

TITLE OF REPORT: **Gateshead Local Plan – Consultation on Making Spaces for Growing Places (MSGP) (Development Management Policies, Allocations and Designations)**

REPORT OF: **Paul Dowling, Strategic Director, Communities and Environment**

Purpose of the Report

1. To seek Cabinet approval to:
 - I. Publish the Making Spaces for Growing Places (MSGP) Draft Local Plan document for consultation (attached at Appendix 2), which sets out detailed development management policies, land allocations and designations;
 - II. Publish for consultation the draft MSGP Policies Map, which will be made available as both a printed 'hard-copy' document, and as an interactive web-based resource
 - III. Publish for consultation the draft Plan's supporting evidence base. This will incorporate a fresh 'call for sites', allowing opportunity to submit sites for consideration in the draft (SHLAA) and Employment Land Review (ELR),
 - IV. Publish an updated Local Development Scheme (LDS), as attached at Appendix 4, which sets out the programme and timescales for producing this and other Local Plan documents, and publish an updated Statement of Community Involvement (SCI), as attached at Appendix 5, which sets out how the Council will involve the community in the preparation of the Local Plan and in planning decisions that guide development in Gateshead; and
 - V. Authorise the Strategic Director, Communities and Environment, following consultation with the Portfolio holders for Environment & Transport, Housing and Economy to make any changes or updates to the LDS and to the SCI as and when required subject to the following recommendation (vi) below; and
 - VI. Recommend to the Council to amend Schedule 5 of the Constitution 'Non-Executive Functions Delegated to Managers' to include the above additional delegation.

Background

2. The Council has a statutory duty to prepare a Local Plan. In March 2015 Gateshead Council adopted Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (CSUCP), a Local Plan document which was prepared jointly with Newcastle City Council. The CSUCP forms Parts 1 and 2 of Gateshead's Local Plan, setting out borough-wide strategic policies (including the allocation of housing and employment growth sites), while providing a detailed policy framework supporting the development of Gateshead's Urban Core.

3. Progression of MSGP, which will form Part 3 of Gateshead's Local Plan, will ensure that Gateshead has the land use policies to meet our communities' needs, and deliver the Council's strategic ambitions. It will help to create and sustain thriving communities and a more prosperous economy. Development, including provision for new homes, jobs growth and a portfolio of employment land, will be focused in sustainable locations predominantly in the built-up area. Specifically MSGP will:
 - Allocate a range of sites for housing development, further to provision within the CSUCP, to meet Gateshead's identified housing needs, including accommodation needs for Gateshead's elderly and disabled residents
 - Encourage jobs and investment through the designation of employment areas and the allocation of a range of employment sites
 - Designate the boundaries of district and local centres in Gateshead's retail hierarchy, and set a local threshold for retail impact assessments
 - Set out policies on the design and accessibility of development
 - Designate Gateshead's natural and built environment assets, including, for example, Conservation Areas, Areas of Special Character, Local Wildlife Sites and Wildlife Corridors
 - Designate settlement envelopes within the Green Belt.
 - Promote access to a healthier environment through, for example, the designation of green infrastructure and the setting of standards for open space and play facility provision, and through policies on climate change, flood risk and air quality
 - Make provision for the management of natural resources, including minerals, the restoration of former quarry sites and sustainable waste management.
4. MSGP does not include detailed policies for the Urban Core (these are provided within CSUCP) or Metrogreen (it is intended that a forthcoming Metrogreen Area Action Plan will establish a detailed policy framework for development of Metrogreen). However, some designations will apply, including some natural environment and heritage designations, and safeguarded land for transport schemes, for example. In addition to allocating housing and employment growth sites, the CSUCP also designated a revised Green Belt boundary to reflect the extent of these allocations, and other minor adjustments to the boundary as identified through the Strategic Land Review.
5. Additional minor revisions to the Green Belt are being proposed through MSGP. This follows from the recommendation of the Inspector who conducted the Examination of the CSUCP that such sites, smaller than those considered through the CSUCP and not strategic in terms either of their effect on the Green Belt or the resulting scale of development in the relevant rural settlement, should be subject to a review. A call for sites was undertaken in 2015 as part of an updated Strategic Housing Land Availability Assessment (SHLAA), which allowed for such sites to be submitted for consideration. Only a small number of Green Belt sites were submitted through the SHLAA process, and following a detailed assessment, only three of those sites were concluded to be suitable for residential development.

