

**Cabinet:
13 October 2014**

ITEM: 6(h)

**Appendix 1:
Local Development
Scheme.
2014**

Local Development Scheme

October 2014



North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

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1 Introduction

This Local Development Scheme for North Tyneside was approved by Cabinet on 13th October 2014 and replaces the Council's previous Local Development Scheme approved in June 2013.

The Local Development Scheme sets out the Council's programme for preparing new or revised local planning policy documents. The form and content of each plan will be shaped to a large degree by the National Planning Policy Framework (NPPF) published in March 2012. Appendix 1 lists the existing local planning policy documents.

2 Development Plans and other planning policy documents

2.1 Development Plans

The Council is required to produce documents which set out its policies relating to the development and use of land in its area.¹ The most important of these are Development Plan Documents (DPDs), also known as Local Plans, which include any allocations of land for development and general planning policies. They are the starting point for the determination of planning applications.

The main stages in the process required for the preparation and adoption of DPDs are:

- The preparation and maintenance of an up to date evidence base by the Council;
- Cooperation by the Council with adjoining authorities on cross border issues, a particular statutory requirement;
- Wide engagement by the Council with the public, businesses and other organisations on the content of the plan, which may include publication of Issues and Options papers, Preferred Options, and a Consultation Draft;
- Consideration by a full meeting of the Council (all councillors) of the content of a Draft Plan;
- Publication by the Council of the resulting Draft Plan for formal representations on any issues still outstanding from previous engagement;
- Submission of the Draft Plan with the formal representations and supporting information to the Secretary of State;
- Examination before an independent Inspector, who will indicate whether the Plan can be adopted, with modifications if necessary;
- Adoption of the development plan.

¹ Main legislation is the Planning and Compulsory Purchase Act 2004

The current Development Plan policies are shown on an adopted Policies Map, which has to be updated on the adoption of a new or revised Development Plan document.

2.2 Neighbourhood Planning

Under the Localism Act 2011, Neighbourhood Plans can be produced by any groups or organisations that are designated as a “Neighbourhood Forum” by the Council and guided by Schedule 9 of the Localism Act 2011. Production of a neighbourhood plan for an area would be to provide detailed guidance on specific issues. These will be subject to independent examination and a local referendum. If approved at the referendum then the Council will bring the neighbourhood plan into force. The neighbourhood plan would then provide the starting point to determine planning applications for that particular area. Given that Neighbourhood Plans are prepared by communities and not the Council it is not appropriate for the LDS to specify when, or for where, they will be produced.

2.3 Statement of Community Involvement

The Statement of Community Involvement (SCI) is the document the Council must prepare² to set out its policies for the involvement of all those interested in development of the Borough in the preparation of planning policy and in the determination of planning applications. With the exception of formal adoption, the main stages in its preparation are not prescribed. These stages would usually be:

- Preparation, including informal consultation;
- Formal consultation on Draft SCI; and
- Adoption with any modifications required.

2.4 Supplementary Planning Documents

Supplementary Planning Documents (SPD) may be prepared by a Council if it wishes to supplement the policies in the adopted Development Plan, for example to provide more details to assist developers make successful applications. An SPD does not override the Local Plan policies but is a material planning consideration when determining relevant planning applications. If prepared, the main stages required for their preparation³ are:

- Preparation, including informal consultation;
- Formal consultation on the Draft SPD;
- Adoption with any modifications required.

2.5 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a levy that councils can charge on new development in their area. The money can be used to help to pay for infrastructure that councils or local communities want, e.g. road

² Main legislation is the Planning and Compulsory Purchase Act 2004

³ See Local Planning Regulations 2012

improvements, new school buildings, open space etc. The CIL needs to be based on the infrastructure requirements arising from the proposals of an up-to-date and adopted development plan supported by an Infrastructure Delivery Plan. In the case of North Tyneside this will be provided as part of the Local Plan. The process for preparing a charging schedule is similar to that which applies to DPDs.

