

Hambleton District Council

Report To: Cabinet

Date: 7 September 2021

Subject: **Hambleton Local Plan: Publication Draft**

Portfolio Holder: Planning
Councillor D A Webster

Wards Affected: All Wards

1.0 Purpose and Background

- 1.1 This report seeks approval of the Hambleton Local Plan: Main Modifications, attached at Annex 1 for formal publication and consultation, and associated publication of proposed Additional Modifications and schedule of modifications to the Local Plan Policies Map for the information of respondents.
- 1.2 A number of supporting documents of relevance to the Local Plan should be considered alongside the proposed Main Modifications, 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
 - Additional modifications
 - Modifications to the Proposals Map
- 1.3 Following approval of the content of the Hambleton Local Plan: Main Modifications 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 proposed changes to the Local Plan set out within the schedule of modifications.
- 1.4 During this period the Council will also be consulting on the accompanying Sustainability Appraisal. A refreshed Habitat Regulations Assessment (HRA) will also be made available although the scale of change proposed to the Local Plan (see 1.8 below) is unlikely to substantially amend the findings of the HRA. The period for representations to be made will run from September to November 2021. The comments received by the Council at this stage are submitted to the Secretary of State to be considered by the independent Planning Inspector's undertaking the examination of the Hambleton Local Plan.
- 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, 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.

- 1.6 The Plan has been shaped by a number of rounds of public consultation. An Issues and Options Consultation was 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. Cabinet (minute CA.8) and Council (minute C.9) in July 2019 approved the Local Plan: Publication Draft for engagement and subsequent submission to the Secretary of State. This final stage of engagement as part of preparation of the Local Plan enabled respondents to put forward their views on the soundness of the Local Plan to the Secretary of State and identify whether they wished to participate in the examination of the Local Plan. Copies of all the consultation documents that support the Local Plan are available on the Council's website.
- 1.7 Following consultation on the Publication Draft, the draft Local Plan was submitted to the Secretary of State for examination by an independent Planning Inspector in March 2020. As part of the examination a series of public hearings were held by two appointed Planning Inspectors during October and November 2020. This examination of the Plan has resulted in a number of proposed changes, known as Main Modifications. These Main Modifications are proposed by the Council in line with advice given by the Planning Inspector's. Main Modifications to the Local Plan are only proposed to ensure the Local Plan can be considered sound and suitable for adoption by the Council. To be sound, the Local Plan must be justified by appropriate evidence, effective at achieving its policy objectives and in accordance with national planning policy.
- 1.8 In summary the changes that are proposed include:
- Adjusting the final plan period from 2035 to 2036 to allow a period of at least fifteen years from adoption of the Local Plan – now expected in early 2022.
 - Deletion of the housing allocation at Great Ayton (GTA 1), in response to the potential for substantial harm to arise to the setting of Great Ayton Conservation Area, Grade II* listed Ayton Hall and Grade I listed Church of All Saints. It was agreed with the Inspectors' that the District's housing needs would still be met in the absence of an allocated site at Great Ayton and that the overall sustainability of the village would not be harmed.
 - Deletion of the proposed safeguarded site for a Car and Coach Park at Bedale (AIB3), in response to the potential for substantial harm to arise to the setting of Bedale Conservation Area, Grade II listed St. Gregory's House and Grade I listed Church of St. Gregory; and acknowledged that the facility was unlikely to be required within the plan period.
 - Deletion of a proposed housing allocation at Brompton (BRO1) in recognition of the ongoing housing development at that site and absence of any further development potential that would require support through a Local Plan allocation.

- Removal of an area of land proposed to be safeguarded for future employment development beyond the plan period at Aiskew Moor, Leeming Bar (part of LEB 3).
- Policies in response to ensuring housing development meets the needs of residents are amended in part. The requirement for new housing development to accord with the National Described Space Standards (NDSS) is retained as is a requirements for 9% of market homes to be wheelchair adaptable (M4(3)a)) and 30% of affordable homes to be wheelchair accessible (M4(3)b)) in accordance with Part M of the building regulations. However, the requirement for all other new housing to be accessible and adaptable in accordance with M4(2) has been deleted.
- A commitment to commence a partial review of the Local Plan within six months, limited solely to ensuring the latest evidence of the accommodation needs for Gypsy and Travellers are adequately addressed.
- Revised arrangements for future Local Plan review to ensure appropriate steps are taken should monitoring of development indicate that the Plan’s primary aims and objectives in meeting the development needs of the District are at risk.

1.9 Engagement on the Local Plan: Main Modifications is limited to those elements of the Local Plan that are subject to change as identified within the schedule of Main Modifications. Only comments on these changes will be received by the Council and forwarded to the Planning Inspector’s for consideration.

1.10 Following Cabinet and Council approval of the schedule of Main Modifications arrangement will be made to notify all Local Plan consultees of the proposed changes. A copy of the Main Modifications will be made available on the Council’s website and at accessible locations across the District. It is expected that consultation will commence shortly after approval is secured and no later than week commencing 27 September 2021.

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	Total	Preventative action	Net Prob	Net Imp	Total
The Council does not have an up to date Development Plan that reflects government policy	The Council's ability to manage future development in the District is reduced. The Council is at risk from Government intervention to produce a Plan. There is an increased risk of losing planning appeals.	5	5	25	Approve the proposed Main Modifications for consultation.	1	5	5

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

3.2 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 majority of the costs associated with preparation of the Local Plan have already been met by the Council. This has included formal publication, representations and submission to the Secretary of State for public examination and holding the public inquiry sessions, estimated to be £100,000. The additional costs associated with engagement on Main Modifications are minimal and can 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: Main Modifications will be published for representations for a minimum of six weeks in line with Regulations 19, 20 and 35. The Sustainability Appraisal will be available for consultation during this period whilst for information a schedule of Additional Modifications and changes to the Local Plan Policies Map will be available.

5.3 In line with Regulation 22, the representations submitted, and a summary of the main issues raised in the representations, will be submitted to the Planning Inspectors' on behalf of the Secretary of State for their consideration and to assist in concluding the Local Plan 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.
- 6.3 The existing Equality Impact Assessment has been reviewed to consider any consequential changes that may arise from the proposed Main Modifications.

7.0 Recommendations

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

- (1) the Hambleton Local Plan: Main Modifications as attached at Annex 1 of the report and the updated Sustainability Appraisal are published for the purpose of representations to be made commencing on or around the 27th September 2021;
- (2) the Hambleton Local Plan: Additional Modifications and schedule of proposed amendments to the Policies Map be published alongside the Main Modifications for information and clarity; and
- (3) that all responses received are reviewed by Officers and forwarded to the Planning Inspectorate on behalf of the Secretary of State for consideration.

Mick Jewitt
Deputy Chief Executive

Background papers: Sustainability Appraisal (available in the Members' Lounge and to download from the website)
Hambleton Local Development Scheme
Local Plan: Additional Modifications
Local Plan: Proposed Policies Map changes

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