

Harrogate District Local Plan: Local Development Scheme Fourth Review



August 2018

1 Introduction	2
2 Harrogate District Local Plan	4
3 Milestones for the preparation of Development Plan Documents (DPDs)	7
4 Project management and reporting arrangements	8
5 Background evidence	9
6 Risks to the production	10

1 Introduction

1 Introduction

- 1.1** This Local Development Scheme (LDS) sets out the key planning policy documents the council will produce over the next three years, including the Local Plan, which will form part of the statutory Development Plan for Harrogate District. It identifies the key milestones in their preparation and sets out the arrangements for their production, the evidence that will support them and an evaluation of the risks to their preparation. This LDS supersedes that published in January 2018.
- 1.2** The Development Plan sets out how development in an area will be planned and managed over time.⁽¹⁾ The Harrogate District Local Plan currently comprises the Core Strategy, (Adopted 2009), and the Harrogate District Local Plan, (Adopted 2001, Selective Alteration 2004, Saved Policies 2007).
- 1.3** Work is underway on a new Local Plan that will replace both of these documents. The new Local Plan will contain policies, allocations and designations to guide development and conservation of the district up to the year 2035. A separate Development Plan Document (DPD) will also be prepared, which will deal specifically with the allocation of land for a new settlement in the Green Hammerton/Cattal area.
- 1.4** Alongside the preparation of the Local Plan, the council is introducing a Community Infrastructure Levy Charging Schedule which, together with the use of planning obligations, will be used to fund the infrastructure required to support development.
- 1.5** The council can also prepare Supplementary Planning Documents (SPDs) to help applicants to make successful planning applications or to aid infrastructure delivery. All DPDs and SPDs are prepared in consultation with local communities.
- 1.6** The council also produces the following documents:
- **Statement of Community Involvement** (adopted 2014) – sets out the standards and approach to involving stakeholders and the community in the preparation of the Local Plan DPDs and SPDs.
 - The **Annual Monitoring Report** - provides a regular check on progress in implementing both the LDS and the policies and proposals in the Local Plan.

National Planning Policy Framework

- 1.7** In March 2012 the government published the National Planning Policy Framework (NPPF), which must be taken into account when preparing the Council's Local Plan or other DPDs. The government issued an update of the NPPF and accompanying guidance in July 2018, which can be viewed on the government's [website](#).⁽²⁾

Localism Act 2011

Duty to Cooperate

- 1.8** The Localism Act 2011 introduced significant changes to plan making, including the abolition of regional plans. The Yorkshire and Humber Regional Spatial Strategy (RSS) was formally revoked in February 2013.⁽³⁾ This regional tier of plan making has been replaced by a legal Duty to Cooperate with neighbouring authorities and prescribed public bodies when preparing the Local Plan or other DPDs. The following list sets out the Duty to Cooperate partners who we must actively engage with throughout the preparation of the Local Plan:

1 On 6 April 2012, the Town and Country Planning (Local Planning) Regulations came in to effect, which set out the requirements for producing Local Plans. A Local Plan can either be a single document or a collection of Development Plan Documents.

2 For further information please visit <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

3 The RSS York Green Belt policies remain extant.

- Neighbouring local authorities
- Harrogate and Rural District Clinical Commissioning Group
- National Health Service England
- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency (to be known as Homes England)
- Office of Rail Regulator (now known as the Office of Rail and Road)
- Integrated Transport Authorities
- Local Highway Authority
- Highways England
- Local Enterprise Partnerships
- Local Nature Partnerships

1.9 The district is part of the County of North Yorkshire and local government service delivery is split between the borough and county council. The district is also part of the Leeds City Region and the York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) areas. The Borough Council is a constituent member of both the Leeds City Region Partnership and Local Government North Yorkshire and York.

1.10 At Examination stage, the council will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts. A statement setting out how the council has fulfilled its Duty to Cooperate responsibilities throughout the preparation of the Local Plan is available on the council's website.

Neighbourhood Planning

1.11 The Localism Act also enables local people to produce a Neighbourhood Plan to guide development where they live. Neighbourhood Plans, when adopted, form part of the statutory development plan for a local area alongside the Harrogate District Local Plan. Neighbourhood Plans have to be in conformity with strategic policies in Local Plans and are subject to independent examination and a local referendum.

