

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
17 March 2015

Subject: LOCAL PLAN REVIEW – PROGRAMME AND RESOURCES

**All Wards (outside the North York Moors National Park)
Portfolio Holder for Environmental and Planning Services: Councillor B Phillips**

1.0 PURPOSE AND BACKGROUND:

- 1.1 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. An up-to-date Plan is essential to meeting the development needs of the District and the Council remaining in control of development. This report presents the proposed programme for the preparation of the Plan to be set out in a revised Local Development Scheme (LDS), the resources required to deliver the Local Plan and the estimated timescale to achieve it.
- 1.2 Government advice is now to prepare a Local Plan as a single document rather than a suite of documents (as with the LDF). The Government state that a Plan should cover a period of 15 years from its adoption date. The LDF covers the period up to 2026 and the new Local Plan period would be anticipated to run to 2035.
- 1.3 Overall costs are anticipated to be significantly less than for the LDF as it will be producing a single Plan document with fewer resultant stages of consultation and engagement and critically, only one examination, which is a major cost.

2.0 THE TASK:

- 2.1 In order to produce a Local Plan, there are statutory procedures to be followed, detailed scrutiny of the proposals and there will also be strong community interest. It is a complex, demanding and time consuming process. The proposals in this report are recommended in order to provide a realistic and professional approach to plan-making, allowing for appropriate programme management and resources to reduce the risk of failure.

Proposed Work Programme

- 2.2 The proposed work programme is set out in Annex 'A'. The process is prescribed by statute and regulations and this must be reflected in the overall work programme. These processes have a major influence on timescale and cost. Although there is no suggested time period for how long a Local Plan takes to produce, as each local planning authority has its own issues to contend with, the Planning Advisory Service (PAS) has advised that a period of between two and three years is a reasonable estimate. This is based on a process which meets regulatory requirements but does not take account of any anticipated challenges which may occur as part of Plan making (e.g. an adverse response to draft policies and proposals during consultation or slippage in time due to a lack of response from key consultees for whatever reason).
- 2.3 As short a timescale as possible is desirable for a single Plan and necessary for it to be able to deliver growth and minimise the risk of off-plan sites succeeding on appeal in the interim. A three/four year timescale is thought to be realistic and achievable given the various stages of plan production. It allows for time to undertake consultation and the Duty to Co-operate with other bodies, to consider and respond to the representations made as well as assemble and consider the evidence and devise and review options.

- 2.4 As part of the preparation process it is proposed to have a Local Plan Working Group comprising of Members which will be tasked with guiding the Local Plan process as it progresses. At this stage it is suggested that the Working Group meets on a quarterly basis.
- 2.5 A lot of the necessary evidence gathering has recently been undertaken covering the period up to 2026 but this will need to be updated to cover the new Local Plan period to 2035. To minimise costs, some of these studies will be undertaken 'in-house' by officers where possible. The main studies will include:
- Employment Land Review (update)
 - Housing Need and Demographic Projections (update)
 - Economic Development Study (Update)
 - Strategic Housing Market Assessment (new)
 - Sustainability Appraisal / Strategic Environmental Assessment (new)
 - Habitats Regulations Assessment (new)
 - Landscape Appraisals of Development Options (new)
- 2.6 There will be a 'call for sites' inviting landowners, agents and developers to submit sites for assessment in order to meet the identified housing and employment growth which the Local Plan will seek to address. It is sensible to do this early in the plan-making process to reduce the potential for pre-emptive planning applications, although these are to be expected.

Resources

- 2.7 To deliver a new Local Plan there is a need for additional financial and staff resource. The financial resource requirements are set out in Section 6 of this report. In terms of the revenue budget to service the plan-making process (including the updating of evidence, public consultation, production costs and the public examination), this has been assessed with reference to likely costs of each of the elements outlined in Annex 'A'. Table 1 in Section 6 of the report indicates the revenue financial implications.
- 2.9 The current Planning Policy Team staff resource available to the plan-making process is 3.9 Full Time Equivalent (FTE) staff. This is geared towards day to day planning policy functions and not the work involved in the preparation of a new Local Plan which is a significant work task. During the preparation of the LDF the staff resources within the Policy Team were 5.6 FTE plus additional consultant support over a six year period (2005 - 2011).
- 2.10 The overall financial implications of these proposals are set out in Table 1 at Section 6 of this Report. Figure 1 below sets out a temporary additional staff requirement until the end of 2018/19.