3 Local Development Scheme: requirements and process

The Council is required to publish a Local Development Scheme describing the DPDs it intends to prepare, and the timetable for their preparation. Once published the Council has to issue up to date information on compliance with the timetable, including in its Monitoring Report. The Council also has to make revisions to the scheme as appropriate.⁴

This Council has chosen to include in its Local Development Scheme details of other planning policy documents in addition to Development Plan Documents.

This updated Local Development Scheme is required because since approval of the Local Development Scheme in 2013: additional Planning Guidance has been published creating additional evidence base requirements; and an additional stage of consultation has been programmed prior to publication of the Local Plan.

Production of the Local Plan was initially proposed in the Local Development Scheme in 2013 as it merged the previous production of a Core Strategy and Area Action Plans for Wallsend, North Shields and The Coast, and in addition the North West Settlement Enhancement Planning Framework. These documents that were previously included in the Local Development Scheme in 2012 are now incorporated into the single Local Plan. In addition, policies relating to waste management, previously part of a separate DPD in the Local Development Scheme 2010 are included within the Local Plan.

4 Local Development Scheme: Adopted Planning Documents

The following details the range of existing planning policy documents in place within the Borough. As detailed in this Local Development Scheme, a number of these documents will be reviewed or replaced:

- a) Saved policies contained within the North Tyneside Unitary Development Plan (UDP), 2002
- b) Local Register of Buildings and Parks SPD, 2008
- c) Design Quality SPD, 2010
- d) Transport & Highways SPD, 2010
- e) Planning Obligations SPD, 2009

⁴ Main legislation is the Planning and Compulsory Purchase Act 2004

- f) Weetslade Development Brief SPD, 2007
- g) Statement of Community Involvement, 2013

Web links to existing planning policy documents are included in Appendix 1.

5 Local Development Scheme: Documents to be prepared

Links are provided to the latest information for any of the following documents which are already under preparation.

5.1.1 Local Development Scheme: Summary Work Programme

| | Preparation | Publication / Formal Consultation | Submission | Examination | Adoption |
|---------------------------------------|---------------|-----------------------------------|-----------------------|---------------|---------------|
| Local Plan | Ongoing | August 2015 | Nov 2015 | February 2016 | August 2016 |
| Local Register of Buildings and Parks | August 2016 | October 2016 | Not required for SPDs | | December 2016 |
| Design Quality SPD | August 2016 | October 2016 | | | December 2016 |
| Transport and Highways SPD | March 2014 | September / October 2014 | | | December 2014 |
| Planning Obligations SPD | February 2016 | July 2016 | | | August 2016 |
| Community Infrastructure Levy | Ongoing | August 2015 | | | August 2016 |
| Weetslade Development Brief SPD | To agree | To agree | | | To agree |

5.2 Statement of Community Involvement

The purpose of the Statement of Community Involvement (SCI) is as set out in section 2.3 above. It applies to the whole Borough. The existing SCI 2013 was prepared to take into account the most recent changes in legislation and national policy since its previous adoption. The potential need for a review of the Statement of Community Involvement will be kept under review should there be any further changes to national guidance or policy that would require changes to the SCI. At this time a review of the SCI is not required.

5.3 The Local Plan

The production of a Local Plan is intended to address the strategic priorities for North Tyneside and will tackle particular issues of regeneration and investment. The Local Plan will set out a vision and spatial strategy for the whole Borough for at least 15 years from its adoption. It will include:

- Policies for the amount and distribution of development for housing, strengthening the local economy, regeneration of the riverside, revitalisation of town centres and for other uses;
- Policies relating to the provision of infrastructure (including transport and waste management) and community facilities, to the natural and built environment, including the coast, and relating to climate change.
- Proposals for key development sites and priority areas including North Shields, Wallsend the Coast including Tynemouth in the south, Cullercoats, Whitley Bay town centre and as far north as St Mary's Island, and the North West of the Borough.

