

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
1 December 2015

Subject: **HAMBLETON LOCAL PLAN - LOCAL DEVELOPMENT SCHEME**

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

1.0 PURPOSE AND BACKGROUND:

- 1.1 A Local Development Scheme (LDS) is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS sets out the timetable for the production of the Local Development Documents (LDDs) which make up the Council's Local Plan. The LDS must be made available publically and kept up-to-date.
- 1.2 On 16 September 2014 Council agreed to proceed with a new Local Plan, to completely replace the existing Local Development Framework. The new Local Plan will have a Plan Period running from adoption of the Plan to the year 2035.
- 1.3. A new Local Development Scheme is therefore required to set out the revised timetable for the preparation of the Local Plan. The process for the preparation of a Local Plan is prescribed by statute and regulations which is reflected in the work programme. Although there is no suggested time period for how long a Local Plan takes to produce the Planning Advisory Service (PAS) advises that a period of between two and three years is a reasonable estimate.
- 1.4 In March 2015 Cabinet were presented with the proposed work programme for the preparation of the Local Plan. This work programme showed that consultation on the Issues and Options would take place in October and November 2015, which then allowed adoption to take place towards the end of 2018. There has been some slippage in this programme primarily due to the requirement to recruit new members of the Policy Team and the focus of resources on recent Public Inquiries.
- 1.5. The new timetable is reflected in the revised Local Development Scheme attached at Annex 'A'. The revised timescale aims to produce a new Local Plan as quickly as reasonably possible given the statutory requirements. A copy of the revised scheme will be published on the Council's website.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 The relevant Council priorities which this Local Development Scheme relates to include the following:
 - Driving Economic Vitality
 - Enhancing Health and Wellbeing
 - Caring for the Environment
 - Providing a Special Place to Live

3.0 RISK ASSESSMENT:

- 3.1 It is a requirement that a Local Planning Authority prepares its Local Plan in accordance with its Local Development Scheme, therefore failure to have an up to date Local Development Scheme in place could result in the Plan failing to satisfy the legal procedural tests at examination.
- 3.2 There are no risks in approving the recommendation.
- 3.3 The key risk is in not approving the recommendation is as shown below:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
The Local Plan is not prepared in accordance with the published Local Development Scheme, as required by section 15 of the Planning and Compulsory Purchase Act	The Local Plan could fail legal compliance test at examination	5	5	25	Publish the revised Local Development Scheme

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

4.0 FINANCIAL IMPLICATIONS:

- 4.1 There is no cost associated with preparation and publication of the LDS.

5.0 LEGAL IMPLICATIONS:

- 5.1 These are set out in paragraph 3.1 of the report.

6.0 EQUALITY AND DIVERSITY ISSUES:

- 6.1 There are no Equality and Diversity issues associated with this report.

7.0 RECOMMENDATIONS:

- 7.1 That Cabinet approves and recommends to Council the Local Development Scheme is approved for publication.

MICK JEWITT

Background papers: Annex A: Local Development Scheme, December 2015
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**HAMBLETON DISTRICT COUNCIL
LOCAL PLAN
LOCAL DEVELOPMENT SCHEME
DRAFT
DECEMBER 2015**

Introduction

A Local Development Scheme (LDS) is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS sets out the timetable for the production of the Local Development Documents (LDDs) which make up the Council's Local Plan. The LDS must include certain types of LDDs, namely Development Plan Documents (DPDs) and a Statement of Community Involvement (SCI). The LDS must be made available publically and kept up-to-date. This LDS was adopted by Hambleton District Council and came into effect on 15 December 2015.

