

North York Moors National Park Authority

21 September 2015

A Local Plan for the National Park

1. Purpose of the Report

- 1.1 To seek approval from Members for work to begin on the preparation of a new Local Plan for the National Park soon after the appointment of a new Head of Forward Planning and agree the Local Development Scheme 2015 to 2018.

2. Background

- 2.1 The North York Moors National Park Authority's Core Strategy and Development Policies Document was adopted nearly seven years ago in November 2008. Since the adoption of the document there have been many significant changes to the planning system including:-

- Introduction of the National Planning Policy Framework (NPPF)
- The Localism Act
- Revocation of Regional Spatial Strategies (RSS)
- The Creation of the York, North Yorkshire and East Riding Local Enterprise Partnership
- Introduction of CIL and changes to the implementation of S106 contributions
- Significant changes to Permitted Development Rights

- 2.2 Paragraph 150 of the NPPF states that Local Plans are key to delivering sustainable development that reflects the vision and aspirations of local communities. It goes on to say that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. The Authority carried out a thorough assessment of all the policies in the Core Strategy and Development Policies document against the NPPF when it was produced in 2012 to establish the degree of weight that they can be given in decision taking. The assessment showed that the majority of the policies are in general conformity with the NPPF and should continue to be given full weight in decision making. However in the light of further national planning guidance and the significant changes that have been made recently and are continuing to be made to the planning system, it is considered that work should start as soon as possible on a new Local Plan to replace the existing Core Strategy.

3. Why a New Local Plan is Required

- 3.1 The delivery of a high quality development management service, i.e. one that can deliver the scale, nature and type of development in the right location in a consistent manner is highly dependent upon a sound policy framework in which decisions can be made. The primacy and importance of up to date local plans is being constantly stressed by the new Government and indeed a timescale has now been announced which requires all local planning authorities to have a Local Plan in place by 2017, five years after the publication of the NPPF. The same Ministerial Statement (21 July 2015) states that league tables of local plan preparation will be produced and that the government is prepared to intervene to ensure that a local plan is written for those authorities failing to do so. The details of this are expected to be published in the autumn, and although this implies direct action in the absence of a Local Plan, there are likely to be transitional arrangements for authorities in the process of Local Plan preparation.

- 3.2 Although the Authority's Core Strategy document is a comprehensive strategic policy framework, it does not reflect the need for more detailed development management policies which are required to address current development proposals and this is increasingly evident in the reality of development management, particularly in Planning Committee with an increasing number of decisions now being made outside the scope of existing policy requirements. Planning decisions in the National Park, need to deliver National Park purposes at a generic level and also the aims and aspirations of the new Management Plan, which has been adopted since the current development plan was adopted.
- 3.3 A closer alignment between the government's planning aspirations and the Authority's planning approach would help to deliver more consistent decision making and greater success at appeal, always with the overriding caveat that the Authority's key aim in its planning role is to enable development that helps achieve National Park Purposes. A new local Plan needs to deliver the Government vision for delivering sustainable growth within the context of a Protected Landscape, which currently is unclear. Although the Vision for National Parks is still extant in the National Parks and Broads Circular 2010, there are elements of this which don't sit comfortably with more recent government announcements on planning, particularly in relation to housing, wind energy development and delivering growth in the rural economy as set out in the Rural Productivity Plan, (*Towards a One Nation Economy*) recently published by the Secretary of State for DEFRA and the Chancellor. Overall, officers consider that many of the changes made to the planning system over recent years have weakened protection for National Parks and in the absence of a holistic approach, have done so in an incremental and ad hoc way. A new Local Plan will create the opportunity to address these inconsistencies and seek to introduce a planning framework which is appropriate to deliver sustainable development in a protected landscape and, importantly to engage with government through the Inquiry process.
- 3.4 Planning across local authority boundaries is crucial to ensuring that the duty to cooperate is enacted but also to ensure the authorities surrounding the National Park recognise and plan for the specific requirements relating to a nationally designated landscape such as the need to meet elements of housing need that cannot be delivered within the Park and the need to have regard to its setting in their policies and land allocations. More recently there has been support at a county and LEP level to produce a very high level strategic spatial plan, primarily to deliver sustainable economic growth outside the protected areas across the County. This has no formal status as a development plan and would have to be coordinated across districts. If still relevant after devolution it could form part of an evidence base for individual local plan preparation and would be an important part of the soundness test relating to the duty to cooperate.
- 3.5 Of great importance is the need for the Authority to plan for the communities in the National Park and a successful plan for a ten year period is one that actively involves local people from the outset so that policies can be prepared that reflect their aspirations and development needs on a settlement and parish basis within the context of sustainable development in a protected landscape. Preparing a new Local Plan will create an exciting opportunity for the Authority to engage with its local communities and to include them in policy formulation which will address specific local issues and deliver policies and approaches that are shaped by and respond to the differing needs and characteristics of the different places within the North York Moors, rather than applying blanket policies across the Park which is the tendency in the more high level framework of a Core Strategy. Equally, the national element of the Park must also feature in such a process and there will be a need to capture the views and opinions of visitors to the National Park in the plan preparation. Officers believe that there are exciting possibilities to use modern media to engage with a larger and more representative sample of the wider public concerning their views about NPs.

