

**TITLE OF REPORT:** Gateshead Local Plan – Adoption of Making Spaces for Growing Places (MSGP) (Site Allocations and Development Management Policies)

**REPORT OF:** Peter Udall – Strategic Director Economy, Innovation and Growth

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### **Purpose of the Report**

1. To note the Inspector’s final report on Making Spaces for Growing Places (MSGP) Local Plan document, to accept the Inspector’s main modifications and to recommend to Council that it adopts the Plan.

### **Background**

2. The Council has a statutory duty to prepare a Local Plan. MSGP forms Part 3 of Gateshead’s Local Plan and will help to ensure that Gateshead has the land use policies to meet our communities’ needs, and deliver the Council’s strategic ambitions. MSGP includes non-strategic detailed site allocations and designations together with Development Management policies. 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. MSGP complements strategic policies and proposals in the adopted Core Strategy and Urban Core Plan (CSUCP) by bringing forward and updating designations and allocations of land currently set out in saved Unitary Development Plan (UDP) policies.
3. A revised version of the National Planning Policy Framework (NPPF) was published in February 2019 and officers have taken into account the changes to national policy in preparing the Plan.
4. In preparing MSGP the Council has continued to work closely with colleagues at Newcastle City Council in order to ensure alignment and conformity with policies in the CSUCP, and in updating joint evidence and in addressing common issues. Collaborative working has also provided opportunities to share resources. A number of meetings were held with other neighbouring authorities and statutory agencies, as part of the Duty to Cooperate, to ensure cross-boundary and other issues arising from the Plan were adequately addressed.
5. As set out in Appendix 8, the Plan went through a number of key stages in its preparation, whilst the approach to consultation and engagement involved a number of different methods ranging from drop in events in different locations across the Borough, to virtual drop in events using social media.
6. The Plan was submitted for independent examination on 12<sup>th</sup> April 2019. Inspector Ms Joanna Gilbert presided over the examination of MSGP, which included public hearings that were held between 1<sup>st</sup> and 10<sup>th</sup> October 2019. The Inspector’s final

report (see Appendix 2) was issued on 3<sup>rd</sup> November 2020 which concludes that the Plan provides an appropriate basis for the planning of the borough, provided that a number of main modifications are made to it. The main modifications (see Appendix 3) were subject to public consultation from 27<sup>th</sup> July 2020 to 18<sup>th</sup> September 2020 (delayed as a result of Covid-19), and further to considering all representations received and the sustainability appraisal, the Inspector has recommended their inclusion in the Plan.

7. The policies map which accompanies MSGP sets out the plan's site allocations and designations. An interactive version of the map is available via the Council's website, with a link included within this report at Appendix 5.

## **Proposal**

8. It is proposed that Cabinet notes the content of the MSGP Local Plan document and Policies Map and recommends that Full Council agrees for it to be adopted.

## **Recommendations**

9. It is recommended that Cabinet recommends that Full Council:
  - i. Notes the Inspector's Report on Making Spaces for Growing Places and accepts the main modifications (Appendix 2 and 3);
  - ii. Adopts Making Spaces for Growing Places Local Plan document (Appendix 4) and Policies Map (Appendix 5) from 1<sup>st</sup> February 2021;
  - iii. Notes the remaining saved Unitary Development Plan Policies which will cease to have effect when the Plan is adopted; and
  - iv. Approves the publication of the Adoption Statement (Appendix 6) and the Sustainability Appraisal (Appendix 7) in accordance with Regulation 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and to notify all persons on the Local Plan database and send a copy of the Adoption Statement to the Secretary of State.

For the following reasons:

To progress the development of Gateshead's Local Plan in line with our adopted Local Development Scheme (October 2017) and as required by government policy and our statutory obligations under the Town and Country Planning Act 2004, Localism Act 2011 and Town and Country Planning (Local Plans) Regulations 2012.

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**Policy Context**

1. Forming Part 3 of Gateshead's Local Plan, MSGP will contribute to and help deliver the Council's pledge of making Gateshead a place where everyone thrives. MSGP will allow us to plan for economic and population growth, and to support health and wellbeing, through provision for employment, 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 meet housing need and ensure that there is a competitive housing market in Gateshead.

