

North Tyneside Council Report to Cabinet Date: 13 February 2012

ITEM 6 (d)

Title: Council Motion on
Preparation of Core
Strategy

Portfolio(s): Elected Mayor
Regulatory Services

Cabinet Member(s): Mrs Linda Arkley
Cllr George
Westwater

Report from Directorate: Chief Executive's Office

Report Author: Ken Wilson – Head of Regeneration,
Development and Regulatory Services (Tel: 0191 643
6091)

Wards affected: All

PART 1

1.1 Purpose:

The purpose of the report is to:

- set out the principal steps taken to date in the production of the Core Strategy, including consultation undertaken;
- outline the remaining procedure to be followed in the production of the Core Strategy, including the role of Council;
- note the terms of the resolution made by Council at its meeting on 24 November 2011, pursuant to its discussion on a petition received in relation to the Core Strategy Preferred Options;
- provide Cabinet with officers' commentary on the issues contained in the Council resolution; and
- set out the recommended next steps in the production of the Core Strategy.

1.2 Recommendation(s):

It is recommended that Cabinet:

- (1) Note the steps taken to date in the production of the Core Strategy and the remaining procedure to be followed including arrangements for consultation;
- (2) Consider the Council's resolution of 24 November 2011 on the Core Strategy and endorse the officers' commentary thereon as set out in this report;
- (3) Instruct officers to proceed with the next steps in the preparation of the Core Strategy as soon as practicable.

1.3 Forward plan:

This report appears on the Forward Plan for the period 1st February 2012 to 31st May 2012.

1.4 Council Plan and Policy Framework

1.4.1 Council Strategic Plan

The Core Strategy is a strategic document for the whole Borough covering a wide range of issues. It therefore relates to many of the aspects of the Council Strategic Plan 2011-15, but in particular to:

Priority 1 Our People: To give every family the opportunity to have an excellent quality of life and all our children achieve their potential:

Theme 1.8: ensuring housing to meet the needs and aspirations of the whole community;

Outcome: there will be increased overall housing supply including affordable housing and executive homes.

Priority 2 Our Business: To create a strong framework to support all business and enterprise in North Tyneside to flourish and to improve economic opportunities for residents of our Borough:

Theme 2.2: being the first choice for business;

Outcome: the Borough will be marketed as the first choice for economic investment to attract major employers and provide a diverse range of job opportunities for residents.

Theme 2.5: ensuring an effective and efficient transport system;

Outcome: major scheme investment will be pursued to improve our transport networks.

Priority 4 Our Environment: To make living and/or visiting North Tyneside a great experience where the quality of life is good, communities are safe and our neighbourhoods are clean and green:

Theme 4.1 enabling high quality facilities and places to go;

Outcome: our parks, sports and leisure facilities including facilities for children and young people will be improved – more people will be able to use our facilities, new ones will be developed and delivered and we will understand where there are gaps in provision and work with local communities to address them.

Theme 4.6: encouraging tourism;

Outcome: new products and attractions will be developed to add further value to our tourism offer.

Theme 4.7: regenerating the coast;

Outcome: the coast will be reinvigorated with an improved image of the area, building upon its natural, cultural, heritage, and tourism assets.

Theme 4.8: developing the Borough's retail centres;

Outcome: Area Action plans will be developed for North Shields, the Coast, Wallsend, Forest Hall and Whitley Lodge.

Theme 4.9: regenerating River Tyne North Bank;

Outcome: the River Tyne North Bank will be regenerated to become a thriving area of economic growth with education at its core, promoting a local enterprise culture, attracting world leading businesses, providing high quality jobs and supporting the local communities.

Priority 5 Our Place: To encourage residents in North Tyneside to have a greater say and take responsibility in their communities through a big society approach:

Theme 5.2: engaging with communities;

Outcome: we will listen to and learn from local people on issues that are important to them through a wide range of opportunities in ways that suit them.

1.4.2 North Tyneside Sustainable Community Strategy 2010/13

North Tyneside Strategic Partnership has an ambitious vision for the Borough which is that the Borough is a place of opportunity, prosperity and vibrancy. A place where people are happy, healthy, safe, able to participate in a flourishing economy and achieve their full potential.