The Local Plan is currently under preparation. The programme for the remaining stages of its preparation is as follows:

| Stage of production | Timetable |
|--|----------------------------|
| Local Plan Consultation Draft | November 2013 |
| Complete preparation of Further Consultation Draft | December 2014 |
| Further Consultation Draft to consult on preferred options (Regulation 18) | January to March 2015 |
| Cabinet/Council consideration of Publication Draft (requires approval by Council) | December 2014 to July 2015 |
| Publication of the Local Plan and formal pre-submission engagement (Regulation 19) | August to October 2015 |
| Submission to Secretary of State (Regulation 22) | November 2015 |
| Examination in Public (Regulation 24) | February to March 2016 |
| Adoption | July / August 2016 |

The Local Plan forms part of the Authority's Policy Framework and as such is subject to the Budget and Policy Framework Rules requiring the proposals to be considered by the Council's Cabinet, Overview and Scrutiny Committee and full Council prior to public engagement.

A Further Consultation Draft will be prepared as the Local Plan initial proposals, and will be the next stage of public engagement on the plan. This will allow consultation on:

- revised levels of development informed by the latest evidence of population and household growth and requirements, review of employment land requirements and supply, discussions with neighbouring councils as part of the Council's duty to co-operate, and extension of the plan period to ensure it looks forward 15 years from the date of adoption;
- Preferred potential development sites to meet identified needs for growth.

Following completion of public engagement on the Further Consultation Draft preparation of final proposals for the Local Plan will commence. Pending approval by full Council this will be published for formal consultation.

Any responses received at this stage will be submitted to the Secretary of Stage along with the Local Plan publication draft, a range of other evidence and submission documents, and any further proposed modifications to the Plan. Upon submission these documents and any remaining comments or objections received through formal consultation will be considered by an independent inspector.

5.4 Adopted Policies Map

On the adoption of the Local Plan the current Unitary Development Plan Proposals Map will require amendment for the areas affected by revised and updated policies and proposals.

5.5 Local Register of Buildings and Parks SPD

The existing Local Register SPD (2008) requires review because:

- there have been changes in legislation and national policy since its adoption, and
- at present it adds detail to policies in the existing Unitary Development Plan which is to be replaced by the Local Plan.

The purpose of the Local Register SPD is to provide detailed information on those buildings and parks that are of special local architectural and historic interest although not appearing on the national statutory lists. The inclusion of a property in the Local Register is a material consideration in the assessment of any planning application relating to the property. It applies to the whole Borough.

The programme for its preparation is as follows:

| | |
|--|----------------|
| Preparation, including informal consultation | June 2016 |
| Formal consultation on Draft SPD | September 2016 |
| Adoption by Cabinet. | December 2016 |

5.6 Design Quality SPD

The existing Design Quality SPD (2010) requires review because:

- there have been changes in legislation, national policy and design guidance since its adoption, and
- at present it adds detail to policies in the existing Unitary Development Plan, which is to be replaced by the Local Plan.

The purpose of the Design Quality SPD is to ensure the delivery of sensitive and appropriately designed sustainable development, and provide further guidance on the application of the Code for Sustainable Homes and CABI Building for Life criteria. It applies to the whole Borough.

The programme for its preparation is as follows:

| | |
|--|----------------|
| Preparation, including informal consultation | July 2016 |
| Formal consultation on Draft SPD | September 2016 |
| Adoption by Cabinet. | December 2016 |

5.7 Transport and Highways SPD

The existing Transport and Highways SPD (2010) requires review prior to the adoption of the Local Plan because there have been changes in legislation and national policy since its adoption.

The purpose of the Transport and Highways SPD is to set out details of how appropriate measures will be secured to respond to the transport implications of new developments, including requirements for drainage, Travel Plans, and cycle and car parking. It applies to the whole Borough.