**Background**

2. 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. As an overarching spatial plan, the CSUCP adopts a presumption in favour of sustainable development. The plan sets out a spatial strategy for sustainable growth which expects all new development 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
  - designed to reduce carbon emissions and adapted to the effects of climate change
4. MSGP complements the CSUCP by bringing forward and updating designations and allocations of land currently set out in saved Unitary Development Plan policies. MSGP provides 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 the Plan's proposals.
5. Specifically MSGP:
  - Allocates 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

- Encourages jobs and investment through the designation of employment areas and the allocation of a range of employment sites
  - Designates the boundaries of district and local centres in Gateshead's retail hierarchy, and sets a local threshold for retail impact assessments
  - Sets out policies on space standards and the design and accessibility of development
  - Designates Gateshead's natural and built environment assets, including, for example: Conservation Areas; Areas of Special Character; Local Wildlife Sites; and Wildlife Corridors
  - Designates settlement envelopes within the Green Belt.
  - Promotes 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
  - Makes provision for the management of natural resources, including: minerals; the restoration of former quarry sites; and sustainable waste management.
6. MSGP includes minor revisions to the Green Belt. This follows on from the Examination into the CSUCP where the Inspector recommended that the development potential of small non-strategic brownfield sites on the edge of settlements should be considered within MSGP.
7. The National Planning Policy Framework (NPPF) states that each Local Planning Authority 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 (para 31). It includes a strong emphasis on housing delivery, a new definition for affordable housing, and requirements for viability testing at plan making stage and to undertake a review of Local Plan policies at least once every 5 years. The CSUCP was adopted in March 2015 and therefore a review was published in March 2020 which concluded that the plan's policies continue to broadly reflect national and local policy objectives, and provide an appropriate basis for decision making.

### **Inspector's Report and Main Modifications**

8. At the meeting of Cabinet and Council on 19<sup>th</sup> and 21<sup>st</sup> March 2019 respectively, authority was delegated to the Strategic Director, Communities and Environment and Strategic Director, Legal and Corporate Services in consultation with the relevant Cabinet Member to:
- a. make any changes to MSGP and supporting documentation for consideration at public examination;
  - b. prepare and give evidence in support of the examination of MSGP; and
  - c. go out to consultation on any modifications to MSGP recommended by the Planning Inspector at the examination.

9. The Plan was submitted for independent examination on 12<sup>th</sup> April 2019 which was presided over by Inspector Ms Joanna Gilbert. The Inspector's Report concluded that the Plan provides an appropriate basis for the planning of the borough, provided that a number of main modifications are made to it. A summary of the main modifications are as follows:
- Provision of an appendix to set out the marketing requirements for employment sites in the interests of effectiveness;
  - Amendment of site capacity figures and delivery rates for housing allocations for effectiveness;
  - Deletion of policies on targeted recruitment and training; housing density; Saltwell School site; dormant mineral sites; and unacceptable areas for mineral working, to be justified, effective and consistent with national policy.
  - Provision of a revised framework for monitoring for effectiveness; and
  - A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.
10. In addition to the above the Inspector also wrote to the Council in regard to the changes to the Use Classes Order which came into effect on 1 September 2020, and the implications this would have on the Plan. The Inspector acknowledged that although the implementation of some of the policies in the Plan will be affected by the changes, their full effect was unclear at the time of the report. The Inspector agreed with the Council's suggestion that such effects could be considered through an early review of the Plan, which in accordance with the NPPF will be completed no later than 5 years from the date of the Plan's adoption. This would also allow the implications of wider planning reforms as proposed in the Planning White Paper to be taken into account.

