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North Tyneside Local Plan Five Year Review 2022

Summary Report

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1 Background and purpose of the review

All Local Planning Authorities are legally required to undertake a review of their Local Plans to assess whether they need updating at least once every five years. Local Plans should then be updated as necessary. The North Tyneside Local Plan was adopted in July 2017 and a review therefore needs to be completed.

The National Planning Policy Framework (NPPF) sets out the requirements for the review:

Paragraph 33: Policies in Local Plan and spatial development strategies should be reviewed to assess whether they need updating at least once every five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

Planning Practice Guidance provides advice on what authorities can consider when reviewing a plan. In addition, the Planning Advisory Service has published the Local Plan Route Mapper guidance to assist Local Planning Authorities (LPAs) in undertaking plan reviews.

North Tyneside Council (the Council) has undertaken an assessment of its Local Plan, in accordance with the above national policy, guidance and legislation, to establish whether any part of the Local Plan should be considered out of date and in need of updating through a full or partial Local Plan review.

2 Assessing the Local Plan

In determining whether a Local Plan needs to be updated there are several matters to be considered:

- The latest national guidance and legislative requirements for Local Plan review.
- Changes in national planning policy.
- Evidence of monitoring and implementation of policies, including the delivery of homes, employment land and retail needs.
- Any key findings or conclusions arising from new and updated evidence informing the Local Plan.
- Consider North Tyneside's planning appeals performance and whether this suggests specific policies need to be reviewed where appeals are being lost.
- Understand any new social, environmental or economic priorities that may have arisen.
- Consider cross-boundary issues with neighbouring authorities and other strategic priorities.

In order to demonstrate a consistent assessment of the Local Plan policies as a whole, an assessment of each policy is provided at Appendix 1 to this Summary Document.

This policy assessment, considers in particular:

- The intended role of each Local Plan policy
- The current national planning policy context for the policy
- Notes on the implementation and monitoring of the policy. This includes noting where new evidence may have led to an updated understanding of the matter or issue that the adopted policy seeks to address.
- A statement on whether the policy remains generally up to date and consistent with national policy.

Outside of these changes, it is noted that the national framework for planning is currently under review. The progression of the Levelling Up and Regeneration Bill through parliament may have consequences in the future for the status of the North Tyneside Local Plan. However, for this review the Authority has assessed the status of the Local Plan against the current policy and legislative framework.

3 National Context

The North Tyneside Local Plan was prepared in compliance with the National Planning Policy Framework (NPPF) 2012. Since adoption of the Local Plan there have been three updates to NPPF with the latest version of the framework published in July 2021. Consequently, the Council has reviewed each of the adopted Local Plan policies with reference to the National Planning Policy Framework, 2021.

Account has also been given to any changes in legislation or orders where these may have an effect on the implementation of policy.

The full assessment can be referred to at Appendix 1 of this document.

The Council's overall assessment is that whilst there are a range of changes in NPPF and other aspects of the Planning System, that the existing Local Plan does not fully reflect, the adopted policy approach of the Local Plan continues to comply with national policy. Notable changes include:

- Presumption in favour of sustainable development

The Local Plan sets out a specific model policy, DM1.3 Presumption in Favour of Sustainable Development, to ensure the presumption in favour of sustainable development is applied in North Tyneside. The NPPF 2021 provides clear guidance about this and local policy to ensure its implementation is not required. However, the role of the policy aligns with the principles of NPPF and does not give rise to a serious conflict or omission that would require review.

- Planning use class order

Since adoption of the Local Plan the government have substantially revised the Planning Use Class Order. This means a number of policies within the Local Plan refer to classes that no longer exist. Whilst this means some elements of the Local Plan are no longer as clear as originally intended, the role and purpose of those policies in managing development remains appropriate and up to date.

- Housing requirements

Since adoption of the Local Plan government have formally implemented a standard method for calculating Local Housing Need. North Tyneside's Local Plan housing requirement was arrived at through a local assessment of population and household projections and economic growth and therefore was not prepared using the latest standard methodology. The latest standard method calculation indicates the Borough's Local Housing Need is approximately 800 dwellings per annum. The total annual average housing requirement for North Tyneside is 790 dwellings per annum, with a stepped requirement that ranges from 554 dwellings per annum to 938 dwellings per annum. As such, the overall annual average requirement is broadly aligned with the current standard method.