4. Current Policy Difficulties in the Existing Core Strategy and Development Policies

4.1 Spatial Strategy

The Core Strategy and Development Policies Document was drafted within the context of the Regional Spatial Strategy for Yorkshire and Humber, which focused development in larger towns and cities. For the North York Moors the Spatial Strategy was based on focusing development of settlements which had as a minimum a shop selling food, primary school and 'good' public transport links to a large town. The success of this approach has been monitored since April 2009 and has demonstrated that despite the policy approach development has continued to be focussed on the smaller settlements. A new Local Plan will need to review the current spatial strategy approach in light of but not constrained by the emerging Spatial Plan.

4.2 Housing Policies

The Yorkshire and Humber RSS specified that all new housing in the National Parks should meet local needs only and therefore did not give them a housing provision figure. In response to community consultation and a historic approach of allowing some open market housing in the cross boundary villages, Core Policy J allowed for some open market housing subject to the provision of a viable level of affordable housing. The purpose of the policy was to provide much needed affordable housing in these settlements for local people.

4.3 Paragraph 47 of the NPPF says that Local Planning Authorities should meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period. Advice from DCLG, which has finally emerged as National Planning Policy Guidance two years after the publication of the NPPF clarifies how this requirement relates to National Parks. Although National Parks also need to address their objectively assessed housing needs, the fact that development in these areas should be restricted (NPPF para 14) means that most of the objectively assessed requirement for housing would have to be met outside the designated area, through the duty to cooperate.

4.4 In addition the new Local Plan will need to address the continued viability of the local occupancy condition and consider the potential to introduce some open market housing on exception sites to deliver affordable housing needs as discussed in paragraph 54 of the NPPF.

5. Supporting the Aims of the LEP and Management Plan

One of the aspirational aims of the Management Plan is to increase the number of people who visit the Park, within limits. In order to meet this aim the Authority may wish to be more proactive in its policies supporting the diversification of the tourism offer and accommodation in particular, which has developed into more innovative forms meeting different markets and needs than traditional camping and caravan sites which current policies relate to. New policies are needed to assess proposals for active recreational proposals, developing the huge interest in the area generated by recent international cycling events, which has led to individual business development and diversification proposals. There is also a need to look at infrastructure improvement including a new policy framework for assessing signing and advertising proposals to help the tourism economy grow whilst balancing the need to protect the landscape and built environment of the Park.

5.1 Development on Brownfield Land

There are a number of large sites across the Park which are considered to be brownfield land and could deliver more than 5 dwellings, however at present there is no policy provision in the CSDP document which would support their development and therefore would need to be considered as departures from the Development Plan.

- 5.2 The NPPF makes clear that planning should encourage the effective use of land by - using brownfield sites, provided they are not of “high environmental value and that local councils can set locally appropriate targets for using brownfield land. The planning practice guidance also stresses the importance of bringing brownfield land back into use. Earlier this year the government consulted on proposals which require LPAs to identify brownfield sites which could deliver 5 or more dwellings. The government intention is that by 2020 permission will be granted on over 90% of these suitable brownfield sites. As part of its consultation the government suggested that where LPAs did not meet this requirement that they could become “designated authorities”. Although the conclusions of this consultation have not yet been published it is clear the National Park Authority needs to address the issue of brownfield land.

5.3 Decision Making

The quality of development management decisions is intrinsically linked to the robustness and relevance of planning policies. Failure to maintain an up to date local plan could result in decisions being taken out of the hands of the Authority through loss of appeals, which would adversely harm the reputation of the planning authority. Given the increasing age of the plan and the high volume of changes which have been made to the planning system in recent years at both a regional and national level it is considered that a full review of existing planning policies is required as a priority in the Authority’s Business Planning.

