

## North York Moors National Park Authority Development Plan Working Group

18 March 2015

### Preparation of a New Local Plan for the National Park

#### 1. Purpose of the Report

- 1.1 To seek Members views on the need for and confirm timing of a new local plan for the National Park in light of the radical changes in the planning system over the last five years and the age of the current Core Strategy and Development Policies Document which was adopted in 2008.

#### 2. Introduction

- 2.1 The North York Moors National Park Core Strategy and Development Policies Document (CSDPD) was adopted in November 2008. At this time plans had to comply with policies set out in Regional Spatial Strategies and were not meant to replicate national or regional planning guidance. Since the adoption of the CSDPD the government has revoked Regional Spatial Strategies, introduced a number of changes to permitted development rights and adopted the National Planning Policy Framework. These changes mean that the CSDPD is becoming increasingly outdated.
- 2.2 Paragraph 158 of the NPPF requires that 'Local Planning Authorities should ensure that the Local Plan is based on adequate, up to date and relevant evidence about the economic, social and environmental characteristics and prospects for the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic goals'. The remainder of this report considers the main areas which Officers consider need to be reviewed in light of changes to National Policy.

#### 3. Spatial Approach

- 3.1 The CSDPD's spatial approach was based upon the hierarchy of the Yorkshire and Humber Plan which identified Helmsley as a Local Service Centre. Below this level are the Service Villages and these were settlements which had a primary school, a shop which could provide basic provisions and good transport links to the Service Centres (Whitby, Scarborough, Guisborough, Thirsk and Malton). The success of the spatial strategy in focussing development in the more sustainable settlements is monitored on an annual basis in the AMR. The table below illustrates where completions have taken place and clearly shows that the aims of the Spatial Strategy have not materialised.

	Helmsley	Service Villages	Local Service Villages	Other
2013/14	0	1	14	11
2012/13	1	1	11	15
2011/12	0	12	13	30
2010/11	0	5	20	7
2009/10	0	0	3	29
2008/9	5	0	2	12
2007/8	0	14	5	48
Total	6	32	68	152

3.2 It is the intention of the NPPF that Local Plans are monitored regularly and reviewed where required. Further to the views of local communities expressed through the development management process it is considered that the spatial strategy for the North York Moors could benefit from a review in terms of its effectiveness and whether further development should be supported in other settlements. The NPPF is very much based on economic growth and boosting housing supply, which is clear through the statement at paragraph 14 which sees the presumption in favour of sustainable development as the golden thread running through both plan-making and decision-taking. It is likely that the levels of development which has historically taken place in National Parks will change and this needs to be addressed in the review of the spatial approach.

#### 4. **Approach to new Housing**

4.1 Historically housing development in National Parks has been restricted to levels which do not react to demand but are aimed at meeting local, social and economic needs. Consequently previous Development Plans (Joint Structure Plans and their Regional Replacements) set out either very low nominal housing figures or zero housing provision for the Parks. In order to comply with the Yorkshire and Humber Plan the CSDPD did not set a housing provision figure or allocate sites for new development. The exception to this was Helmsley as the Local Service Centre where a commitment was made to determine the figure for the whole of the town through the Ryedale Local Plan Strategy process and allocate the most suitable sites to meet this figure through the preparation of the Helmsley Plan.

4.2 Paragraph 47 of the NPPF says that in order to boost significantly the supply of housing, local planning authorities should use their evidence to ensure that their Local Plan meets the 'full, objectively assessed needs for market and affordable housing as far as is consistent with the policies set out in the Framework'. It is not clear from the NPPF or the Planning Guidance whether or not National Parks are supposed to meet their full objectively assessed housing needs as set out in this paragraph or whether only paragraph 54 of the NPPF is relevant which says that 'local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing' is relevant. Paragraph 115 of the NPPF refers to the English National Parks and the Broads: UK Government Vision and Circular 2010, however this is a reference to conserving and enhancing the natural environment and therefore it is not clear how much weight the National Parks as Planning Authorities should give to paragraph 78 of the 2010 Circular, which states that 'the Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them'. The Circular was drafted under the previous Government but adopted by the Coalition Government prior to the introduction of the NPPF. Although there is a commitment to reviewing the document this year it could now be considered out of date. Adding further confusion the Footnote 9 of the NPPF makes it clear that policies in the NPPF indicate that development in National Parks should be restricted.

4.3 Although the National Parks have sought clarification on the approach for housing development in designated areas through both the 'Taylor Review' and direct discussions with DCLG guidance has not been forthcoming. However legal advice obtained by East Hampshire District Council in relation to the South Downs National Park concluded that National Parks, as local planning authorities are required to demonstrate a 5 year supply of housing as against its own assessment of housing requirements.

4.4 At present the National Park Authority does not have an objectively assessed housing needs figure and therefore cannot demonstrate that it has a 5 year supply of housing to meet its requirement. This means that the Authority is vulnerable to applications for

new development, which may not necessarily meet the requirements of Core Policy J. Where applications are to be determined through the appeal process the Inspector is likely to consider that the Core Strategy and Development Policies are out of date in relation to the housing policies in the NPPF and therefore may allow applications which could impact the character of the Park, as has occurred elsewhere in relation to housing development in Areas of Outstanding Natural Beauty, which have the same planning status as National Parks. Essentially, the lack of an objectively assessed housing figure and 5 year land supply means that the Authority is vulnerable to decisions on housing development being made on appeal basis rather than being planned. The lack of an objectively assessed housing needs figure for the National Park was discussed at length during the examination of the Helmsley Plan, with developers suggesting that it was not possible to conclude whether needs were being met in the absence of this figure.