The programme for its preparation is as follows:

| | |
|--|---------------|
| Preparation, including informal consultation | March 2014 |
| Formal consultation on Draft SPD | October 2014 |
| Adoption by Cabinet. | February 2015 |

5.8 Planning Obligations SPD

The existing Planning Obligations SPD (2009) will require replacement as programmed because:

- there have been changes in legislation and national policy since its adoption, especially related to the introduction of the Community Infrastructure Levy;

The purpose of the Planning Obligations SPD is to provide guidance relating to the process the Council intends to follow in assessing whether new development is required to make financial or in-kind contributions to mitigate environmental, social, cultural and economic impacts arising from development proposals. It applies to the whole Borough.

The programme for the remaining stages of its preparation is as follows, linked to the programme for the Community Infrastructure Levy:

| | |
|--|---------------|
| Preparation, including informal consultation | February 2015 |
| Formal consultation on Draft SPD | Nov/Dec 2015 |
| Adoption by Cabinet. | August 2016 |

5.9 Community Infrastructure Levy

The purpose of the Community Infrastructure Levy (CIL) is set out above under the general description of Development Plans and other planning policy documents.

North Tyneside does not yet have an adopted CIL. The anticipated programme for its preparation is as follows, linked to the adoption of an up to date Development Plan in the form of the Local Plan.

| | |
|---|-------------------|
| Preliminary charging schedule consultation (reg 16) | June/July 2015 |
| Draft charging schedule consultation (reg 17) | Sept/October 2015 |
| Submission to Secretary of State | November 2015 |
| Examination including public hearings | February 2016 |
| Adoption | August 2016 |

5.10 Weetslade Development Brief SPD

The existing Weetslade Development Brief SPD (2007) requires review as it currently adds detail to policies in the Unitary Development Plan, which is to be replaced by the Local Plan. Its extent is shown on Map 2 in Appendix 2.

The purpose of the Weetslade Development Brief SPD is to provide comprehensive guidance for the development of this major existing employment land allocation, suited particularly for development of storage and distribution uses at the Northern Gateway (A1056). It takes into account issues of environmental mitigation, highway improvement and access.

Recent developments in the potential delivery of the site mean that there is currently uncertainty about the timing for delivery of a revised Weetslade SPD. The Council is working closely with the landowners and potential developers of the site and the need for a revised SPD will need for and timing of any review will be required to reflect the outcomes of that joint working. As such for this revision of the SPD a formal timetable is not included in the LDS.

The programme for the review of the Weetslade Development Brief SPD preparation is as follows:

| | |
|--|--|
| Preparation, including informal consultation | Discussions ongoing with all stakeholders on timing and need for review. |
| Formal consultation on Draft SPD | |
| Adoption by Cabinet | |

Appendix 1: Existing Development Plan and other Planning Policy Documents

| Title | Date | To be replaced / reviewed |
|---|-------------|---|
| North Tyneside Unitary Development Plan (UDP) | 2002 | Certain policies of the UDP have been saved by direction of the Secretary of State in 2007, and remain part of the Development Plan for the time being. They will be replaced or deleted at the adoption of the Local Plan. |
| Statement of Community Involvement | 2013 | Currently considered up to date. Need for update to be kept under review. |
| Fish Quay Neighbourhood Plan | 2013 | This replaces the Fish Quay/New Quay Conservation Area Management SPD . Its extent is shown in Map 1 in Appendix 2. |
| Design Quality SPD | 2010 | To be reviewed |
| Transport & Highways SPD | 2010 | To be reviewed |
| Planning Obligations SPD | 2009 | To be reviewed |
| Local Register of Buildings and Parks SPD | 2008 | To be reviewed |
| Weetslade Development Brief SPD | 2007 | To be reviewed |
| Revoked - North East of England Plan (Regional Spatial Strategy - RSS) | 2008 | Previously forming part of the development plan for North Tyneside, setting strategic requirements for development, the Regional Spatial Strategy for the North East was revoked in April 2013. |

Appendix 2: Maps of proposed planning policy documents

Note: the following maps are of the boundaries of those documents which cover only part of the Borough

- 1) Fish Quay Neighbourhood Plan SPD (adopted no review planned)
- 2) Weetslade Development Brief SPD (need for review under discussion)