Draft MSGP therefore proposes those sites are allocated for residential purposes and the boundary of the Green Belt is changed accordingly.

Preparing the Plan

6. Preparation of the Plan began in 2012 when Cabinet approved for consultation the Scoping Report on MSGP. The intention was to progress MSGP separately to the CSUCP, however, resources were ultimately focused on getting the CSUCP progressed and adopted, at a time of significant change in national policy and legislation.
7. The National Planning Policy Framework (NPPF) states that each Local Planning Authority (LPA) must ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area (para158). The Council has worked to ensure that proposals and policies in draft MSGP are informed by a proportionate and up-to-date evidence base, addressing the issues and needs relating to housing, employment, infrastructure, minerals, the natural and historic environment, health and well-being, and viability and deliverability.
8. The SHLAA and Employment Land Review (ELR) provide key elements of the evidence base supporting MSGP: these documents identify suitable sites in Gateshead that are recommended for allocation for housing and employment development. It is important that these evidence base documents are based upon sound and up-to date evidence. Accordingly, it is intended that consultation on the evidence prepared to inform MSGP will include a 'call for sites' inviting interested parties to submit sites for consideration in the SHLAA and ELR.
9. In preparing the draft Plan the Council has worked closely with colleagues in Newcastle City Council (who are at a similar stage in preparing their equivalent plan) in order to ensure alignment and conformity with policies in the Core Strategy, in updating joint evidence and in addressing common issues. Collaborative working has also provided opportunities to share resources.
10. A draft policies map has been prepared to set out the plan's proposed designations and site allocations. The intention is that the map will also be web based and interactive.
11. Once adopted MSGP will form part of the Council's development plan and guide decisions about development proposals. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Existing UDP Policies

12. The policies once adopted would supersede the majority of remaining saved policies originally published as part of the Unitary Development Plan (UDP) in 2007.

Updated Local Development Scheme (LDS)

13. Under the Planning and Compulsory Purchase Act 2004, Local Authorities are required to produce a LDS which sets out its programme of plan preparation for the next three years. Cabinet approved the Council's initial LDS on 22 March 2005. Three revisions in 2007, 2009 and 2013 took place, and a 2017 update has now been drafted to take account of changing timescales and additional documents that will be prepared.
14. The LDS sets out what documents are being prepared by the Spatial Planning, Environment and Housing Growth Team, what their scope will be, and estimated timescales involved. The LDS provides will be published on the website once approved by Cabinet. Progress in preparing Gateshead's Local Plan against the timescales of the LDS is monitored in the Annual Monitoring Report.

Updated Statement of Community Involvement (SCI)

15. Under section 18 of the Planning and Compulsory Purchase Act 2004, Councils are required to produce an SCI, which outlines the Council's strategy for involving community groups, stakeholders and other organisations in the preparation and review of planning policy documents, and in the consideration of planning applications. The NPPF continues to place emphasis on early and proactive engagement with interested parties in the Development Management process, and in the preparation of Local Plan documents.
16. This is an updated SCI, the previous update was in 2013, and the SCI was first adopted in 2007.
17. The approach to consultation as set out in the SCI will apply to all future Local Plan documents prepared by the Council, and in determining planning applications. The objectives and guidelines set out will be in line with those established as part of the wider Council approach to community engagement.
18. The revised SCI will be adhered to in the development of the next stage of the Local Plan, Making Spaces for Growing Places. During the examination of Local Plan documents the appointed Planning Inspector will consider whether consultation took place in accordance with the adopted SCI.
19. Changes in the approach in the SCI see a shift towards electronic forms of consultation such as email and social media which reflects both a reduction in Council resources and a shift in the way the public and other stakeholders communicate.

Proposal

20. It is proposed that Cabinet notes the content of the draft MSGP Local Plan document, and agrees that it can form the basis for public consultation starting 30th October and ending on 10th December 2017.