- Affordable housing

National policy regarding the provision of affordable housing, and promotion of affordable home ownership tenures has evolved since adoption of the Local Plan. This includes requiring 10% of affordable homes to be First Homes, and initiatives such as Entry Level exception sites. For the North Tyneside Local Plan, the existing affordable housing policy outlines an overall requirement based upon securing affordable homes in accordance with the latest evidence of needs, in a manner flexible enough to support housing delivery. This policy approach is consequently flexible enough to implement latest government initiatives without the need for plan review.

- The Environment Act 2021

The Environment Act introduces new requirements regarding biodiversity net gain upon planning applications for development that exceed the existing Local Plan. The mandatory requirement for a 10% biodiversity net gain that will come into effect in 2023 is assessed as working in tandem with the Local Plan requirement for development to incorporate net gains for biodiversity. The need for further planning advice in the form of a specific supplementary planning document will be considered by the Council in due course and as further guidance and regulations on the matter are prepared. Potential consequential implications of such requirements upon deliverability and the appropriateness of the overall Local Plan strategy will be considered in future years.

- Design

Latest NPPF has increased its emphasis upon good design introduced a specific requirement for tree lined streets as a part of new development whilst government have published a National Design Guide and National Model Design Code. The existing Local Plan, whilst not prepared with this policy requirement specifically in mind can be applied appropriately alongside these new national policy requirements. Potential consequential implications of such requirements upon deliverability will be considered in future years.

4 Local Context

Beyond the changes to national policy and legislation, plan review should take account of key shifts in local or regional policy priorities, notable changes in the potential future growth of the area and possible implications of any planned major infrastructure programmes.

For the North Tyneside Local Plan the following matters have been considered:

- Climate Change Emergency

In 2019 North Tyneside Council declared a climate emergency and has passed a resolution committing the Borough to a zero-carbon target by 2030, in advance of the government's national targets. The North Tyneside Local Plan was prepared in advance of the declaration of a Climate Change Emergency. The existing Local Plan sets out clear advice regarding promotion of sustainable development and establishes tackling climate change as a key objective for the Borough. The overall thrust of the Local Plan therefore, is supportive of the goals of the Climate Change Emergency.

- Northumberland Line

The proposed Northumberland Line project, that would deliver new passenger rail services from South East Northumberland to Newcastle Central Station, has progressed significantly since adoption of the Local Plan. Proposals have now confirmed a platform on the new line at Northumberland Park providing an interchange with the Tyne and Wear metro in North Tyneside and additional capacity for train services to Newcastle city centre and to new employment opportunities in Northumberland. The increased accessibility afforded by the Northumberland Line is expected to increase investment in the area. At this time, despite the additional potential for growth the Authority has no evidence that would indicate the scale of change in North Tyneside for housing and employment growth could not be accommodated within the existing strategy for the Borough as defined in the North Tyneside Local Plan.

- Town centre and area-based regeneration

North Tyneside Council working particularly with the North of Tyne Combined Authority and Homes England is working on the delivery of a number of key regeneration initiatives. This includes substantial investment in key employment sites across the Borough such as Indigo Park, and ongoing projects at sites across the River Tyne North Bank, building upon the unique opportunities the commercial riverside provides. Meanwhile, town centre developments at Whitley Bay, North Shields, the Fish Quay and Wallsend are each seeking to bring about growth and investment. Work is also commencing on projects for the north-west of the Borough.

Overall, the delivery of these regeneration initiatives is helping drive growth and improve the image of the Borough in keeping with the framework outlined within the current Local Plan.

5 Development Monitoring Report

The Council publishes its Authority Monitoring Report (AMR), Strategic Housing Land Availability Assessment (SHLAA) and Five-Year Land Supply statement on an annual basis. These documents provide regular monitoring of the Local Plan policies and assesses their performance and delivery against a set of indicators. AMRs have been published for the North Tyneside Local Plan each year since its adoption with the most recent updates published online in early 2022.

6 The duty to co-operate

North Tyneside forms part of the North of Tyne Combined Authority comprising Northumberland County Council, Newcastle City Council and North Tyneside Council. It also participates in joint working with the wider North East authorities of South Tyneside, Gateshead, Sunderland and County Durham. These groupings form the overarching structure within which the duty to co-operate is exercised in the North East.