### **Next Steps**

11. Subject to Full Council approval, adopting MSGP will enable it to have full weight in the development management process. It will be a material consideration in the determination of planning applications, in accordance with the Planning and Compulsory Purchase Act 2004 (as amended). Gateshead's Local Plan will ultimately consist of four Parts:
- Part 1 Strategic Policies (CSUCP Plan)
  - Part 2 Urban Core Policies (CSUCP Plan)
  - Part 3 Development Management policies, designations and allocations (MSGP)
  - Part 4 Metrogreen Policies (Metrogreen AAP currently being progressed)
12. Adopted MSGP policies will supersede the remaining saved policies originally published as part of the Unitary Development Plan (UDP) in 2007. A schedule of superseded UDP policies is appended to MSGP (at appendix 19).
13. Under Section 113 of the Planning and Compulsory Purchase Act (2004) any person aggrieved by the Plan may make an application to the High Court within six weeks of the Plan being adopted on the grounds that the Plan is not within the powers conferred by Part 2 of the Act; and or that a procedural requirement of the Act or its associated Regulations has not been complied with.

## Alternative Options

14. There are no realistic alternatives other than to adopt MSGP taking into account the formal processes it has been through and the recommendation of the Inspector who has presided over the Plan's Examination. Adoption will ensure the Council has an up to date Plan guiding development to sustainable locations. 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.

## Consultation

15. In preparing this report consultations have taken place with the Leader, Deputy Leader, and Cabinet Members for Housing, Environment & Transport Portfolio.

## Implications of Recommended Option

16. **Resources:**
  - a) **Financial Implications** – The Strategic Director, Resources and Digital confirms that there are no additional costs associated with adoption of MSGP.
  - 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** – Adoption of 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, supporting economic and housing growth and providing greater certainty to local communities and the development industry on where and how development should take place. A decision to not adopt MSGP would mean the Council is reliant 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. **Climate Emergency Implications** - The Local Plan is subject to a Sustainability Appraisal and sets out objectives and policies to provide sustainable access, reduce CO2 emissions and address flood risk, for example.

22. **Sustainability Implications** - The Sustainability Appraisal for MSGP assesses the sustainability implications of the Plan.
23. **Human Rights Implications** - There are no human rights implications arising from this report. As part of the Local Plan process the Council has complied with its Statement of Community Involvement in consulting and engaging with the local community.
24. **Area and Ward Implications - All**

- Appendix 2** [MSGP Inspectors Report](#)
- Appendix 3** [Schedule of Main Modifications](#)
- Appendix 4** [MSGP Local Plan document](#)
- Appendix 5** [MSGP Policies Map \(Interactive\)](#)
- Appendix 6** [Adoption Statement](#)
- Appendix 7** [Sustainability Appraisal](#)

## Appendix 8

### MSGP Preparation/Consultation (overview)

- Preparation of the Plan began in 2012 when Cabinet approved for consultation the Scoping Report on MSGP. The initial intention was to progress MSGP alongside preparation of 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.
- Under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, a Draft Plan was prepared and published for six weeks consultation from October to December 2017
- Under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, a Submission Draft version of the plan was published for six weeks from October to December 2018
- The Council submitted MSGP to the Secretary of State on the 12 April 2019. An independent Planning Inspector Joanna Gilbert MA (Hons) MTP MRTPI was appointed.
- Public hearing sessions took place between the 30 September and the 11 October 2019.
- The Council carried out consultation from 27 July 2020 to 18 September 2020 on proposed Main Modifications to the Submission Plan, alongside other minor modifications, consequential changes to the policies map and the associated Sustainability Appraisal Addendum.
- The Inspectors report was received on the 3rd November 2020 which concluded that the plan provides an appropriate basis for the planning of the borough, provided that a number of main modifications are made to it. These modifications have been made to the plan which is now ready for adoption.
- The Council implemented a number of measures in consulting on the Plan including:
  - Direct mail to consultees
  - Consultation with Councillors
  - Use of the consultation Portal
  - Use of the Council website
  - An article in Council News
  - Council Info
  - Leaflets
  - Drop in events at Birtley, Blaydon, Felling, Gateshead Civic Centre and Gateshead Leisure Centre
- In addition to the more traditional methods of consultation the need to take advantage and maximise the engagement opportunities through the use of social media was also recognised. Virtual drop in events were undertaken on Twitter, with assistance from with



Newcastle University, whilst the Council's social media accounts were also used to raise awareness of consultation on the plan and to publicise drop-in events.