1.12 Ripon City Council, Knaresborough Town Council, Rocliffe and Westwick Parish Council, Dishforth Parish Council, Pannal and Burn Bridge Parish Council, Spofforth Parish Council, Hampsthwaite Parish Council, Masham Parish Council and Otley Town Council, with support from Harrogate Borough Council, have started work on the preparation of Neighbourhood Plans for their area.⁽⁴⁾ For further information on these plans please visit the neighbourhood planning area of the council's website.⁽⁵⁾

4 A small part of the Otley Neighbourhood Area falls within Harrogate district. Therefore, Leeds City Council and Harrogate Borough Council are working together to provide support to Otley Town Council.

5 For further information on neighbourhood planning please visit www.harrogate.gov.uk/planning

2 Harrogate District Local Plan

2 Harrogate District Local Plan

Harrogate District Local Plan

2.1 Work is continuing on the preparation of a new Local Plan for the district that will look ahead to the year 2035. The purpose of producing a new Local Plan is to ensure that the council's policies are in conformity with national policy and legislation and that it reflects the most recent evidence base in relation to housing, employment and infrastructure requirements. The Local Plan will include:

- Vision, objectives and key diagram
- Strategic policies and detailed development control policies to deliver:
 - homes and jobs (including broad locations for development)
 - retail, leisure and other commercial development
 - infrastructure
 - climate change mitigation and adaptation
 - conservation and enhancement of the environment
 - protection and creation of open space and community facilities
- Site allocations and designations
- Development and infill limits
- Policies map

New Settlement Development Plan Document

2.2 The emerging Local Plan identifies a broad location for growth in the Green Hammerton/Cattal area, where the development of a new settlement will be brought forward during the plan period and beyond. Whilst the Local Plan will provide the strategic policy context for development of the new settlement, the allocation of a defined site and the detailed planning framework for the new settlement will be set out in a Development Plan Document (DPD).

Harrogate District Community Infrastructure Levy

2.3 The Community Infrastructure Levy (CIL) allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. In the previous LDS (Third Review), in light of the uncertainties regarding how CIL might operate in the future and the importance of affordable housing delivery in the district, it was decided not to pursue the introduction of CIL at that time and instead to continue to secure funding for community infrastructure needs arising from new development through the use of planning obligations (Section 106 Agreements) linked to individual planning permissions.

2.4 In March 2018 the Government launched a consultation into a redrafted NPPF and revisions to the National Planning Practice Guidance (NPPG). These changes include alterations to the viability sections of the NPPG and to the implementation of CIL and future workings of the S106 regime. Whilst the changes suggested did not go as far as expected, they introduced the possibility that S106 pooling restrictions will be relaxed, but only where an authority has CIL in place. Therefore, it is now necessary for the council to introduce CIL and this work

Harrogate District Local Plan 2

is already underway. The stages of CIL preparation and associated timescales are set out below. The Regulations referred to are the Community Infrastructure Levy Regulations 2010⁽⁶⁾

Key Milestones for Producing the CIL Charging Schedule		
	Stage of plan making	Timescale
Regulation 15	Public consultation on the preliminary draft charging schedule	Completed June/July 2018
Regulation 16	Public consultation on the draft charging schedule	January 2019
Regulation 19	Submission of the draft charging schedule	April 2019
Regulation 20	Examination of the draft charging schedule	Summer 2019
Regulation 25	Adoption of the charging schedule	Autumn 2019

Table 2.1

Supporting documents

Supplementary Planning Documents (SPD)

- 2.5** There is no longer a requirement for the LDS to include a programme for the preparation of SPDs. Details of any SPDs that are to be prepared will be made available on the council's website.
- 2.6** Currently it is proposed that the following SPDs will be prepared and adopted within the next three years:

SPDs to be prepared and adopted	
SPD title	Proposed year of adoption
Provision for Open Space in Connection with New Housing Development	2019
Sustainable Transport	2019
Farm and Rural Buildings Design Guide	2019
Biodiversity Offsetting	2019
Sustainable Construction and Design	2019
Renewable and Low Carbon Energy (update of SPD adopted in 2015)	2019
Green and Blue Infrastructure (update of SPD adopted in 2014)	2019

Table 2.2 SPDs to be prepared and adopted

Statement of Community Involvement (SCI)

- 2.7** The revised Statement of Community Involvement (SCI) was adopted by the council in March 2014. This document sets out how individuals, groups and organisations can become involved in preparing or revising policy documents and considering planning applications. You can view the SCI on the council's website.⁽⁷⁾

Annual Monitoring Report (AMR)

- 2.8** The council prepares and publishes an Annual Monitoring Report (AMR) in December each year. The AMR reports:

6 To view the regulations please visit: www.legislation.gov.uk

7 For further information on the SCI please visit at www.harrogate.gov.uk/planning

2 Harrogate District Local Plan

- Progress on the timetable and milestones for the preparation of documents set out in the LDS including reasons, where they are not being met;
- Progress with the implementation of policies and proposals;
- Progress with work on the Duty to Co-operate and Neighbourhood Plans.