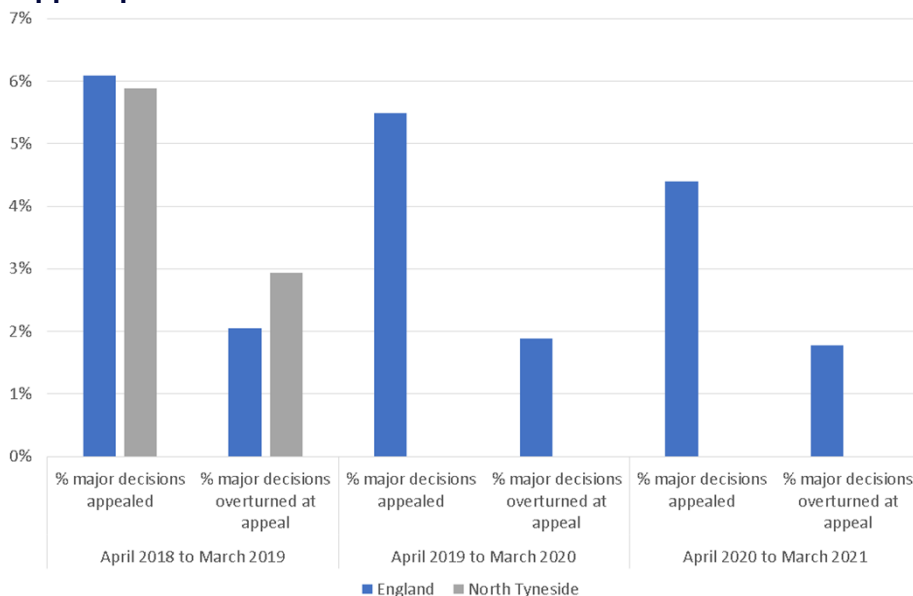
Planning Policy Duty to Co-operate (DtC) meetings involving North of Tyne authorities plus Gateshead are held on a quarterly basis with the most recent Duty to Co-operate meeting held on the 5th May 2022. Additionally, a North East Heads of Planning meeting is held regularly where key planning issues and joint working opportunities are discussed. The proposals for Local Plan review at North Tyneside have been discussed at through the DtC process and regard has been given to Plan status, key proposals and planning issues in the Authority's neighbouring North Tyneside.

The Authority also maintains ongoing working relationships with other key stakeholders including Environment Agency, Natural England, Historic England, Nation Highways and Homes England; and key service providers such as Northumbrian Water, National Grid and Northern Power.

7 Appeals performance

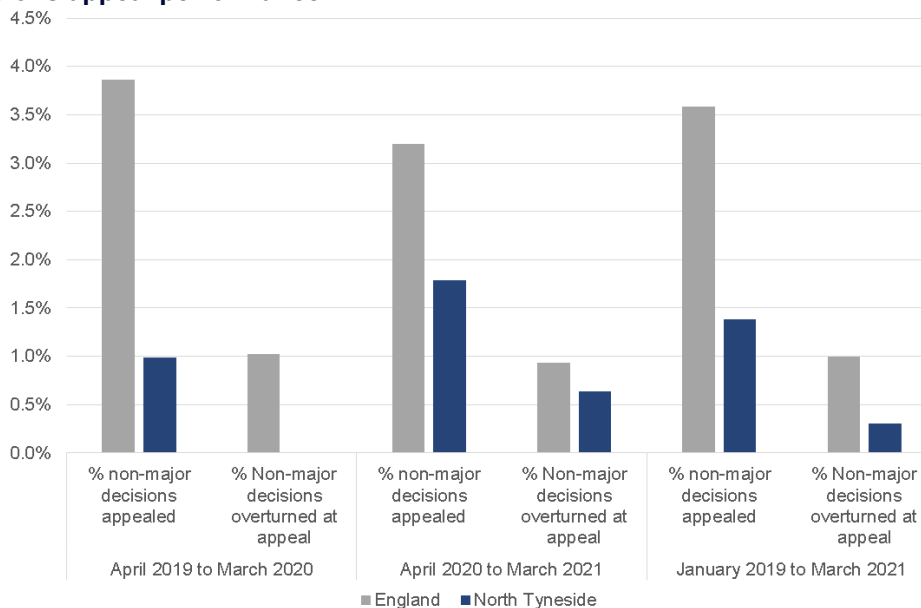
The Council has reviewed planning appeal decisions between April 2018 and March 2021, based on data available through the Planning Performance Live Tables P152a for a record of major decisions and P154 for non-major decisions. The analysis indicates that for both major and non-major decisions, fewer applications are subject to appeal than the proportion for England as a whole, whilst a lower proportion of appeal decisions in North Tyneside overturn the original decision of the Council.