Current Local Development Documents

In the system which was brought in under the 2004 Act, the Local Plan was known as the Local Development Framework (LDF). Under the LDF the Council produced and adopted a full suite of DPDs and a SCI. These documents are listed below:

Core Strategy DPD – Adopted 2 April 2007

Development Policies DPD – Adopted 26 February 2008

Allocations DPD – Adopted 21 December 2010

Proposals Map DPD – Adopted 21 December 2010

Statement of Community Involvement – Adopted 23 July 2013

Under the LDF the Council also produced the following additional LDDs known as Supplementary Planning Documents (SPDs):

Affordable Housing SPD – Adopted 24 June 2008 (now revoked)

Sustainable Development SPD – Adopted 22 September 2009 (now revoked)

Domestic Extensions SPD – Adopted 22 December 2009

Conservation Area Appraisals SPDs – Adopted 21 December 2010

Open Space, Sport and Recreation SPD – Adopted 22 February 2011

Osmotherley and Thimbleby Village Design Statement SPD – Adopted 2011

The Council also produces the Annual Monitoring Report (AMR), which charts the performance of policies and programmes laid out in the adopted LDF documents; and a Strategic Housing Land Availability Assessment (SHLAA), which identifies a deliverable 5 year housing land supply.

Neighbourhood Planning

The Council has a duty to assist and is committed to working with communities to bring forward Neighbourhood Plans, which will help to deliver real benefits to those communities. When adopted Neighbourhood Plans form part of the statutory development plan for Hambleton area alongside the Local Plan. The Council has been working with five Parish Councils which now have designated Neighbourhood Plan areas:-

- Appleton Wiske
- Huby
- Easingwold
- Ingleby Arncliffe
- Stokesley

It is anticipated that other local communities will commence work on Neighbourhood Plans during the Local Plan preparation period.

New Local Plan

The NPPF 2012 states that each Local Planning Authority should produce a Local Plan for its area. An up to date Local Plan is essential to meeting the development needs of the District. Government Advice is now to prepare a Local Plan as a single document rather than a suite of documents as with the existing Local Development Framework. In view of the NPPF and the need for an up to date Plan, in October 2013 Council Members agreed the scope of a partial review of the LDF, called the Local Plan Focussed Review (LPFR). Evidence base work was commissioned and published on Affordable Housing Viability, Objectively Assessed Housing Need, Economic Development, Employment Land Review and Retail and Town Centre Uses. Through the LPFR the following documents have also been published:

- **Affordable Housing SPD** – Adopted 7 April 2015 (replaces 2008 edition)
- **Sustainable Development SPD** – Adopted 7 April 2015 (replaces 2009 edition)
- **Interim Policy Guidance Note (Development in Rural Settlements)** – Adopted for Development Management Purposes 7 April 2015
- **Size, Type and Tenure of New Homes SPD** – Adopted 15th September 2015
- **Community Infrastructure Levy (CIL)** – Published 7 April 2015 (partially replaces some of the financial contributions required under the Open Space, Sport & Recreation SPD. This SPD is due to be revised as part of the new Local Plan).

On 16 September 2014 Council agreed to proceed with a new Local Plan, to completely replace the existing Local Development Framework along with documents produced under the Local Plan

Focussed Review (LPFR). A further report to Council on 7 April 2015 approved the scope of the new Local Plan.

The new Local Plan will have a Plan Period running from adoption of the Plan to the year 2035. The current timetable for document preparation will see the new Local Plan adopted in late 2018, giving a Plan Period of 16 years. The chart at appendix 1 outlines the detailed timetable for the production of the Local Plan.

Evidence Gathering

The NPPF states that Local Plans should be based on an up to date and robust evidence base. Some of the evidence gathering has been carried out as part of the Local Plan Focussed Review, however this will need updating to cover the extended Plan Period to 2035. To support the new Local Plan it is expected that the following key elements of technical evidence will need to be produced which are listed over the page.

These studies should be completed by Spring 2016 and will be published on the Council's website. They are also expected to provide the Council with sufficient robust and objectively assessed evidence with which to support the continued application of existing LDF policies, and in maintaining the delivery of sites in the adopted Allocations DPD.

