

Harrogate District Local Plan: Local Development Scheme December 2021



December 2021

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1 Introduction

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- 1.1** The Local Development Scheme (LDS) is the timetable for the production of the documents that make up the the statutory development plan for the area, including the Local Plan.
- 1.2** It outlines the arrangements for the production of plan documents and the approximate timescales to which it will be produced.
- 1.3** This current Local Development Scheme replaces previous iterations and sets out the latest timetable for at least the next 3 years.

2 Harrogate District Local Plan

- 2.1** Before setting out the Local Development Scheme or Plan timetable it is important to set out the different components of the Local Plan.

Harrogate district Local Plan 2014-2035

- 2.2** The Harrogate district Local Plan 2014-2035 was adopted on 4 March 2020 and sets out the spatial vision and development strategy for the Harrogate district. ⁽¹⁾
- 2.3** The Local Plan sets the scale of new development that is planned and a strategy for accommodating this growth; includes detailed policies across several thematic areas to manage new development; and allocates specific sites for particular types of development.
- 2.4** In accordance with Government guidance it is the ambition of the Council to review whether changes to the Local Plan are required at least every five years and plan any updates accordingly.

New Settlement Development Plan Document

- 2.5** The adopted 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 provides 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). Timescales for DPD preparation are included in the following section.

Neighbourhood Plans

- 2.6** Neighbourhood plans set out planning policies and form part of the development plan used in determining applications for planning permission. A neighbourhood plan is made following a formal consultation process, examination and approval at referendum. The following neighbourhood plans have been made within the district:
- [Otley Neighbourhood Plan 2018-2028](#) (made March 2020)
 - [Ripon Neighbourhood Plan to 2030](#) (made April 2019)
- 2.7** The following neighbourhood plan areas have been designated in our district. For further information please visit the pages below:
- [Dishforth](#)
 - [Knaresborough](#)
 - [Masham](#)
 - [Pannal and Burn Bridge](#)
 - [Rocliffe and Westwick](#)
 - [Spofforth with Stockeld](#)

¹ Following adoption a legal challenge was raised against the new settlement policies in the High Court and a judgement was issued on 26 November 2020. In-line with the court order accompanying the judgement the whole of the Local Plan was remitted to the Council to consider whether or not to accept the Inspector's recommendations in so far as they related to the new settlement policies and whether or not to adopt the Local Plan with those policies, taking into account the full Sustainability Appraisal (SA) documentation and consultation responses. The Council adopted the Local Plan with the new settlement policies on 9 December 2020.

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- [Kirkby Malzeard, Laverton and Dallowgill](#)
- [Staveley and Copgrove](#)

Harrogate District Community Infrastructure Levy

- 2.8** The Community Infrastructure Levy Charging Schedule was adopted on 8th July. The Charging Schedule, as well as transitional arrangements, can be viewed on the Council's website: www.harrogate.gov.uk/cil.

Supporting documents

Supplementary Planning Documents (SPD)

- 2.9** Supplementary Planning Documents Supplementary are not statutory documents but are used to supplement the policies and allocations within the Local Plan. These documents are not included in the Local Development Scheme.
- 2.10** The Council will update, revoke and produce new SPDs as necessary. Details of any SPDs that are to be prepared will be made available on the Council's website www.harrogate.gov.uk/planningpolicy.

Statement of Community Involvement (SCI)

- 2.11** The Statement of Community Involvement (SCI) was adopted by the Council in March 2014 and reviewed and updated in 2020. 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: www.harrogate.gov.uk/sci.

Monitoring

- 2.12** The Council prepares and publishes regular monitoring updates. An Authority Monitoring Report (AMR) is published annually. The AMR reports:
- 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
- 2.13** You can view the AMR on the council's website: www.harrogate.gov.uk/amr

Further Information

- 2.14** Further information on planning policies and guidance is available:
- on the Council's website at: www.harrogate.gov.uk/planningpolicy;
 - by e-mail to planningpolicy@harrogate.gov.uk;
 - by telephoning the policy and place team on 01423 500 600

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

Local Plan Review

Why do we need to review the Local Plan?