The Partnership states it “will work together to see that:

- The North Bank of the Tyne is established as a zone of global significance in the renewable and marine industries, where our economic renewal is supported by an innovative higher education offer;
- North Tyneside plays a full part in the renaissance of the North East as a prosperous, innovative and distinctive region;
- A diverse range of businesses across the Borough achieve their economic potential;
- Our children and young people have high aspirations, enjoy their childhood and acquire the skills to support their own and the Borough’s wellbeing and prosperity;
- Our town centres are renewed, easily accessible and provide a wide range of shops and services;
- Our local environment is clean, green, attractive and sustainable;
- Our stunning coastal strip and unique cultural assets are enhanced and enjoyed by residents and visitors alike;
- Opportunities to engage and participate in sport, culture and the arts are available to all;
- Health inequalities are reduced and people receive the care and support they need to enjoy healthy lifestyles at all ages;
- Our Borough is welcoming and everyone has the chance to contribute to their community. Differences between people are valued and respected, and everyone has similar life opportunities;
- Neighbourhoods are friendly, inclusive, safe and connected, offering a range of quality housing options and local facilities; and
- People, young and old, feel a sense of pride in and belonging to our area, are involved in volunteering, and are engaged in shaping the decisions that affect their lives.”

The Community Strategy sets out the following priority areas to improve the Borough and to encourage inward investment:

1. Regeneration
2. Quality of Life
3. Best Start in Life
4. Sense of Place.

1.4.3 Council's Policy Framework

The Core Strategy will form part of the Development Plan for the Borough. The Development Plan is part of the Council's Policy Framework and as such is subject to the Budget and Policy Framework Procedure rules and the Core Strategy will therefore be progressed in accordance with those rules. This will include consultation and consideration of the proposals at various stages by Cabinet and Overview and Scrutiny Committee, and adoption by a meeting of full Council, prior to submission to the Secretary of State for final approval.

1.5 Information:

Steps taken in preparation of Core Strategy to date

Core Strategy Issues and Options Report

- 1.5.1 An Issues and Options Report seeking views on broad issues facing the Borough was published for consultation in 2007. The consultation comprised letters / e mails to statutory consultees and other appropriate groups and individuals, placing copies of the Report in Council offices and on the Council's website, and press coverage. Responses were taken into account in the preparation of the Preferred Options Report.

Core Strategy Preferred Options

- 1.5.2 At its meeting on 14th June 2010 Cabinet approved for consultation purposes a document setting out Preferred Options for policies and proposals to be included in the Core Strategy for the Borough, which would set out a vision and spatial strategy for North Tyneside up to 2026 (Minute CAB11/06/10).
- 1.5.3 In summary the Preferred Options:
- Restricted development in the urban fringe along the north edge of the Borough, protecting the existing Green Belt;
 - Protected major areas of green space within the main urban area around Killingworth Moor and Murton;
 - Maximised and supported development in and around the town centres of Whitley Bay, North Shields, Wallsend and Killingworth;
 - Dispersed development not capable of being accommodated in town centres to the rest of the main urban area of the Borough;
 - Proposed growth of around 5,960 new homes by 2026/7. Of these, 3,900 would be built on 10 new large sites, with the remainder in town centres or dispersed across the rest of the urban area;
 - Encouraged the growth of renewable and marine related activities on the western riverside;
 - Proposed that 8 sites totalling 164 hectares should be protected as key employment sites to provide for a range of employment types and growth.

- 1.5.4 The consultation on Preferred Options was carried out over a 12 week period in the summer of 2010, including direct mail/email to many organisations and residents, press coverage, notices in public buildings, and a large number of drop-in sessions held around the Borough. Over 900 individual written representations were received, together with 2 petitions containing 537 and 3,881 signatures respectively.
- 1.5.5 The key outcomes from the consultation were that respondents supported the overall Strategy for development in the Borough, to protect the green belt and enhance and regenerate the Coast, Riverside and Town Centres; were positive about plans for Employment, Shopping and Waste Management; and had concerns about the level of house building that might be needed. The two petitions included objections to house building on a range of green field sites.
- 1.5.6 An interim report on the outcome of the consultation on Preferred Options was presented to Cabinet at its meeting of 11 October 2010. Cabinet resolved to note the summary of the representations, and approved a revised outline programme for the preparation of the further stages of the Core Strategy (Minute CAB79/10/10).
- 1.5.7 At its meeting of 9th March 2011, Council considered a motion relating to the Core Strategy Preferred Options. Council resolved to recommend to Cabinet that the Council hold a poll of electors under Section 116 of the Local Government Act 2003, to ascertain if they agree with Cabinet's Preferred Options in the Core Strategy before Council meets to approve them. This poll was to be based in each of the four Areas of the Borough (Minute C132/03/11(ii)).
- 1.5.8 At its meeting of 8th August 2011, Cabinet considered a report relating to the request of Council that a local poll of electors be carried out on the Core Strategy Preferred Options, and which also set out in full the outcome of the consultations carried out on the Preferred Options document. Cabinet resolved (Minute CAB47/08/11) that a further consultation be carried out on a range of growth options for the Borough, for a period of one calendar month, rather than undertake a local poll, and that following the conclusion of that further consultation process, the Core Strategy be progressed to Publication.