List of technical evidence

- Economic Development Study
- Employment Land Review
- Strategic Housing Land Availability Assessment (reviewed annually)
- Population Projections and Objectively Assessed Housing Need
- Strategic Housing Market Assessment
- Affordable Housing Viability
- Heritage Strategy
- Call for Sites including Assessment of Site Viability
- Landscape and Visual Impact Assessment
- Retail and Town Centre Uses
- Strategic Flood Risk Assessment
- Equalities Impact Assessment
- Habitats Regulations Assessment
- Sustainability Assessment/Strategic Environmental Assessment
- Revised Community Infrastructure Levy
- Statement of Community Involvement
- Gypsy, Traveller and Showpeople Assessment
- Transport Plan
- Car Parking Study

Sustainability Appraisal/Strategic Environmental Assessment

The Local Plan must be subject to a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA); and any Supplementary Planning Documents which are produced or revised must be screened to see if they require SA/SEA. As part of the new Local Plan therefore, a full SA/SEA will be carried out along with screening for any SPDs that need to be revised.

Consultation/Community Engagement

The Council's Statement of Community Involvement (SCI), which was adopted in July 2013, sets out how people and organisations can get involved in planning. Part three of the SCI, titled 'Influencing the Local Plan and Planning Policy', sets out how and when the Council will engage with people and communities as part of the preparation of its Plans and Policies. Throughout the preparation of the Local Plan the Council will consult with individuals, local communities, interest groups, businesses and statutory bodies. The responses to these consultations will be reviewed by the Council and considered in full, informing the Local Plan as necessary, before a final version is submitted to the Planning Inspectorate for independent examination. For more information on the SCI visit hambleton.gov.uk/sci.

Duty to Cooperate

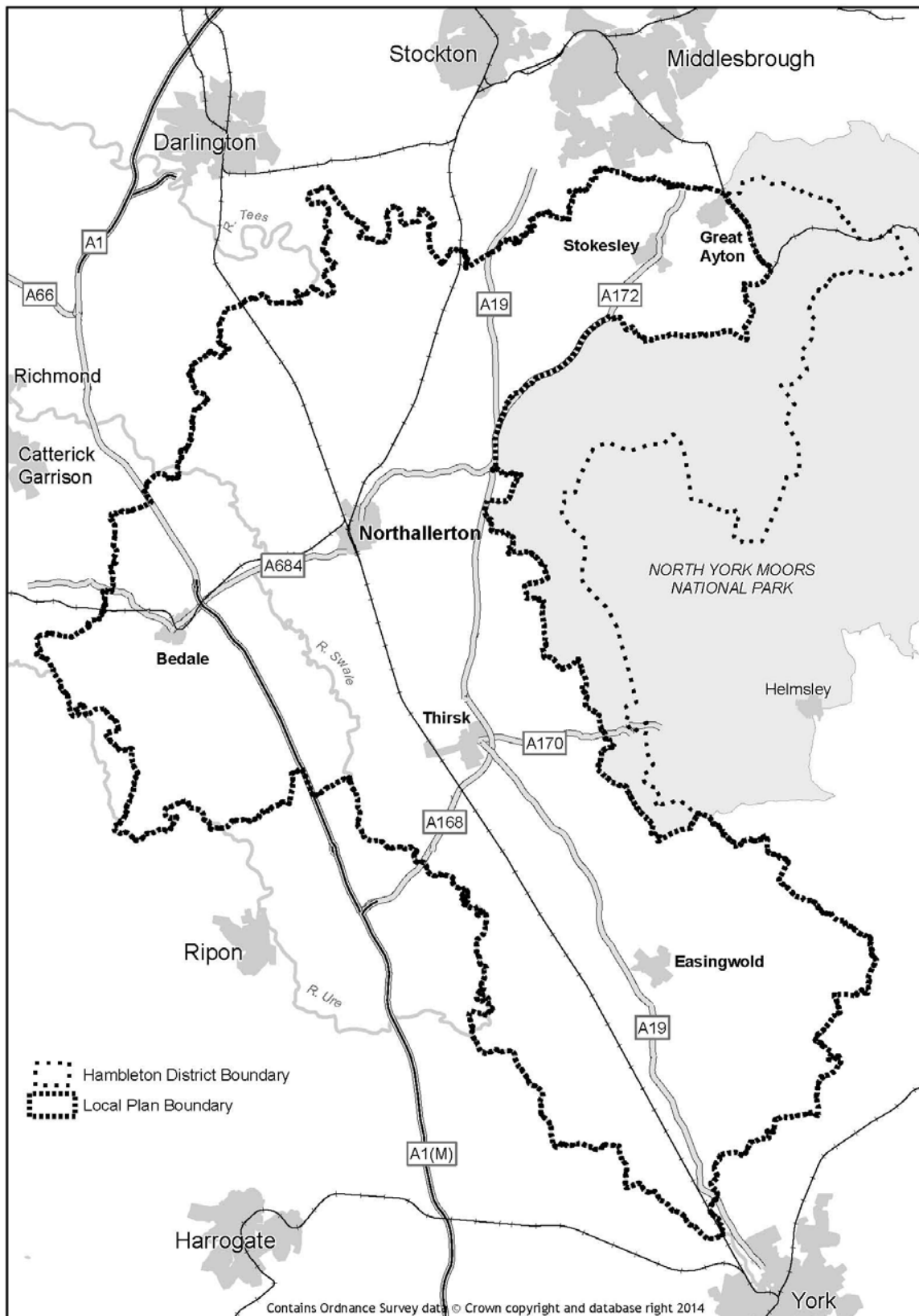
The Localism Act 2011 placed a duty to cooperate on Local Planning Authorities, requiring them to cooperate with neighbouring authorities and other bodies with which they share strategic cross-boundary issues. This cooperation should be seen as a key collaborative thread running through the entire plan making process. Hambleton will continue to fulfil its duty in the following ways:

