

# North Tyneside Council

## Report to Cabinet

### Date: 19 September 2022

#### Title: North Tyneside Local Plan Policy Review 2022

Portfolio(s):	Deputy Mayor	Cabinet Member(s):	Cllr Carl Johnson
Report from Service Area:	Planning and Strategic Transport		
Responsible Officer:	John Sparkes	Tel: (0191) 643 6091	
Wards affected:	Wallsend		

#### **PART 1**

##### **1.1 Executive Summary:**

This report sets out the Authority's conclusions regarding the review of the North Tyneside Local Plan as adopted in July 2017. National Planning Policy Framework and regulations require Local Authorities to undertake a review of their Local Plan policy at least every five years to establish whether they remain up to date and update the Local Plan policy as necessary. To fulfil this legal requirement, the Authority has reviewed each of the policies within the North Tyneside Local Plan.

The findings of this review established that the current Local Plan policy remains sound and is an effective tool for managing development in North Tyneside and updates are not required at this time. The Local Plan's overall strategy remains consistent with national planning policy and continued focus upon implementation of the Plans objectives and targets, especially in relation to securing sustainable delivery of homes and necessary infrastructure for the Borough, remains the Authority's priority at this time.

##### **1.2 Recommendation(s):**

It is recommended that Cabinet:

- (1) Note and agree the findings of the North Tyneside Local Plan Policy Review 2022; and
- (2) Agree that the North Tyneside Local Plan Policy Review 2022 can be published online, accompanied by a statement outlining that a review has been undertaken that has found the North Tyneside Local Plan remains sound as an up to date strategy that is consistent with national planning policy.

##### **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 19 August 2022.

## 1.4 Council Plan and Policy Framework

This report relates to the following priority in the 2021-2025 Our North Tyneside Plan:

A thriving North Tyneside – In confirming the Local Plan’s strategy for town centres, growth and economic investment

A secure North Tyneside – Particularly in confirming the Local Plan’s strategy to tackle health and social inequality and delivery of affordable housing.

A family friendly North Tyneside – In confirming the Local Plan’s strategy for infrastructure provision including education, training and skills development.

A caring North Tyneside – In establishing an up to date understanding of housing needs including specialist care requirements.

A green North Tyneside – In confirming the Local Plans strategy for environmental protection, waste management, and promotion of sustainable transport.

## 1.5 Information:

### 1.5.1 Background

1.5.2 The North Tyneside Local Plan was adopted at a meeting of full Council on 20 July 2017. This final decision followed a long process of plan preparation and examination in public that incorporated wide ranging consultation with the residents of North Tyneside. This included first publication of a Local Plan Consultation Draft in November 2013, and further consultation on draft proposals in 2014 and 2015. Following submission to the Secretary of State in May 2016 an independent Planning Inspector undertook an examination in public of the Local Plan, where respondents to the Plan were given an opportunity to provide commentary and seek changes to the Plan. Following this process, the Inspector’s Report on the Examination of the Plan received in May 2017, confirming that the Local Plan had been found sound and capable of adoption.

1.5.3 The Local Plan, as adopted by full Council sets out a number of strategic priorities in line with the Council Plan, specifically aimed at enabling economic growth and regeneration, whilst providing a place where people have active healthy and quality lives. The Local Plan sets out a range of policies which, in the order they appear in the Local Plan, include:

- Climate change mitigation and adaption;
- The protection of the Green Belt within North Tyneside;
- Improving health and wellbeing, including specific policy for the assessment of health impacts of hot food takeaways;
- Creation of about 700 new jobs per year, supported by identification of strategic employment locations along the River Tyne North Bank, the A19 corridor, Weetslade (Indigo Park), Balliol East and West, Gosforth Business Park and Whitley Road;
- Identification of Wallsend, North Shields and the Coastal area as a focus for new retail, leisure, office and tourist development;
- Delivery of an average of 790 dwellings per year to meet housing needs identified in accordance with national planning policy and guidance;

- The identification of sufficient land to meet the Borough's housing needs, including the strategic housing allocations of Murton Gap and Killingworth Moor and developable brownfield land across the Borough;
- A target of 25% of new homes built to be affordable homes;
- The introduction of minimum space and accessibility standards for new housing;
- Protecting and enhancing built and natural assets such as open spaces, designated ecological sites, listed buildings and conservation areas;
- A coherent and positive strategy to manage and resolve issues of flood risk and surface water drainage issues;
- Supporting the level of growth required with the necessary infrastructure such as roads, public transport, pedestrian and cycle routes, health, education, open space, community and cultural facilities; and
- Specific strategies for the regeneration and development of North Shields, the Coast and Wallsend and also the North West Communities.