5.4 Evidence

The preparation of the Local Plan will be progressed through the Development Plan Working Group. A number of documents will need to be prepared to support the preparation of the Local Plan these include:-

- Strategic Housing Market Assessment (SHMA)
- Strategic Housing Land Availability Assessment (SHLAA)
- Objectively Assessed Housing Needs Assessment
- Infrastructure Delivery Plan (update)
- Sustainability Appraisal
- Habitats Regulation Assessment

- 5.5 Officers will seek to maximise the level of community engagement in the preparation of the new plan. In order to do this, Officers will engage an independent facilitator with experience in community engagement to lead on a number of planning for real for real events which will identify the issues which will form the basis of the first stage of consultation.

6. Timescale for Preparation of a New Local Plan

- 6.1 The preparation of a Local Plan is currently carried out in accordance with the 2012 Regulations which set out various stages of public consultation. Although the time for preparation of a Local Plan can change depending on circumstances for example changes to national planning policy or adverse consultation responses it is anticipated that the plan would take approximately 3 years to prepare from

commencement to final adoption under the current system of preparation. The Government has however announced its intention to streamline the process of preparing Local Plans and it is likely that new Regulations will come into force shortly with the intention of shortening the process. The provisional timetable below is therefore likely to change.

Provisional Timetable	
Phase1 Evidence Gathering and consultation on Initial Issues, Planning for Real Exercises and call for sites	January 2016 or one month after the apt of the new Head of Policy (whichever is later) 2016
Phase 2 Preparation and consultation on Draft version of the Plans	October 2016 to May 2017
Phase 3 Preparation of Publication Version of the Plan formal consultation and Submission to the Secretary of State	May 2017 to December 2017
Examination	Between February and April 2018

7. Financial and Staffing Implications

- 7.1 There are a number of costs associated with the preparation a new Local Plan including the costs of examination and the production of a number of supporting pieces of evidence. The costs of preparing evidence are likely to be in the region of £40,000, whereas costs of consulting on the three stages of the Plan and the Examination are likely to amount to approximately £65,000. The annual budget for Local Plans and the Management Plan is set at £13,000 per annum so is not sufficient even if as is likely the costs are incurred over a 2-3 year period. This would not only mean that we could not undertake any other strategic planning activity which incurs contractor costs for the period without allocating particular resources. In addition the shortfall of approximately £70k would need to be identified from either reserves, or by reducing other core budgets for the period in question many of which are already reduced to low levels and are under pressure from further reductions. Officers will also give consideration to the ways in which volunteers could assist in developing the plan.
- 7.2 The Planning Policy team currently comprises 1.9 FTE compared to an equivalent of 4 FTE during the preparation of the Core Strategy and Development Policies Document. Production of a new Local Plan, even with a streamlined approach, will constrain what else we can do and there will be a need to look at how resources can be given to State of Park indicators and the Business Plan. As recently reported to Members, we will also need to reduce our input to the proactive delivery of affordable housing, though still remain within the North Yorkshire Rural Housing Programme. Our input to transport planning has already been severely constrained for some time, and inevitably our ability to work proactively with communities on village design statements and parish plans will be halted, though the preparation of a Local Plan will achieve similar objectives. It is considered that the majority of the work on a new plan can be produced within existing resources with support from DM staff where necessary during the varying stages of consultation. Involvement at Director level will also be required and there is likely to be a need for technical input at various stages throughout the three years on a contract basis for specific areas of work such as strategic assessment etc. However this is on the basis of the Local Plan being the focus of the team's work. A review of the Management Plan is due to take place in 2017 and therefore ideally work should begin on this in 2016, however Members may consider that in view of the comprehensive nature of the last review and the length of time the management plan looks towards, a light touch refresh is only required.

8. **Contribution to National Park Management Plan'**

8.1 A review of planning policies will provide an opportunity to align them better with the priorities set out in the Management Plan.

9. **Legal Implications**

9.1 The Local Plan will need to be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (or replacement) and the requirements for Sustainability Appraisal and the Habitats Regulations.

10. **Recommendation**

10.1 That:

Members authorise Officers to begin work on the preparation of a new Local Plan for the North York Moors National Park Authority within the timeframe set out in this report.