Growth Options

- 1.5.9 In accordance with the resolution of Cabinet at its meeting of August 8th 2011 further consultation was carried out during the month of October 2011 on three different growth options for the Borough. The consultation was based on a published document which outlined options for Increased Growth, Stable Growth, and Reduced Growth, with details of the numbers of new homes and the area of employment land required. The option described as Stable Growth was the amount of growth indicated as the Council's preference by Cabinet at its meeting of 14 June 2010 in endorsing the Core Strategy Preferred Options for consultation.
- 1.5.10 In undertaking this further consultation process, a wide range of methods of engagement were used including direct mail/email to many organisations and residents, press coverage and adverts, notices in public buildings, and an event for Young People. These resulted in 663 individual representations being received. A majority of these expressed support for the Stable Growth option or Increased Growth, although a majority were also opposed to building on green field land.

1.5.11 The outcome of the Growth Options consultation was considered by Cabinet at its meeting of 12 December 2011 (Minute CAB110/12/11). It noted the results of the consultation on the Growth Options and resolved to seek the views of Council on the outcome of the consultation, further noting that Stable Growth remains the preferred option.

Consideration by Council of petition relating to the Core Strategy, and issues arising

1.5.12 At its meetings of 8th September and 24th November 2011 Council considered a report on a petition relating to proposals set out in the Core Strategy Preferred Option documents used for consultation in the summer of 2010. The petition asked that specified potential development sites referred to in the Preferred Options documents be designated as Green Belt or Green Wedge rather than be developed. Following initial deferral of the Council's discussion on the petition on 8th September, pursuant to its discussion on the petition on 24th November Council resolved (Minute C85/11/11) to:

- Refer the petition to Cabinet for consideration in the context of the ongoing development of the Core Strategy;
- Welcome the views expressed by local residents in their petition, and therefore to ask the Cabinet to withdraw the Core Strategy to await the outcome of the National Planning Policy Framework and to understand how this will work with the new Localism Act; with the help of the local community; to ask the Cabinet to protect the Greenbelt where possible and to start the work forthwith to prepare a local plan based on neighbourhood projections; to further request Cabinet to start early and meaningful engagement with the local community to help the Council shape the future of the Borough.

1.5.13 The implication of the above resolution is that work on the content of the emerging Core Strategy should include a reappraisal of the suggested policies and proposals as set out in the Preferred Options 2010 in the light of the factors and further work set out in the resolution, including the content of the petition received. The following paragraphs 1.5.14 to 1.5.20 consider the matters raised by Council.

1.5.14 The key issues/elements raised in the resolution of Council are as follows:

- a) The National Planning Policy Framework
- b) The Localism Act
- c) Green Belt protection
- d) Neighbourhood projections
- e) Community Engagement

Officer commentary on each of these issues is set out below.

1.5.15 **The National Planning Policy Framework**
In respect of changes to national planning policy, in July 2011 the Government published for consultation a draft of a new National Planning Policy Framework (NPPF) to replace most existing national planning guidance. As indicated by the ensuing national debate on the draft NPPF, it promotes growth and development, and there is no indication to date that the Government will make significant changes to this overall objective. It is considered likely that any changes from the draft NPPF will be adjustments rather than wholesale changes. It is considered that the broad thrust of the Core Strategy as suggested in the Preferred Options 2010 is therefore not likely to be affected by the content of the final NPPF. In the meantime the continuing work on the Core Strategy has taken into account the implications of the NPPF as evidenced

by the published Draft. The detailed content of the draft Core Strategy could therefore be brought into line with the final NPPF quite quickly after its publication, which is anticipated by the end of March 2012.