Recommendations

21. It is recommended that Cabinet approves:

- (i) The publication for consultation of the Making Spaces for Growing Places (MSGP) Draft Local Plan document;
- (ii) The publication for consultation of the Draft MSGP Policies Map (Appendix 3);
- (iii) The publication for consultation of the Plan's draft supporting evidence base and in connection with the Strategic Housing Land Availability Assessment (SHLAA) and Employment Land Review (ELR), issue a fresh "call for sites" – for sites not previously submitted for consideration in 2015;
- (iv) The publication of an updated Local Development Scheme (LDS) and Statement of Community Involvement (SCI) (Appendix 4 and 5);
- (v) A delegation to the Strategic Director of Communities and Environment, following consultation with the Portfolio holders for Transport Environment Housing and Economy to make any changes or updates to the LDS and to the SCI as and when required subject to the following recommendation (vi) below; and
- (vi) Recommend to the Council to amend Schedule 5 of the Constitution 'Non-Executive Functions Delegated to Managers' to include the above additional delegation.

For the following reasons:

- (i) To progress the development of the Gateshead Local Plan as required by government policy and statutory obligations under Planning and Compulsory Purchase Act 2004, Localism Act 2011 and Town and Country Planning (Local Plans) Regulations 2012 (as amended). The decision to publish MSGP for consultation is the first stage in progressing through to adoption Part 3 of Gateshead's Local Plan.
- (ii) To ensure that Council's programme for producing the Local Plan, and the means by which it will engage the community, including on planning decisions, are published and kept up to date.

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Policy Context

1. Work on producing a Local Plan for Gateshead that meets the NPPF guidance is ongoing, the current focus being on the preparation of the draft MSGP Local Plan document, following on from the adoption of the CSUCP in 2015.
2. As part of the Local Plan, MSGP will help deliver Vision 2030, the Sustainable Community Strategy, and address key spatial issues. To achieve Gateshead's ambition, it is necessary to plan for economic and population growth and to support health and wellbeing including new development of employment and housing (particularly family homes), and all related facilities in ways that will ensure a sustainable and positive future for Gateshead. This means directing development to accessible, sustainable locations (on previously developed land or along transport routes) benefiting and sustaining our villages and neighbourhoods, the wider economy and the environment. Gateshead Council's ambition is for a range of housing types in different locations to ensure that there is a competitive housing market in Gateshead.

Background

3. MSGP has been prepared in the context of the adopted CSUCP, which sets out the broad approach to development within Gateshead and Newcastle to 2030, and was referred to in the Inspector's Report as an inherently sustainable strategy. The CSUCP was prepared in the context of a shared vision set out in a Bridging Document - Developing Sustainable Cities – which confirms that:

By 2030 Gateshead and Newcastle will be prosperous and sustainable cities that are unique and distinctive places - where people choose to live, work and visit because everyone can realise their full potential and enjoy a high-quality lifestyle.

4. As an overarching spatial plan, the CSUCP adopts a presumption in favour of sustainable development which means all development will be expected to be:
 - fully inclusive, irrespective of cultural background, ethnicity and age, to meet the diverse needs of all residents and communities;
 - well connected and accessible by sustainable modes of transport;
 - well designed to promote community cohesion, and wellbeing, and to reflect and enhance the area's character and natural environment; and
 - contributing towards the reduction of carbon emissions and adapted to the effects of climate change
5. The Plan will ensure that the role of Gateshead Centre, as part of the Urban Core, is strengthened, and that development needs are accommodated in the most appropriate locations.
6. MSGP, once adopted, will complement the CSUCP by bringing forward and updating designations and allocations of land currently set out in saved Unitary Development Plan policies. MSGP will provide the detail against which planning applications for development can be considered and determined, ensuring that the impact of

proposals on flood risk, health and the natural and historic environment, for example, are fully taken into account. The Plan is supported by a robust evidence base including an assessment of viability and of the infrastructure needed to support proposals in the Plan.

7. The Local Development Scheme (LDS) was first approved in 2005, and has since had a number of modifications. The LDS sets out the timetable for preparing the Local Plan documents, and will be amended intermittently to reflect changing timescales and other circumstances.
8. The Statement of Community Involvement was first approved in 2007, and is being amended to reflect changes in planning legislation and changes in Council resources and the ways in which people engage with the Council. It sets out how the Council will involve the public and other stakeholders in the plan making process and also when determining planning applications.