Major decisions appeal performance



Planning Live Tables P152a, DLUHC

Non-major decisions appeal performance



Planning Live Tables 154, DLUHC

Whilst a relatively small proportion of appeals against decisions in North Tyneside are appealed, the nature of the decisions received and range of issues addressed, does not point to any specific policy or implementation issues regarding effectiveness of Local Plan policy.

8 Summary and conclusions

An assessment of each policy is set out at Appendix 1 of this summary report into the North Tyneside Five Year Review. The following outlines the summary findings in relation to each section of the adopted Plan.

Spatial Strategy

The Local Plan's approach to providing a spatial strategy, including the Green Belt and Local Green Space, and provision of policy regarding Health and Well Being remain in keeping with National Policy. Presently the Spatial Strategy 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.

Economy

The Local Plan allocated 150ha of employment land – the equivalent of enabling take up of 10ha per year. Actual take up has fallen substantially below this annual rate over the first five years of the Plan. This has been over a period of substantial economic uncertainty due to Brexit and the Covid-19 pandemic. National Policy is clear a strategy for growth sectors and a range of land to enable investment and respond flexibly to economic circumstances should be provided. Presently 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 ELR is being prepared that will add further understanding of the suitability of the current strategy.

Retail and town centres

The Local Plan identifies a town, district and local centre hierarchy and provides for expansion of retail provision at Northumberland Park, Wallsend, Longbenton, Tynemouth, Murton Gap and Killingworth Moor. Key developments have taken place at Northumberland Park, providing a major extension of retail facilities in the Borough, and Wallsend. 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 Council to support investment and regeneration.

Housing

The Local Plan provides an annual average of 790 dwellings per year but set out a stepped requirement that increased from 551 homes per year between 2011/12 to 2015/16 to 938 homes per year from 2021/22. The latest calculation of housing needs based on the national Standard Methodology indicates a Local Housing Need of 800 homes per year. To date the Authority has continued to pass the Housing Delivery Test. 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.

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 the principle of sustainable development comes in to force. Current guidance is clear that despite this, other policy of the Local Plan remains relevant and key considerations such as protection of Green Belt retain significant weight in planning decisions. However, in relation to housing supply the Local Plan is not up to date.

Natural Environment

Policies for the natural environment focus upon the benefits and role of green infrastructure – including for health and well-being as well as biodiversity. Policies also give specific provision for the protection of designated assets that remain broadly in accordance with national policy. Some of the latest legislative developments including the Environment Act will influence how Local Plan policy for the natural environment are prepared in future. However, at this time the current suite of policies reflect considerations including securing a net gain in biodiversity and consequently still provide a suitable and up to date policy framework.

Built and Historic Environment

Policies for the built and historic environment relate to matters of design and layout as well as the consideration of the significance of designated and non-designated heritage assets. 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 Council'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.

Infrastructure

Policy in this section sets out how the Council will secure developer contributions, how key matters regarding transport provision would be considered for development and key infrastructure projects, including the Northumberland Line (formerly Ashington, Blyth and Tyne), creation of a new Cobalt metro link from Percy Main to Northumberland Park and various other enhancements to the Borough's infrastructure. These projects are currently being progressed or remain key aspirations for the Council and wider region. 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.

Area Specific Strategies

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 Council's key regeneration priorities can be developed and expanded.

Status of the North Tyneside Local Plan

Five years after its adoption and following a range of developments at national and local level, the Council consider that at this time the adopted North Tyneside Local Plan continues to provide an effective strategy for the management of growth and development in the Borough. The Local Plan sets out a strategy for growth that continues to be an ambitious target for meeting the needs and potential of North Tyneside. It outlines an effective framework for development of a suite of housing, employment and retail sites that are capable of meeting the Borough's needs for growth.

As such, the Council 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 Council remains focused upon implementation to support delivery of the North Tyneside Local Plan's objectives.