1.5.4 Since the adoption of the Local Plan there have been some notable changes in the wider social and economic context that shapes growth and development. The implications of Brexit for economic and housing growth remain uncertain as the Covid-19 pandemic has fundamentally shifted many aspects of the way individuals live and work, and has changed the perspectives of many about the environment around them. Climate change has also come into even greater focus, with North Tyneside Council recognising the importance placed on the issue with the declaration by full Council of a Climate Change Emergency in 2019. Meanwhile, National Planning Policy that sets the framework against which Local Plans must be prepared has been updated three times, and key elements of planning guidance such as the approach to calculating Local Housing Need has been updated.

1.5.5 Despite these challenges, some important developments have been permitted or commenced since the Local Plan was adopted. This includes:

- Completion of refurbishment and re-opening of Spanish City.
- Opening of a new supermarket and other retail units at The Forum, Wallsend and refurbishment and reuse of Wallsend Town Hall as a Business Centre.
- Expansion of Northumberland Park District Centre and refurbishment and public realm improvements at Forest Hall District Centre.
- Development of about 3,000 homes, including around 1,000 affordable homes.
- Major highway improvements across the Borough including completion of the A19(T) Silverlink underpass.
- North Shields Town Centre Regeneration - Howard Street and Northumberland Square

#### 1.5.6 **Conclusions of the Local Plan Review**

1.5.7 A Local Plan Review Summary Document and Policy Assessment is included at Appendix 1 of this Report. Appendix 1 considers a range of matters including:

- Changes in the national planning context,
- Changes in local circumstances and policy context,
- Development monitoring reports,
- The duty to co-operate, and
- Appeals performance.

1.5.8 The conclusions set out within the review at Appendix 1 addresses each chapter of the Local Plan, that is further summarised below.

### **1.5.9 Spatial Strategy**

1.5.10 The Spatial Strategy, including approach to the Borough's Green Belt, Local Green Space and policy regarding Health and Well Being remains fit for purpose, but the continued robustness of the spatial strategy will be dependent upon securing delivery of existing allocated sites for housing and employment.

### **1.5.11 Economy**

1.5.12 The Local Plan strategy and range of sites identified is considered to remain up to date. Key strategic corridors including the River Tyne North Bank and the A19(T) remain an important focus for investment and regeneration initiatives to drive business growth and investment. However, further evidence to update the Employment Land Review is being prepared that will add further understanding of the suitability of the current strategy.

### **1.5.13 Retail and town centres**

1.5.14 The overarching strategy for the Borough's town centres has been to provide a flexible approach to change as the retail and town centre environment faces growing challenges from on-line and out of town shopping. Review of the current Local Plan suggests policy continues to provide a suitable framework for other strategies and plans of the Authority to support investment and regeneration.

### **1.5.15 Housing**

1.5.16 The local housing requirement identified within the Local Plan remains broadly in accordance with the government's latest methodology for calculating housing needs, whilst the Authority has continued to pass the Housing Delivery Test – the government's key measure for assessing whether the number of homes built in each area is keeping pace with requirements. However, the delay in commencing development at Murton Gap and Killingworth Moor and the effects of economic uncertainty upon housing supply have meant that the Borough now does not have a five-year land supply.

1.5.17 Paragraph 11 and footnote 8 of National Planning Policy is clear that where there is no five-year land supply the policies in a Local Plan related to housing development are out of date and proposals for development would be considered against the national planning policy framework. Current guidance is clear that despite this, other policy of the Local Plan remains relevant and key issues such as protection of Green Belt retain significant weight in planning decisions. Given the specific causes for the current housing land supply issues in North Tyneside, the focus for the Authority at this time is upon securing implementation of the existing Local Plan strategy.

### **1.5.18 Natural Environment**

1.5.19 Some of the latest legislative developments including the Environment Act and emerging Levelling Up and Planning Bill will influence how Local Plan policy for the natural environment are prepared in future. However, at this time the current suite of policies continue to provide an appropriate framework within which changes can be implemented, including securing a net gain in biodiversity and consequently still provide a suitable and up to date policy framework.

## 1.5.20 Built and Historic Environment

1.5.21 There have been developments in national policy and guidance in relation to the National Design Code and preparation of Local Design Codes. However, the current policy framework would not prevent the expansion of the Authority's supporting evidence and guidance regarding design and such documents would support implementation of the existing policy. Further development includes provision for street trees as part of development. Whilst the current Local Plan does not reflect this requirement the policy approach does not give rise to any conflict that would render the Local Plan policy out-of-date.