4.5 Officers therefore consider that it is urgent that the Authority begins work on gathering evidence to calculate its objectively assessed housing needs figure. Officers believe that the objective assessment should be carried out in 4 stages as outlined below:-

1. A Strategic Housing Market Assessment (SHMA) is carried out for the whole of the National Park area to identify the full housing needs of the Park.
2. An assessment of how much need can be accommodated in the National Park is undertaken through a Strategic Housing Land Availability Study.
3. Discussions are held with constituent Districts on how much of the remaining housing need can be provided within the District's Local Plan Area through the Duty to Co-operate.
4. Arrive at an objectively assessed housing provision figure and allocate sites to meet this need.

4.6 An opportunity has arisen to work jointly with Hambleton District Council who are beginning work on a SHMA in April, which will have cost efficiencies for the National Park. This will be the first stage required in terms of gathering evidence to support an objectively assessed housing needs figure. It is considered that the identification of appropriate sites can be carried out internally following a public "call for sites" later this year. This will form a key piece of evidence which will help the Authority defend against appeals and also form the starting point in the preparation of a new Local Plan.

4.7 In addition to these fundamental policy issues the preparation of a new Local Plan would provide the Authority with the opportunity to review its approach to local occupancy housing, barn conversions and brownfield sites all of which are becoming increasingly outdated or may no longer be fit for purpose. The preparation of an up to date Local Plan will provide greater support to meeting the long term vision set out in the 2012 Management, particularly in relation to protecting the natural environment and the sustainability of local communities.

## 5. **Planning Obligations**

5.1 As set out in a separate report on the implication of CIL the current CSDPD does not set out what is required from developers in terms of planning obligations. The Ministerial Statement of 28 November 2014 means that the National Park is unable to seek planning obligations for sites with 5 or fewer dwellings, however above this level there may be scope to seek significant contributions to meeting both affordable housing requirements and towards wider infrastructure particularly in relation to green infrastructure. Any requirements for planning obligations will need to be supported by robust evidence on infrastructure requirements.

## 6. **Employment and Tourism Opportunities**

- 6.1 Since the abolition of Regional Assemblies the York, North Yorkshire and East Riding Local Enterprise Partnership has been established. In 2014 the Strategic Economic Plan for the LEP area was published and included a number of opportunities to increase economic growth in rural areas. A review of the Local Plan will provide the opportunity to review the current policies with a view to providing more cohesion with the aims of the LEP Strategic Economic Plan.
- 6.2 The York, North Yorkshire and East Riding Leaders are currently considering the merits of moving towards a Joint Committee with the aim of forming a Combined Authority within the sub region after the general elections. A Directors of Development Group has recently been established and so far the focus has been the sub-regional devolution agenda and a review of existing decision making structures. The Directors of Development have also obtained support from Leaders for the preparation of a Spatial Plan for the LEP area. It is imperative that the North York Moors National Park Authority sets out its aims through a Local Plan rather than influenced by the priorities of a sub-regional plan, which may have a very different focus than National Park purposes.
- 6.3 Since the CSDPD was adopted the Management Plan has established a renewed focus on tourism with an area of aspirational change being to increase the number of visitors by an extra 1.6 million. At present the CSDPD policies encourage new tourism and recreation proposals where they increase the understanding and enjoyment of the National Park. The preparation of a new Local Plan may provide the opportunity to consider other operations which could attract visitors to the Park in line with the long term vision of the Management Plan.

## 7. **Next Steps**

- 7.1 Officers are currently reviewing the evidence that will be required to support the preparation of a new Local Plan and the costs for doing so. This information will be presented to Senior Management Team in July with a view preparing a report for presentation to Members in October. The report will consider the following issues:-
- The need for and risks of not preparing a new Local Plan
  - The key areas for review/new policy approaches
  - Evidence required and costs
  - Timescales
  - Consultation Strategy
  - Resources
- 7.2 Officers are keen to prepare a new Local Plan with active participation from local communities. We are keen to ensure that we engage a wide range of local people throughout the process on what they envision to be the main areas of concern to develop a robust set of policies which will meet their long term vision for their communities.
- 7.3 Officers are keen to obtain the input of Members of the Working Group on other issues which they consider should be addressed to inform this report.

## 8. **Financial and Staffing Implications**

- 8.1 There will be costs and staffing implications involved in the preparation of a new Local Plan which will need to be prioritised. These will be reported to Members in October.

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

9.1 An up to date Local Plan supports a number of the priorities set out in the Management Plan and sets a framework for ensuring that the objectives can be delivered.

10. **Legal Implications**

10.1 The preparation of a new Local Plan will need to be carried out in accordance with the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

11. **Recommendation**

11.1 That:

Members note the content of the report and provide comments to Officers for further consideration.

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