Figure 1: Additional Staff Resource and Cost

	2015/16	2016/17	2017/18	2018/2019
Full-Time Equivalent Resource Proposed	1.3FTE*	1.9FTE	2.0FTE	1.6FTE*

* Part year only 2015/16 & 2018/19.

3.0 LINK TO CORPORATE PRIORITIES:

- 3.1 Providing a new Local Plan has strong links to meeting the Council's corporate priorities. Primarily, it would support the delivery of the Council's Economic Development Strategy

and the emerging Investment Plan. It would help to meet housing needs, including affordable housing and also the needs of communities and help protect and provide local services and facilities,

4.0 **RISK ASSESSMENT:**

4.1 Risk in approving the recommendations as shown below:

Risk	Implication	Prob*	Imp*	Total	Preventative action
New Local Plan preparation costs increase.	Additional funding would have to be identified (potentially impacting on other Council work) or progress to adoption could take longer.	3	4	12	Manage project to ensure it is properly programmed and resourced.
Slippage in work programme resulting in delay of Local Plan adoption	Planning decisions continue to be made in accordance with existing policies and the Council cannot deliver on local development priorities as quickly as it would wish.	3	4	12	Give weight to emerging policies based on consistency with NPPF/NPPG and use study evidence.

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

4.2 The key risks in not approving the recommendations as shown below:

Risk	Implication	Prob*	Imp*	Total	Preventative action
Insufficient staff and support resource to achieve the Local Plan Review in identified time period.	Longer period in Plan production and a longer exposure to an increased number of planning appeals and the costs associated with these.	5	5	25	Proceed with full Plan review and approve level of resource proposed.
Local development needs for housing and business are not provided for.	Adverse impact on households and businesses.	5	5	25	Proceed with full Plan review.
Plan becomes out of date and increasingly challenged by development proposals especially for housing.	Council loses control of development.	5	5	25	Proceed with full Plan review.

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

5.0 **LEGAL IMPLICATIONS:**

5.1 Legal requirements for Plan making set out in the Acts and Regulations will need to be followed to achieve a sound, legally compliant Local Plan.

6.0 FINANCIAL IMPLICATIONS:

- 6.1 Additional revenue funding is needed for the production of a new Local Plan. This will be significant, but not in the same order as for the original LDF. The costs comprise of costs associated with the process and procedures and temporary staff. Sustainability Appraisal, site assessment studies, updating of the evidence base, Plan production and the longer examination are anticipated to be in the order of £260,000 with a significant proportion of that (c.£100,000) being taken by the examination costs of the Planning Inspectorate.
- 6.2 The additional staff requirements as set out in this report (Figure 1 above) will result in a cost of £240,000 over the plan-making period.
- 6.3 These combined costs for staff and budget are set out by year in Table 1 below.

Table 1: Indicative Costs of Proposed Additional Resource

	15/16	16/17	17/18	18/19	TOTAL
Additional Temporary Staff Costs	40,000	80,000	80,000	40,000	240,000
Local Plan Budget (general, consultancy, production, examination, Programme Officer etc)	50,000	40,000	40,000	130,000	260,000
TOTAL	90,000	120,000	120,000	170,000	500,000

- 6.4 A new earmarked reserve will be created to support the Local Plan at £500,000. This funding will be taken from the Council Tax Payers Reserve, the reserve used to balance the Council's annual budget.

7.0 EQUALITY AND DIVERSITY ISSUES:

- 7.1 None.

8.0 RECOMMENDATIONS:

- 8.1 It is recommended that Cabinet approves and recommends to Council that:
- (1) the new Local Plan be prepared to the programme set out in the revised Local Development Scheme (Annex 'A');
 - (2) the revenue costs as set out in this report be agreed and be supported by a fund created from the Council Tax Payers' Reserve; and
 - (3) a Members' Local Plan Working Group be established to advise on plan preparation.

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Background papers: National Planning Policy Framework, CLG March 2012
National Planning Practice Guidance, CLG March 2014

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