Next Steps

9. Following consultation on draft MSGP from 30th October to 10th December 2017, the Council will review the representations and comments received and revisit the draft Plan and evidence base accordingly, making any adjustments which are considered to be necessary in consultation with Portfolio and other internal consultees. The proposed timetable is as follow:

Proposed Timetable	
Consultation on draft plan (Regulation 18)	October – December 2017
Analysis of Representations	December – January 2017/18
Preparation of Submission Draft DPD	January – May 2018
Consultation on Submission Draft DPD (Regulation 19)	Sep – October 2018
Consider modifications / Prepare Submission Document	October – January 2018/19
Submission of DPD to Secretary of State	February 2019
Pre-Hearing	May 2019
Examination hearings	June 2019
Receipt of Inspector’s final Report	August 2019
Considered by Full Council	October 2019
Adoption	October 2019

10. In accordance with the Planning and Compulsory Purchase Act 2004 (as amended), once adopted, the Plan will form part of the statutory Gateshead Local Plan for the area and will be a material consideration when determining planning applications.

11. It will provide an up to date planning framework but there will still remain some policy gaps where the Council will be reliant on dated policies.
12. The Development and Allocations LDD will be a more detailed and locally specific planning document for Gateshead. The document will allocate and designate land to ensure its future protection and include robust policies for the management of development.
13. Gateshead's Local Plan will ultimately consist of 4 Parts:
 - Part 1 Strategic Policies (CSUCP Plan)
 - Part 2 Urban Core Policies (CSUCP Plan)
 - Part 3 Development Management Policies, Designations and allocations (MSGP Plan - anticipated adoption in 2019)
 - Part 4 Metrogreen Policies (Metrogreen AAP currently being progressed)

Consultation

14. The Cabinet Members for Environment and Transport have been consulted.

Alternative Options

15. There are no realistic alternatives other than to proceed with consultation and progression of the draft MSGP document. The consequence of relying on out of date policies is that they may only be accorded limited weight. Given the age of the saved UDP policies this would increase the likelihood of new developments being assessed and decided in an unplanned way and reduce the ability of Gateshead to resist inappropriate development.

Implications of Recommended Option

16. Resources:

- a) **Financial Implications** – Some modest cost will arise in consulting on the draft Plan. The Strategic Director, Corporate Resources confirms that these costs will be accommodated from within existing resources.
- b) **Human Resources Implications** – There are no human resource implications arising from this report.
- c) **Property Implications** - There are no direct property implications arising from this report.

17. **Risk Management Implication** – Progressing and ultimately adopting MSGP will ensure Gateshead's Local Plan has full weight when it comes to planning decisions and will help to ensure the delivery of sustainable development in Gateshead, and provide greater certainty to local communities and the development industry on where and how development should take place. A consequence of not progressing and consulting on MSGP would be a reliance on out of date policies that may only be accorded limited weight. This would increase the likelihood of new developments being assessed and decided in an unplanned way and reduce the ability of Gateshead to resist inappropriate development.

18. **Equality and Diversity Implications** – The Sustainability Appraisal for MSGP incorporates an Equality Impact Assessment which has determined that the Plan meets the Council’s Equality Duty.
19. **Crime and Disorder Implications** – There are no crime and disorder implications arising from this report.
20. **Health Implications** - The Sustainability Appraisal for MSGP incorporates a Health Impact Assessment and the Plan contains proposals designed to improve health and wellbeing.
21. **Sustainability Implications** - The Sustainability Appraisal for MSGP assesses the sustainability implications of the Plan.
22. **Human Rights Implications** - There are no human rights implications arising from this report. As part of the Local Plan process the Council has a Statement of Community Involvement in place which will be complied with in consulting and engaging with the local community.
23. **Area and Ward Implications** - All

Appendices

24. Copies of the Appendices will be available in the Members’ room and can be viewed via the links below:

<http://www.gateshead.gov.uk/DocumentLibrary/Building/PlanningPolicy/MSGP-Documents-2017/Appendix-2-MSGP-Draft-Local-Plan-October-2017.pdf>

<http://www.gateshead.gov.uk/DocumentLibrary/Building/PlanningPolicy/MSGP-Documents-2017/Appendix-2-MSGP-Appendices-October-2017.pdf>

<http://www.gateshead.gov.uk/DocumentLibrary/Building/PlanningPolicy/MSGP-Documents-2017/Appendix-3-MSGP-Policies-Map-October-2017.pdf>

<http://www.gateshead.gov.uk/DocumentLibrary/Building/PlanningPolicy/MSGP-Documents-2017/Appendix-4-Local-Development-Scheme-2017.pdf>

<http://www.gateshead.gov.uk/DocumentLibrary/Building/PlanningPolicy/MSGP-Documents-2017/Appendix-5-Statement-of-Community-Involvement-September-2017.pdf>

Background Documents

Local Plan Evidence Library