- 3.1** Local Plans must be reviewed every five years, as set out in relevant planning legislation ⁽²⁾. The review should take into account changing circumstances affecting the area, or any relevant changes in national policy. Reviews should be proportionate, and in many cases policies will not need to be updated at all. However, given changes to national policy and potential impacts arising from the Covid-19 pandemic, as well as the Council's ambitions to address climate change, it is likely that at least some of the Local Plan policies will need to be reviewed.

What does the plan review process involve?

- 3.2** The review must be informed by evidence and the process will begin by looking at our current evidence base and updating key pieces if necessary. This will then inform the scope of policies to be reviewed. At this point views will be sought to further inform the scope. Options for updated policies will then be developed in consultation with communities and specialist organisations. Any revised policies will need to be put before an independent inspector appointed by the Secretary of State and if found acceptable or "sound", adopted by the Council.

What about Local Government Reorganisation?

- 3.3** Local Government reorganisation is currently underway in North Yorkshire which will culminate in the creation of a new, single North Yorkshire Council from 1 April 2023. However, whilst this is likely to bring about changes to the way in which the area is planned for in the longer term, current Local Plans have legal status across the area and will remain in force until replaced by another Local Plan. It is therefore important that Local Plans are kept up to date.
- 3.4** The Council will be working closely with colleagues across the future authority area to ensure that opportunities to work together are taken and that work will compliment planning for the wider area in due course.

What is the timetable for Plan Review?

- 3.5** In order to achieve a completed review by 2025, the Council intend to work to the following timetable.

² The statutory requirement for review is set out in The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017

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



Figure 3.1 Timetable for Local Plan Review

New Settlement DPD

3.6 Work is now well progressed on the New Settlement DPD which will form an important part of the Development Plan for the district. Regulation 18 Consultation took place between October 2020 and January 2021 and a number of community groups and organisations took the opportunity to have their say on the options presented. Further technical and targeted consultation is ongoing to address the issues raised alongside the preparation of a Draft Development Plan Document for submission to the Secretary of State for Examination.

3.7 The following table sets out the stages of plan preparation of the New Settlement DPD. The regulations referred to are the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Council must ensure that plan making is undertaken in accordance with these regulations. ⁽³⁾

Key Milestones for Producing New Settlement DPD		
	Stage of plan making	Timescale
Regulation 18	Public consultation on vision, objectives, site boundary and concept plan	Completed (October 2020 to January 2021)
Regulation 19	Formal publication consultation on the DPD	Summer 2022
Regulation 22	Submission of the DPD to the Secretary of State	Winter 2022
Regulation 24	Examination of the DPD	Spring 2023
Regulation 26	Adoption of the DPD	Summer 2023

Table 3.1 Key Milestones for Producing New Settlement DPD

3 To view the regulations in full please visit www.legislation.gov.uk.

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4 Project management and reporting arrangements

4.1 The following information sets out the management and reporting arrangements for producing the Local Plan Review 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: Policy and Place Team

4.3 Management arrangements:

- Regular production and monitoring of team project plan;
- Agreement of officer approach to plan making through internal Planning and Delivery working group meetings;
- 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 Place Shaping and Economic Growth 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 Planning and Delivery meetings;
- 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

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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 other DPDs 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. Further information on Sustainability Appraisals and relevant documents can be found on the Council's website www.harrogate.gov.uk/planningpolicy.

Habitat Regulations Assessment

- 5.2** Under European legislation, the 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. Further information on Habitats Regulation Assessment and relevant documents can be found on the Council's website www.harrogate.gov.uk/planningpolicy.

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 takes place alongside the preparation of the Local Plan and other DPDs in order to inform their content. Where opportunities to improve equalities outcomes have been identified, these will influence changes to the Local Plan policies. Further information and relevant documents can be found on the Council's website www.harrogate.gov.uk/planningpolicy.

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 Council's website www.harrogate.gov.uk/planningpolicy.

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 Assessment		
Risk	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 and seek legal advice as and when required. Keep up to date with best practice/case law.
Covid-19 further outbreaks of the pandemic and/or restrictions arising from a lock down	Likely impact on staff/consultant capacity along with the ability to consult and engage communities and stakeholders effectively.	DPDs made a corporate priority in case of reduced staff capacity. Alternative methods of consultation used where appropriate.

Table 6.1 Risk Assessment

