

TITLE OF REPORT: Gateshead Local Plan - Planning Obligations Supplementary Planning Document (SPD) - Second Review

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

Purpose of the Report

1. To approve the Planning Obligations Supplementary Planning Document, second review, for adoption following the adoption of Making Spaces for Growing Places Local Plan document by full Council on 21 January 2021.

Background

2. The Planning Obligations Supplementary Planning Document (SPD) was first adopted in 2016 and updated in 2017.
3. The SPD does not set policy but sets out the Council's approach to developer contributions, and the framework for implementation of the Local Plan in relation to developer contributions.
4. An update is required following the adoption of Making Spaces for Growing Places (MSGP) which results in the related deletion of policies from the Unitary Development Plan. The updated SPD also includes an updated monitoring framework and information on fees.
5. Consultation ran alongside the consultation on MSGP commencing on the 27th July 2020. A number of representations were received from 7 consultees, 3 of whom offered support or no particular comments. Representations received included concerns relating to viability, which is a matter dealt with through the MSGP or Core Strategy process. Other representations were seeking clarification of the Council's approach in the SPD. The representations received have resulted in a few minor amendments to the SPD.
6. The SPD was published on the Council website for a period of 4 weeks from 22nd November 2020. During this time, further representations could be made on the SPD. Following this period of consultation a number of representations were received. Representations received resulted in 3 minor amendments to the SPD as set out in the consultation statement in appendix 3.

Proposal

7. To adopt the updated Planning Obligations Supplementary Planning document, second review.

Recommendation

8. It is recommended that Cabinet approves the Planning Obligations Supplementary Planning Document Second Review for adoption.

For the following reason:

To enable the Council to effectively deliver the Local Plan.

APPENDIX 1

Policy context

1. The Core Strategy and Urban Core Plan for Gateshead and Newcastle (CSUCP) was adopted on the 25th March 2015 and forms part of the Gateshead Local Plan. Making Spaces for Growing Places, part 3 of the Local Plan was adopted 1st February 2021. This SPD is supplementary to the CSUCP and MSGP.
2. The use of Planning Obligations between the council and developers to mitigate the impact of development and to provide new infrastructure where required is a well-established process.
3. The Planning Obligations SPD second Review sets out Gateshead's approach to developer contributions. The SPD does not set policy, but provides a framework for implementation of policy DEL1: Infrastructure and Developer Contributions of the Local Plan. The SPD clarifies the relationship between planning conditions, planning obligations and CIL. It will ensure the timely provision of the specific local infrastructure required to support growth whilst providing clarity in the consideration of planning applications by explaining to developers when the council will require planning obligations. Planning Obligations can secure affordable housing and mitigate the site specific impacts of the development.
4. All infrastructure specified on the CIL infrastructure 123 list can no longer be funded by planning obligations, however, site specific infrastructure will remain to be funded by planning obligations.

Background

5. The Planning Obligations Supplementary Planning Document (SPD) was first adopted in 2016 and updated in 2017.
6. The SPD sets out the Council's approach to developer contributions, it does not set policy but provides the framework for implementation of the Local Plan in relation to developer contributions.

Consultation

7. Public and stakeholder consultation was carried out as described above. The Cabinet Members for Environment and Transport have been consulted.

Alternative options

8. There are no alternative options.

Implications of Recommendation

9. **Resources:**
 - a. **Financial Implications** – – The Strategic Director, Resources and Digital confirms that the SPD will assist in ensuring that the strategic infrastructure necessary to support development is delivered. The use of developer contributions will be reflected within the Council’s revenue budget or capital programme depending upon the nature of the expenditure.
 - 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.
10. **Risk Management Implication** – There is a risk that without a robust Planning Obligation SPD that meets legal requirements, necessary and strategic infrastructure will not be delivered in a timely manner placing a strain on existing infrastructure in neighborhood and village growth areas.
11. **Equality and Diversity Implications** – The SPD supports the Local Plan which includes an Equalities Impact Assessment.
12. **Crime and Disorder Implications** – None.
13. **Health Implications** – The SPD supports the Local Plan which includes a Health Impact Assessment.
14. **Climate Emergency and Sustainability Implications** – The SPD supports the Local Plan which includes a detailed Sustainability Appraisal.
15. **Human Rights Implications** - None.
16. **Area and Ward Implications** – All.

APPENDIX 2 – Planning Obligations Supplementary Planning Document – second review

APPENDIX 3 Planning Obligations SPD consultation report