- It will consult with adjoining planning authorities on the preparation of its plans and policies from the initial stages and on studies which will form the evidence base that will underpin those plans.
- It will respond to consultations from other adjoining planning authorities and North Yorkshire County Council on the preparation of their policy documentation and evidence base gathering.
- It will continue to engage with other Local Planning Authorities and statutory bodies through participation of the following strategic planning forums:

- Tees Valley Development Plan Officer's Forum
- North Yorkshire and York Spatial Planning and Transport Board
- North Yorkshire Development Plans Forum
- North Yorkshire Planning Officers Group
- York, North Yorkshire and East Riding Local Enterprise Partnership

The Council will also continue to work in a collaborative way with other local planning authorities and statutory bodies.

Geographical Area Covered by the Local Plan:



Timetable for production of Local Development Documents/supporting documents (December 2015)

	2015					2016					2017					2018																						
	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC					
LOCAL PLAN																																						
Evidence Gathering																																						
Issues & Options																																						
Preferred Options																																						
Pre-Submission Plan																																						
Submission & Examination																																						
Council Adoption																																						
Sustainability Appraisal																																						

Key:
■ Evidence gathering
■ Issues & Options
■ Preferred Options
■ Pre-Submission Plan

■ Submission & Examination
■ Council Adoption
■ Sustainability Appraisal

	2015					2016					2017					2018																						
	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC					
COMMUNITY INFRASTRUCTURE LEVY																																						
Preliminary Draft Charging Schedule (PDCS)																																						
Draft Charging Schedule (DCS)																																						
Submission & Examination																																						
Adoption																																						
Review of Regulation 123 List																																						

Key:
■ Review Charging Schedule
■ Consult on Revised Schedule
■ Examination
■ Adoption

	2015					2016					2017					2018																						
	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC					
Neighbourhood Plans																																						
Easingwold																																						
Huby																																						
Stokesley																																						
Ingleby Greenhow																																						
Appleton Wiske																																						

Key:
■ Draft Plan Consultation
■ Submission
■ Examination
■ Inspectors Report
■ Referendum
■ Council Adoption

The Local Development Scheme and especially this timetable of document production will be kept under constant review and will be modified and re-published as and when necessary. Please refer to the Council's website (hambleton.gov.uk/lds) for the latest version.