1.5.16 The Localism Act 2011

The main measures of the Localism Act fall under four main headings:

- new freedoms and flexibilities for local government (broadly, allowing it to undertake any task that is not prohibited, and specifically giving particular areas new powers to improve accountability and promote economic growth)
- new rights and powers for communities and individuals (e.g. giving community organisations the right to take over public assets)
- reform to make the planning system more democratic and more effective (e.g. the preparation of neighbourhood plans to guide the development proposed in the local authority's overall plan for their area)
- reform to ensure that decisions about housing are taken locally (in relation to the provision of social housing)

It is considered that none of these measures have any substantive effect on the content of the Core Strategy as they do not relate in themselves to national planning policy.

1.15.17 Green Belt Protection

The Green Belt in North Tyneside was established in 2002 through the present Unitary Development Plan (UDP). The Core Strategy Preferred Options 2010 did not include any proposals for changing the Green Belt, and following Cabinet's consideration of the Core Strategy Growth Options consultation the Elected Mayor has confirmed her view that the Green Belt will be unaffected by the Core Strategy. On the basis of the position outlined, it is considered that the resolution would not provide any further protection of the Green Belt.

1.15.18 Neighbourhood Projections

Current Government policy set out in Planning Policy Statement 3 Housing (PPS3) indicates that the level of housing provision to be provided should take into account a number of factors including Government household projections. The smallest area for which these are prepared is for individual local authorities. The draft NPPF will in its final form replace PPS3. This draft states that development plans should include strategic policies to deliver housing requirements which meet household and population projections. These requirements should be identified through a Strategic Housing Market Assessment (SHMA) covering the whole of the housing market area, which for North Tyneside covers the whole Borough. On the basis of the matters outlined above, it is considered that household and population projections need to be carried out for the whole Borough, rather than for neighbourhoods falling within it.

1.5.20 Community Engagement

Paragraphs 1.5.1 to 1.5.11 include descriptions of the three main opportunities for engagement with, and consultation of, the local community carried out so far in relation to the preparation of the Core Strategy. In addition both the Preferred Options and the preferred Growth Option (Stable Growth) reflect the vision for the Borough contained in the Sustainable Community Strategy, and the content of the Council Plan. Both these documents support the growth of the Borough and have been subject in themselves to consultation and engagement. It is considered that meaningful engagement has been undertaken with local communities and the next steps for the preparation of the Core Strategy contain further opportunities to influence its content, both directly and through Councillors.

1.5.21 Conclusions

The information set out above indicates that:

- the preparation of the Core Strategy need not be suspended until the publication of the final NPPF (para 1.5.15);
- the Localism Act does not have any substantive effect on the content of the Core Strategy (para 1.5.16) ;
- the extent of the Green Belt will remain unaffected by the Core Strategy (para 1.5.17);
- The housing provision of the Core Strategy should not be based on population projections at neighbourhood level (para 1.5.18); and
- the past and proposed consultation and engagement arrangements have and will provide ample opportunity to influence the content of the Core Strategy (para 1.5.20).

Therefore the production of the Core Strategy need not be delayed, or its content revised, for the above reasons.

In addition delay to the preparation of the Core Strategy would result in the risks set out in 1.5.24 below, and should be avoided as far as practicable.

The Core Strategy – Next Steps

1.5.22 The next steps for the Core Strategy are set out below. These outline the key remaining Council procedures necessary to take the Core Strategy (as part of the Policy Framework) through to Full Council for endorsement prior to a formal Public Examination:

- Core Strategy Publication Draft initial proposals submitted to Cabinet, together with a draft response to representations received and other supporting documents;
- Consideration of initial proposals by Overview and Scrutiny Committee;
- The Elected Mayor considers any recommendations of Overview and Scrutiny Committee and formulates final proposals;
- Consideration of final proposals by Overview and Scrutiny Committee;
- Consideration of final proposals, together with any recommendations of Overview and Scrutiny Committee, by Cabinet;
- Consideration of final proposals, with details of any Overview and Scrutiny Committee recommendations and the Cabinet's response to these, by Full Council, prior to Publication of the Draft Core Strategy.

1.5.23 Once the draft Core Strategy is approved by Full Council there will follow a formal six week consultation. Pending the outcome of this consultation the Core Strategy will be submitted to the Secretary of State with an examination by an Independent Inspector. Final adoption of the Core Strategy would then follow.