2.9 Further information on the Harrogate District Local Plan is available:

- on the council's website at www.harrogate.gov.uk/localplan;
- by e-mail to planningpolicy@harrogate.gov.uk;
- by telephoning the Planning Policy team on 01423 500 600

Milestones for the preparation of Development Plan Documents (DPDs) 3

3 Milestones for the preparation of Development Plan Documents (DPDs)

3.1 The following table sets out the stages of plan preparation and key milestones for the emerging Local Plan and the New Settlement DPD. The regulations referred to are the Town and Country Planning (Local Planning) (England) Regulations 2012. The council must ensure that plan making is undertaken in accordance with these regulations. ⁽⁸⁾

Key Milestones for Producing the Harrogate District Local Plan		
	Stage of plan making	Timescale
Regulation 18	Public consultation on vision and priorities, growth options and emerging policies, (completed)	Completed July 2015
	Public consultation on draft development management policies, (completed)	Completed November 2015
	Public consultation on the draft Local Plan, (vision and objectives, all policies, allocations, designations and development/infill limits), (completed)	Completed November 2016
	Public consultation on additional sites, (housing, employment and Gypsy and Traveller), (completed)	Completed July 2017
Regulation 19	Formal publication consultation on the Local Plan	Completed January 2018
Regulation 22	Submission of the Local Plan to the Secretary of State	Summer 2018
Regulation 24	Examination of the Local Plan	Winter 2018
Regulation 26	Adoption of the Local Plan	Spring 2019

Table 3.1 Key Milestones for Producing the Harrogate District Local Plan

Key Milestones for Producing New Settlement DPD		
	Stage of plan making	Timescale
Regulation 18	Public consultation on vision, objectives, site boundary and concept plan	Winter 2018/2019
Regulation 19	Formal publication consultation on the DPD	Spring/Summer 2019
Regulation 22	Submission of the DPD to the Secretary of State	Winter 2019
Regulation 24	Examination of the DPD	Spring/Summer 2020
Regulation 26	Adoption of the DPD	Autumn 2020

Table 3.2 Key Milestones for Producing New Settlement DPD

4 Project management and reporting arrangements

4 Project management and reporting arrangements

4.1 The following information sets out the management and reporting arrangements for producing the Local Plan and New Settlement DPD. These arrangements will be kept under review to ensure an efficient plan making process.

4.2 Team responsible for leading the plan production process: Planning Policy Team

4.3 Management arrangements:

- Regular production and monitoring of team project plan;
- Agreement of officer approach to plan making through regularly held internal working group (Local Plan Working Group);
- Cabinet Member (Planning);
- Cabinet;
- District Development Committee (informal consultation as well as formal reporting); and
- Full Council.

4.4 Resources required to produce the Local Plan and DPD (including external stakeholders):

- Council officers from the Planning and Development Service;
- Joint working and consultation with officers across other council service areas ;
- External consultants e.g. to undertake specialist evidence base work and to support the council at Examination;
- Joint working and consultation with Duty to Cooperate Partners;
- Additional resources to manage and facilitate consultation e.g. including production of written/visual material, meetings/events, dealing with representations;
- A comprehensive database to manage data for plan making (and provide outputs that meet the requirements of the Programme Officer at Examination stage), public consultations and the monitoring of policies; and
- Additional resources to fund and run the Examination such as employing a Programme Officer and making accommodation available for the Inspector and the hearing sessions.

4.5 Reporting arrangements:

- Agree officer approach with senior officers at Local Plan Working Group;
- Endorsement of policy approach with Duty to Cooperate Partners ;
- Cabinet Member (Planning) has responsibility for approval of the Local Plan. Cabinet Member also has responsibility for approving SPDs for consultation and adoption;
- Cabinet will consider draft policies and proposals in consultation with the District Development Committee;
- The approval for Publication will be given by Full Council, with delegated powers to the Director of Economy and Culture (in consultation with the Cabinet Member for Planning) to make any required modifications prior to submission and undertake any necessary pre-submission consultation on such modifications; and
- Approval for adoption is given by Full Council.

