through the compilation of a comprehensive, robust and up to date evidence base, community and stakeholder involvement and public consultation. Members have been involved throughout the preparation of the plan through the Local Plan Member Working Group.
- 1.5 The Hambleton Local Plan sets out a vision and framework for future development across the District. It contains policies and proposals that will guide development up to 2035, addressing the District's needs and opportunities in relation to housing, economic growth, community facilities and infrastructure as well as providing a basis for safeguarding the environment, adapting to climate change and securing good design. Although looking forward to 2035 the Plan will be kept under review and will be formally amended when this becomes necessary.

- 1.6 The Plan has been shaped by two rounds of public consultation: An Issues and Options Consultation undertaken in early 2016 and a Preferred Options consultation undertaken in late 2016. A consultation on Alternative Sites and Local Greenspace Designations was also undertaken in spring 2017. Copies of all the consultation documents that support the Local Plan are available on the Councils website.
- 1.7 In preparing the Local Plan, the Council has undertaken its Duty to Co-operate obligations with Local Authorities both in York and North Yorkshire and Tees Valley through officer and member meetings. It has also engaged with the York, North Yorkshire and East Riding Local Enterprise Partnership, the Tees Valley Local Enterprise Partnership and other key stakeholders including health and the Ministry of Defence. Prior to publication the Council will agree a Statement of Common Ground with all its Duty to Co-operate partners.
- 1.8 The Publication Draft Local Plan is a key milestone in plan preparation. It represents the Plan that the Council wishes to submit for independent examination and considers ready for adoption. The Draft Plan has been positively prepared and seeks to deliver in full the housing and employment needs of the District including provision of 77.6ha of employment land and 6615 new homes between 2014 and 2035, as well as facilitating the provision of new infrastructure to ensure that development is sustainable, whilst protecting important local green spaces and the District's high quality natural and built environment.
- 1.9 A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The Local Development Scheme sets out the timetable for the production of the Local Development Documents which make up the Council's Development Plan. The process for the preparation of a Development Plan is prescribed by statute and regulations which is reflected in the work programme. The Local Development Scheme must be made available publicly and kept up-to-date.
- 1.10 A new Local Development Scheme has been prepared and is attached at Annex 3. The revised timescale incorporates the additional time for the work necessary to ensure conformity with relevant requirements prior to Publication of the plan. The timetable maintains the Submission milestone in November 2019 and the Adoption milestone before the end of 2020. A copy of the revised Local Development Scheme will be published on the Council's website with the Publication Draft Local Plan.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 The publication of a new Local Plan is a priority project for the Council and will help deliver the Council Plan vision of Hambleton as 'A Place to Grow'.
- 2.2 Policies and proposals contained within the Plan support the wider Council priorities of Driving Economic Vitality, Enhancing Health and Well-Being, caring for the Environment and Providing a Special Place to Live.

3.0 RISK ASSESSMENT:

- 3.1 The key risk is in not approving the recommendation as shown below:-

Risk	Implication	Gross Prob	Gross Imp	Gross Total	Preventative action	Net Prob	Net Imp	Net Total
The Council does not have an up to date Development Plan that reflects	The Council's ability to manage future development in the District is reduced.	5	5	25	Approve the Local Plan for Publication, representations and submission	2	3	6

Risk	Implication	Gross Prob	Gross Imp	Gross Total	Preventative action	Net Prob	Net Imp	Net Total
Government policy	The Council is at risk from Government intervention to produce a Plan. There is an increased risk of losing planning appeals							

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

Overall the risk of agreeing with the recommendations outweighs the risks of not agreeing them and is considered acceptable.

4.0 FINANCIAL IMPLICATIONS:

4.1 The costs associated with formal publication, representations and submission to the Secretary of State for public examination and holding the public inquiry sessions is estimated to be £100,000 and will be financed by the Local Plan Reserve.

5.0 LEGAL IMPLICATIONS:

5.1 Legal requirements for plan making are set out in sections 17, 18, 19, 20, 22 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

5.2 Following approval by Cabinet, the Local Plan will be published for representations for a minimum of six weeks in line with Regulations 19, 20 and 35. The Sustainability Appraisal and Infrastructure Delivery Plan will be available for consultation during this period.

5.3 In line with Regulation 22, the representations submitted, a summary of the main issues raised in the representations, together with the Publication Draft Local Plan and evidence base, will be submitted to the Secretary of State for examination.

6.0 EQUALITY/DIVERSITY ISSUES

6.1 An Equality Impact Assessment of the Plan has been undertaken at key stages to demonstrate how the Council has fulfilled its Public Sector Equality Duty (PSED) duties under the Equalities Act 2010 in developing policies and proposals.

6.2 The Plan includes policies and proposals that will deliver more jobs, more affordable housing, housing for specialist groups such as older people and people with mental and physical disabilities and address the needs of Gypsies and Traveller and Showpeople

7.0 RECOMMENDATIONS:

7.1 It is recommended that Cabinet approves and recommends to Council that:

- (1) the Hambleton Local Development Scheme is published;
- (2) the Hambleton Local Plan: Publication Draft as attached at Annex 1 and the Policies Map at Annex 2 are approved for the purpose of publication for representations to be made commencing on or around the 23rd July 2019;

- (3) the Sustainability Appraisal and Infrastructure Delivery Plan are published for consultation;
- (4) the Director of Planning and Economy be authorised to make minor amendments and graphical improvements that (taken together) do not materially affect the policies set out in the Local Plan prior to publication;
- (5) in the event of modifications being required to the Hambleton Local Plan: Publication Draft or supporting documentation prior to its submission, the Director of Economy and Planning in consultation with the Portfolio Holder for Planning be authorised to make these changes and undertake any necessary pre-submission consultation; and
- (6) following the period of representation the Hambleton Local Plan: Publication Draft and Policies Map, proposed minor modifications and all relevant documentation is submitted to the Secretary of State for public examination by an independent planning inspector.

HELEN KEMP
DIRECTOR OF ECONOMY AND PLANNING

Background papers: Sustainability Appraisal
Infrastructure Delivery Plan
Equalities Impact Assessment
Consultation Statement
Policies Map
Hambleton Local Development Scheme

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