## 1.5.22 Infrastructure

1.5.23 There are no substantial new infrastructure schemes that would require inclusion in the Local Plan to enable their delivery and broadly policy in this section remains up to date.

## 1.5.24 Area Specific Strategies

1.5.25 The Local Plan sets out specific proposals for areas of potential regeneration focus for the coast, Wallsend, North Shields and the north-west villages. These overarching, area-based frameworks, continue to provide a robust basis upon which some of the Authority's key regeneration priorities can be developed and expanded.

## 1.5.26 Status of the North Tyneside Local Plan

1.5.27 Based on the assessments undertaken, the Authority concludes that its Local Plan remains a sound Local Plan and does not propose to undertake further work to update its Local Plan at this time. The Authority remains focused upon implementation to support delivery of the North Tyneside Local Plan's objectives.

## 1.6 Decision options:

The following decision options are available for consideration by Cabinet:

### Option 1

Approve the recommendations as set out in section 1.2 of this report.

### Option 2

Not to approve the recommendations as set out in section 1.2.

Option 1 is the recommended option.

## 1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The Authority has a legal duty to undertake a review of its Local Plan and is expected to publish its conclusions, and a statement regarding the status of the Plan. Failure to publish such a statement could result in the wider Local Plan being considered out of date and therefore reduce the Authority's ability to manage development in the Borough.

## 1.8 Appendices:

Appendix 1 North Tyneside Local Plan Five Year Review 2022

## **1.9 Contact officers:**

Martin Craddock, Planning Policy Team Leader (07708 354066)  
Jackie Palmer, Planning Manager (07711 425574)  
David Mason, Senior Manager Capital Strategy and Planning

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) Report to Full Council, Adoption of the North Tyneside Local Plan, Item 8, meeting of 20 July 2020 [http://ntc-web-democratic-archive-public.s3-website.eu-west-2.amazonaws.com/Files/COU/COU-2017-07-20\\_Adoption\\_of\\_the\\_North\\_Tyneside\\_Local\\_Plan.pdf](http://ntc-web-democratic-archive-public.s3-website.eu-west-2.amazonaws.com/Files/COU/COU-2017-07-20_Adoption_of_the_North_Tyneside_Local_Plan.pdf)
- (2) North Tyneside Local Plan, 2017  
<https://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/North%20Tyneside%20Local%20Plan%202017-2032.pdf>
- (3) The Town and Country Planning Act 1990  
<https://www.legislation.gov.uk/ukpga/1990/8/contents>
- (4) The Town and Country Planning (Local Planning) (England) Regulations 2012 (legislation.gov.uk) (as amended)  
<https://www.legislation.gov.uk/uksi/2012/767/contents/made> and The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017  
<https://www.legislation.gov.uk/uksi/2017/1244/made>
- (5) National Planning Policy Framework, 2021  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no direct financial implications arising from this decision. The ongoing commitment to implementation of the Local Plan's strategic objectives and proposals have previously been committed as part of the Local Plan's adoption.

### **2.2 Legal**

This decision will ensure the Authority fulfils its legal duty, specifically arising from Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

### **2.3 Consultation/community engagement**

2.3.1 Internal Consultation – the assessments made through the Local Plan policy review have been informed by discussion and engagement with officers across the Authority and with Members of the Local Plan Steering Group.

2.3.2 External Consultation/Engagement – the five year review process does not require formal review but the need and extent of the emerging review has been discussed as part of the

ongoing dialogue that the Authority engages in with neighbouring Authorities in exercising its Duty to Co-operate.

## 2.4 Human rights

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

## 2.5 Equalities and diversity

There are no direct implications for Equalities and diversity arising from this decision. The adopted Local Plan was subject to Equalities Impact Assessment and that work continues to be applicable to implementation of the Local Plan.

## 2.6 Risk management

The risks associated with the implementation and review of the Local Plan have previously been assessed and are managed through the Risk Register. This decision will assist in managing the risk of the Local Plan as a whole being considered out of date.

## 2.7 Crime and disorder

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

## 2.8 Environment and sustainability

There are no direct implications for Environment and sustainability arising from this decision. The adopted Local Plan was subject to Sustainability Appraisal and Habitat's Regulation Assessment that considered the sustainability effects of each policy of the Local Plan.

## PART 3 - SIGN OFF

- Chief Executive  X
- Director(s) of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Assistant Chief Executive  X