5 Background evidence

Sustainability Appraisal (incorporating Strategic Environmental Assessment)

- 5.1** To ensure sustainability is at the heart of planning policy formation, the preparation of DPDs are subject to Sustainability Appraisal (SA) which incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive. The SA is produced in tandem with the Local Plan and ensures that the potential social, economic and environmental implications of policies and proposals are appraised throughout, any sustainability issues are identified and addressed early on and mitigation measures identified when necessary. The SA is prepared in consultation with key stakeholders, in particular the three environmental bodies: Historic England, Natural England and the Environment Agency. ⁽⁹⁾

Habitat Regulations Assessment

- 5.2** Under European legislation, the district council is required to consider whether a DPD would be likely to have a significant effect on the integrity of any internationally designated sites. There are a number of these sites within and near to this district such as the North Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC). The Habitat Regulations Assessment (HRA) is produced and consulted on throughout DPD preparation. ⁽¹⁰⁾

Equality Analysis

- 5.3** Equality analysis is a way of considering the effect of a policy (or practice, activity or decision) on different groups protected by the Equality Act 2010. Equality analysis and consultation on the outcomes has taken place alongside the preparation of the Local Plan in order to inform its content. Where opportunities to improve equalities outcomes have been identified, these have influenced changes to the Local Plan policies. ⁽¹¹⁾

Other evidence base

- 5.4** The preparation of a DPD must be underpinned by a robust evidence base. There is a range of studies and technical evidence that has been prepared and informed the development of the Local Plan. A number of these will also be important to the preparation of the New Settlement DPD. A full list of the council's most up to date evidence base for the Harrogate District Local Plan can be found on the evidence base page of the council's website. ⁽¹²⁾

9 For further information on the Local Plan Sustainability Appraisal please visit www.harrogate.gov.uk/planning

10 For further information on the Local Plan Habitat Regulations Assessment please visit www.harrogate.gov.uk/planning

11 For further information on the Local Plan Equality Analysis see consult.harrogate.gov.uk/portal/pp/eq/eq16 12
For further information please visit www.harrogate.gov.uk/planning

6 Risks to the production

6 Risks to the production

6.1 Whilst preparing the LDS a number of areas of risk were identified. The impact of these and mitigating actions to overcome the risks are set out in the table below.

Risk	Risk Assessment	
	Impact	Mitigating Actions
Introduction of new national planning policy, legislation and guidance including review of NPPF and standard methodology for calculating housing need.	Additional work to comply with changes in national policy and the new methodology causes delay in the timetable and key milestones. Will depend on any transitional arrangements announced.	Keep up to date with new requirements and transitional arrangements and respond to changes early.
Failure to meet the legal Duty to Cooperate.	Likely to result in lengthy delays to plan production and the need to carry out additional consultation.	Ensure that the council engages effectively with DtC partners from the beginning of the plan making process at officer and Member level
Employing consultants to carry out technical/specialist areas of the evidence base.	Availability of funds and time to appoint can cause slippage.	Anticipate requirements and have funding available. Close working with Procurement Team.
Dependence on efficiency of other officers, external organisations and consultants for completion of evidence and successful partnership working.	That ability of others to respond in an efficient way can cause delay and/or result in incomplete evidence base.	Proactive management and cooperation from all parties.
Project team required to do other un-programmed work including ad hoc requests for information and work on planning applications such as major appeals and Neighbourhood Planning.	Diverts team from preparing the DPDs causing slippage in the timetable and key milestones.	DPDs made a corporate priority and non-essential work minimised Resources and funding opportunities will need to be explored.
Delays in formal decision making.	Slippage in timetable and key milestones.	Ensure that Members are fully briefed and consulted prior to formal decision making.
Higher than expected response received to Regulation 18 and 19 consultations.	Possible slippage in timetable and key milestones in order to analyse the responses.	Deploy additional resources to record and appraise representations.
Additional unforeseen evidence required to support the Local Plan.	Likely to cause delay and may require additional consultation to be undertaken. May also incur additional costs.	Seek to monitor and anticipate likely evidence base requirements and have funding available.
The Planning Inspectorate (PINS) are unable to meet timetable (PINS sets the timetable for the Examination process following submission of a DPD).	Examination and/or Inspector's Report delayed and key milestones not met.	Liaise with PINS on timetable and provide early notification of anticipated submission date. Close liaison with PINS to ensure early identification of any issues during examination.
Additional requirements from the Inspector during the Examination.	Likely to cause delay and may require additional consultation to be undertaken. May also incur additional costs.	Seek to submit a plan that meets the requirements of national policy and legislation.
Legal challenge.	Possible quashing of part/all of document and requirement to repeat work.	Ensure Regulations are complied with. Seek legal advice as and when required.

Risks to the production 6

Risk	Risk Assessment	
	Impact	Mitigating Actions
		Keep up to date with best practice.

Table 6.1 Risk Assessment

