

**LOCAL PLAN WORKING GROUP**

A meeting of the Local Plan Working Group was held on 15 August 2019.

**PRESENT:** Councillors A Waters (Chair), D Coupe, A High, C Hobson, J Hobson, D Rooney and Mayor A Preston.

**PRESENT AS OBSERVERS:** B Breeze and R Horniman.

**OFFICERS:** P Clarke, A Conti and C Lunn.

**APOLOGIES FOR ABSENCE:** None.

**DECLARATIONS OF INTERESTS**

There were no Declarations of Interest.

**APPOINTMENT OF CHAIR**

Nominations were sought for the appointment of Chair of the Local Plan Working Group.

Councillor Waters was nominated, seconded and appointed as Chair of the Local Plan Working Group.

**AGREED** that Councillor Waters was appointed as Chair of the Local Plan Working Group.

**MINUTES - LOCAL PLAN WORKING GROUP - 30 JANUARY 2019**

The minutes of the Local Plan Working Group meeting held on 30 January 2019 were submitted and approved as a correct record.

**INTRODUCTION TO LOCAL PLAN PREPARATION AND CURRENT POSITION WITH THE MIDDLESBROUGH LOCAL PLAN**

The Strategic Policy Manager and the Head of Planning delivered a presentation to Members, the purpose of which was to provide an introduction to Local Plan preparation and detail the current position with the Middlesbrough Local Plan.

The presentation covered the following topics:

- Overview of the Planning System;
- Who Did Planning;
- Legislation;
- National Policy and Guidance;
- Local Plans - Topics and Plan-Making Stages;
- Middlesbrough Local Plan;
- New Local Plan - Timetable;
- Evidence Gathering/Review;
- New Town Centre and Retail Study;
- Local Housing Needs Assessment;
- Economic Development;
- Green Infrastructure;
- Infrastructure Delivery Plan;
- Other Matters; and
- Local Plan Next Steps - Work Programme.

Members heard that a joint Local Plan with Redcar and Cleveland Council had been considered some years previously, which would have covered the Nunthorpe and Marton Road areas. It was explained that due to conflicting timescales and other matters, this was not pursued. However, the significance of consultation and liaison with neighbouring Local

Authorities was highlighted, with reference being made to other Local Plans nationally that had been discarded by the Planning Inspectorate for failing to cooperate.

It was highlighted that within the Local Plan, the Council could only deal with issues where planning permission was required (matters lying outside of those parameters could not be controlled). The example of planning applications for modest residential developments was provided.

Middlesbrough's current Local Plan comprised the following:

- Housing Local Plan 2014;
- Core Strategy 2008 (part);
- Regeneration DPD 2009 (part);
- 'Saved' Local Plan Policies 1999; and
- Tees Valley Minerals and Waste DPDs 2011.

The emerging Local Plan would consolidate these areas, with the exception of Tees Valley Minerals and Waste DPDs 2011, which were considered at a Tees Valley rather than individual Authority level.

Following publication of the Local Plan in October 2018, there had been significant changes to the Council after the Combined Elections in May 2019. A decision was taken by Council in July 2019 to review the emerging Plan timetable and look at some aspects again.

The agreed timetable for the new Local Plan was provided as follows:

- Evidence gathering/review - Winter 2019/Spring 2020;
- Preferred Options - Summer 2020;
- Publication - Autumn/Winter 2020;
- Submission - Winter 2020; and
- Adoption - Spring 2021.

It was indicated that, although progress was dependent upon evidence gathering and other key processes, this was worst-case scenario and it was hoped that the Plan would be delivered earlier.

A Member commented that, in terms of the review process, this had to be completed within five years of the last Local Plan, and queried how this timetable would align with that requirement. In response, Members were advised that the current Local Plan, published in 2014, was still considered up to date. This meant that, primarily, the Council still had a five year housing land supply. It was explained that when this land supply reduced, the current Local Plan would face greater challenge. Essentially, the longer the process to review the Plan, the weaker it would become. Members were assured that the revised timetable continued to offer a strong Local Plan, which could be used in the decision-making process. It was acknowledged that one of the weakest areas of the current Local Plan concerned the Open Space Framework, with policies deriving from the 1999 Local Plan. The strongest element of the current Local Plan concerned housing, and a recent appeal decision did demonstrate this. It was felt unlikely that there would be significant penalties for failing to review the Local Plan, however, reference was made to other Local Authorities where reviews had been delayed, which had resulted in Government intervention.

A Member made reference to small parcels of land and queried the steps involved in removing these from the emerging Local Plan, if felt unsuitable for development. In response, it was explained that if a site had obtained planning permission, this was in place until permission expired, irrespective of what was contained in the Local Plan. It was highlighted that the evidence base, which underpinned the Local Plan, needed to be correct and complete to ensure that it passed examination. Matters such as housing requirements, employment land, infrastructure and strategies formed the evidence base of what the Local Plan would look like. Reference was made to land with outline and full planning permission; the likelihood of removing land would be dependent upon its criticalness in terms of delivering the Council's strategies. Details of the evidence gathering/review process, and its significance to the

successful adoption of the Local Plan, were provided to Members.