1.5.24 Delay in taking the next steps set out above may result in some or all of the following:

- Lack of up to date and approved policy guidance to developers, which may result in permission being granted by the Government for development in locations not preferred by the Council and developers choosing to delay development or develop outside the Borough due to lack of certainty as to policy guidance, which for example would have consequent impacts on the provision of affordable housing and jobs;
- Delay to development, or loss of development to the Borough, which would in turn reduce income to the Council through Council Tax, Business Rates, New Homes Bonus, and Planning Obligations, and damage the local economy through loss of spending on, or resulting from, new development, including salaries for new jobs;

- The prevention of the establishment and collection of Community Infrastructure Levy by the Council, required by 2014 to compensate for restrictions on the collection of funding from developers through S106 agreements, as this requires that the Core Strategy is first adopted;
- Delay in the Council undertaking its statutory duty to maintain an up to date Development Plan; and
- Delay in implementation of aspects of the Council Plan.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

To instruct officers to proceed with the production of the Core Strategy in accordance with the steps set out in paragraph 1.5.20 as soon as is practicable.

Option 2

Not to instruct officers as set out in Option 1.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

The reasons for the preferred option are set out in detail in Paragraph 1.5.21 of the report.

1.8 Appendices:

None.

1.9 Contact officers:

Peter Brown, Planning Manager, tel: (0191) 643 6326
 Paul Dillon, Assistant Planning Manager, tel (0191) 643 6302
 Geoff Bloxsom Principal Planning Officer, tel: (0191) 643 6339
 Alison Campbell Financial Business Manager, tel: (0191) 643 7038

1.10 Background information:

The following background papers have been used in the compilation of this report and are available for inspection from the authors.

1. Planning and Compulsory Purchase Act 2004
2. Town & Country Planning (Local Development) (England) Regulations 2004
3. Planning Policy Statement 12: Local Development Frameworks
4. Draft National Planning Policy Framework July 2011
5. The Localism Act 2011
6. Regional Spatial Strategy for the North East
7. North Tyneside Sustainable Community Strategy
8. North Tyneside Local Development Scheme 2010
9. North Tyneside Statement of Community Involvement

10. North Tyneside Core Strategy Issues and Options Report
11. North Tyneside Council Strategic Plan 2011-2015
12. North Tyneside Sustainable Community Strategy 2010-2013
13. North Tyneside Core Strategy Preferred Options 2010
14. North Tyneside Core Strategy: Preferred Options Report of Consultation, August 2011
15. North Tyneside Core Strategy Further Consultation on Growth Options, October 2011
16. North Tyneside Core Strategy Further Consultation on Growth Options: Report of Consultation December 2011
17. Meetings of North Tyneside Council and Cabinet: Reports and Minutes as referenced in this report.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

The staff, printing, and other costs of all documents necessary for production of the Core Strategy will be met from within existing revenue budgets. The Development Plan is part of the Council's Policy Framework and subject to the Budget and Policy Framework Procedure Rules and, as such, any financial implications of the strategy will be costed and included in Budget proposals where appropriate.

2.2 Legal

The Planning and Compulsory Purchase Act 2004 and accompanying regulations require the Council to keep under review matters affecting planning and development, and make any necessary changes to Local Development Documents. This is so that these Documents as a whole set out policies for development and use of land in North Tyneside. The Core Strategy is the document which sets out general planning policies for the whole Borough. It will be a significant step towards the replacement of the Unitary Development Plan, which was adopted in 2002.

This report relates to consideration by Cabinet of a resolution of full Council taken in relation to a petition received and discussed by full Council in accordance with the provisions of the Council's Petition Scheme at Part 5 of the Council's Constitution.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

In preparing this report, consultation with relevant council officers and Legal Services was undertaken.

2.3.2 External Consultation/Engagement

Section 1.5 of the report sets out the nature and extent of the consultation undertaken on the Core Strategy to date, and the further consultation to be undertaken.

2.4 Human rights

There are no human rights implications directly arising from this report.

2.5 Equalities and diversity

The preparation of the Core Strategy to date has been and will be informed by the carrying out of Equality Impact Assessments at relevant stages of the process. In addition, the impact of developing policies and proposals is also assessed through the requirement to subject the emerging plan to more general Sustainability Appraisal.

2.6 Risk management

The risks associated with the next steps in the production of the Core Strategy have been considered. These and any risks identified as the project proceeds will be managed using the Council's risk management process as appropriate.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no environmental implications directly arising from this report which relates to the outcomes of the additional consultation undertaken.

PART 3 - SIGN OFF

- Strategic Director(s)
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Strategic Director with responsibility for Community Engagement