Members were appraised of a New Town Centre and Retail Study, which was currently being undertaken. A Member made reference to the Centre for Cities think tank and consideration was given as to how the two interlinked/supported one another. The Working Group discussed such issues as strategic approach, meeting the national policy elements of the Local Plan, changing shopping habits, and economic growth.

Details regarding the Local Housing Needs Assessment and a new standard methodology for housing need (trend based) were provided. This would result in changes and it was important that these were recognised. The Council had adopted a Housing Strategy in 2017 for the period 2017-2020, which was proposed could be reviewed, devised and rolled-out for a further three-year period to help inform the Local Plan. If pursued, further discussion around the Council's strategies and the outcomes of this would be considered accordingly.

In terms of Economic Development, the previous version of the Local Plan was based on the Investment Prospectus (2017), the Tees Valley Strategic Economic Plan (2016), and the Economic Development Needs Assessment (2017), which focused on the accessing of land for that type of use. The strategy was based on office, digital, health and education. This would be reviewed to ensure that these continued to be timely sectors, and a land assessment would be carried out to ensure that the strategy could be delivered.

Regarding Green Infrastructure, it was explained that three recent studies had been undertaken:

- Open Spaces Needs Assessment (2018);
- Green Wedges Study (2018); and
- Local Wildlife Sites and Local Nature Reserves in Middlesbrough (2018).

Although these studies were not out of date, it was acknowledged that an overarching strategy tying them together was required. A Green Infrastructure Strategy would be developed to underpin the new Local Plan and help to determine future allocations, particularly around implementation of the green infrastructure and support of wider Council aspirations, e.g. healthy living. In response to an enquiry, it was explained that a timescale for this had not yet been determined, however, preferred options were intended to be developed by summer 2020. A Member commented on the importance of ensuring that all policy production timescales aligned in order to prevent unnecessary delays to the Local Plan.

Members were appraised of other matters pertaining to the evidence gathering/review process, which included the duty to cooperate with other stakeholders (the example of resolving an issue with GP surgeries through the Local Plan was provided), as well as ensuring the viability of the Local Plan.

Details regarding the next steps of the Local Plan were provided, in particular the work programme. This included 'Duty to Cooperate Meetings', which had traditionally been undertaken on a Member level via the Executive Member Portfolio Holder.

The Chair thanked the officers for the information conveyed.

## **NOTED**

## **STATEMENT OF COMMUNITY INVOLVEMENT**

The Head of Planning explained to Members that this was essentially a statutory consultation strategy for the Local Plan and Plan application process, which set out the Council's approach to undertaking consultation at various stages.

The current Statement of Community Involvement was being reviewed at present. There was an awareness that the Council was looking at consultation processes across the board and this needed to align with other areas. Further discussion regarding this document would be undertaken by the Working Group in due course, however, input from Members at this

stage was highly welcomed. A copy of the current document would be e-mailed to the Group Members. It was highlighted that the document adopted a minimum standard and it was important that this be borne in mind when reviewing it.

**AGREED that:**

1. **A copy of the current Statement of Community Involvement document would be circulated to the Local Plan Working Group Members; and**
2. **The information, as presented, be noted.**

**LOCAL PLAN NEXT STEPS**

Regarding this Working Group, the Head of Planning explained that it was difficult to formulate a schedule of meetings due to the nature of the development of the Local Plan. It was felt that an appropriate way forward would be to discuss issues on a topical basis, such as housing, employment, green infrastructure, etc., and to arrange meetings on an ad hoc basis; Members agreed to this approach. The purpose of the Group was to take an advisory role, and therefore key evidence documents to help inform the process would be provided to the Group, and not just the finalised Local Plan once it had been completed. A Member suggested that it would also be useful to focus upon particular geographical areas of the town on a piece basis, to consider the policies and what the Council was looking to do within those specific localities.

**AGREED that:**

1. **Meetings of the Local Plan Working Group would be scheduled on an ad hoc basis to discuss topical issues as they arose; and**
2. **The information, as presented, be noted.**

**INTERIM POLICY FOR CONVERSIONS AND SUB DIVISIONS TO CREATE NEW RESIDENTIAL PROPERTIES**

The Head of Planning advised that in March 2018, the Executive had approved an interim policy on the conversion/sub division of residential properties. The purpose of the policy was to tackle the problems being created in certain areas of the town by the creation of flats through the sub division of residential properties. In a number of circumstances, these newly created flats were smaller than national standards and created a poor and unsatisfactory living environment.

This interim policy was superseded by that included in the 2018 Publication Draft Local Plan (policy DM5). This policy amended the interim policy approved in March 2018 by bringing the conversion of commercial properties into its scope, which strengthened the application of the policy by giving the Council greater control of the creation of unacceptable living environments.

It was highlighted that, at its meeting of 23 July 2019, Council agreed to withdraw the Publication Draft Local Plan (2018) and rely upon the interim policy for conversions approved in March 2018. This was an error, which the circulated report sought to correct. The attached policy at Appendix 1 (policy DM5) from the draft publication Local Plan was the one that should have been adopted as the interim policy. As this policy had already been the subject of extensive public consultation as part of that undertaken on the Publication Draft Local Plan in 2018, there was no need to consult further prior to the adoption of the policy.

The report would be submitted to the Executive accordingly. In terms of timescales, a Member suggested that this be progressed as soon as possible so as to avoid any potential challenge.

**NOTED**