



The Planning Inspectorate

Report to Northumberland National Park Authority

by Kevin Ward BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Date: 17 June 2020

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Northumberland National Park Local Plan

The Plan was submitted for examination on 30 September 2019

The examination hearing was held on 30 January 2020

File Ref: PINS/T9501/429/6

Abbreviations used in this report

HRA	Habitats Regulations Assessment
NPPF	National Planning Policy Framework
SHMA	Strategic Housing Market Assessment

Non-Technical Summary

This report concludes that the Northumberland National Park Local Plan (the Local Plan) provides an appropriate basis for the planning of the Northumberland National Park (the National Park), provided that a number of main modifications are made to it. The Northumberland National Park Authority (the Authority) has specifically requested that I recommend any main modifications necessary to enable the Local Plan to be adopted.

The main modifications all concern matters that were discussed at the examination hearing. The Authority has provided the detailed wording for the main modifications, which are based on suggestions it put forward during the examination. The Authority carried out sustainability appraisal of the main modifications and an updated Habitats Regulations Assessment (HRA) report was also produced. Following the hearing, the main modifications, sustainability appraisal and HRA report were subject to public consultation over a seven-week period. I have recommended the inclusion of the main modifications in the Local Plan after considering all the representations made in response to consultation on them, the sustainability appraisal and the updated HRA report.

The main modifications can be summarised as follows:

- Including a housing requirement figure which corresponds to the identified need of 160 dwellings over the plan period and a clear intention for that requirement to be met in full through small scale development within the National Park and the delivery of housing in gateway settlements outside of but close to the National Park to ensure that the Local Plan is positively prepared, effective and consistent with national policy;
- Removing the separate categories of Local Centres and Smaller Villages given the lack of policy distinction between settlements to ensure that the Local Plan is effective; and
- Amending the detailed wording of a number of policies to ensure that they are positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Local Plan's preparation has complied with the duty to co-operate. It then considers whether the Local Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) 2019 (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Authority has submitted what it considers to be a sound plan. The Authority produced a schedule of modifications (NNPA-002) prior to submission. In some cases, I considered that these were not minor modifications and would amend the meaning or implementation of policies. The Authority subsequently produced a revised schedule of genuinely minor modifications (NNPA-002B). The basis for the examination is therefore the submitted Local Plan of September 2019 (which is the same as the Publication Draft Plan of May 2019 incorporating the revised schedule of minor modifications).
3. I have carried out the examination and considered issues within the context of the two statutory purposes of National Parks. These are to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. I have taken account of the duty of the Authority in taking forward these purposes to seek to foster the economic and social well-being of local communities within the National Park. I have also taken account of the duty to attach greater weight to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park where there is a conflict between the two statutory purposes (the Sandford principle).

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Authority requested that I should recommend any main modifications necessary to rectify matters that make the Local Plan unsound and /or not legally compliant and thus incapable of being adopted. My report explains why the recommended main modifications are necessary. The main modifications are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
5. The main modifications all concern matters that were discussed at the examination hearing. The Authority has provided the detailed wording for the main modifications, which are based on suggestions it put forward during the examination. The Authority carried out sustainability appraisal of the main modifications and an updated HRA report was also produced. Following the hearing, the main modifications, sustainability appraisal and HRA report were subject to public consultation over a seven-week period. I have recommended the inclusion of the main modifications in the Local Plan after considering all the representations made in response to consultation on them, the sustainability appraisal and the updated HRA report. I have amended the wording of main modification **MM12** following this consultation to correct the

reference to the Appendix of the Northumberland Local Plan. This is a factual correction which does not alter the substance or meaning of the main modification.

Policies Map

6. The Authority must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a Local Plan for examination, the Authority is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Local Plan. In this case, the submission policies map is NNPA-004.
7. When the Local Plan is adopted, in order to comply with the legislation and give effect to the Local Plan's policies, the Authority will need to update the adopted policies map to include all the necessary changes.

Assessment of Duty to Co-operate

8. Section 20(5)(c) of the 2004 Act requires that I consider whether the Authority complied with any duty imposed on it by section 33A in respect of the Local Plan's preparation.
9. Although it covers a large area, the National Park only has a population of approximately 2,000. The identified need for housing is very limited (160 dwellings over the 20-year plan period 2017-2037). The scale of past development has been small, and this is likely to continue to be the case. As a consequence and given the character of the National Park and the issues facing it, there are limited strategic matters which have required co-operation during the preparation of the Local Plan.
10. The Authority has a close and constructive working relationship with Northumberland County Council on a range of matters including waste management and the provision of aggregate minerals landbanks. The County Council is the Housing Authority. The emerging Northumberland Local Plan, prepared by the County Council, identifies a housing requirement for the whole of the County and does not make any specific reduction for the area contained by the National Park. In effect therefore the very modest housing needs of the National Park are absorbed within the supply of housing land being provided for in the Northumberland Local Plan. This position is confirmed by the agreed statement of common ground between the two planning authorities. The statement of common ground also confirms that settlements outside of but close to the National Park, including Bellingham, Haltwhistle, Rothbury and Wooler may provide for some of the housing needs of the National Park, including in terms of affordable housing.
11. Overall, the Authority has demonstrated constructive, active and ongoing engagement with the County Council, other local authorities and relevant organisations on strategic matters. The issues have been resolved effectively and there are no concerns from these authorities and organisations. I conclude therefore that the Authority has complied with the duty to co-operate.

Assessment of Soundness

Main Issues

12. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, I have identified the following main issues upon which the soundness of the Local Plan depends. This report deals with these main issues. It does not respond to every point raised by representors, nor does it refer to every policy.

Issue 1 – Whether Strategic Policies ST1-ST4 are positively prepared, justified, effective and consistent with national policy

13. Policy ST1 sets out a comprehensive and justified approach towards sustainable development within the context of the National Park and the particular issues it faces. Main modification **MM1** would ensure that the wording and implementation of the policy is sufficiently positive and clear and fully reflects the NPPF, particularly in terms of sustainable transport and climate change. It is required for the policy to be positively prepared, effective and consistent with national policy.
14. Policy ST2 provides a wide range of principles that would be applied to all development proposals. Whilst these are justified and consistent with national policy, main modification **MM2** is necessary to ensure that the policy is effective in setting out a sufficiently clear and comprehensive set of criteria.
15. In relation to proposals for major development, Policy ST3 makes it clear that they will only be permitted in exceptional circumstances and where it can be demonstrated that they are in the public interest. The policy is justified. Subject to clarification that the impact of permitting or refusing proposals for major development on the local economy more generally will be taken into account and not just that of the National Park itself, it is also consistent with national policy. Main modification **MM3** would address this concern and also ensure that the policy is effective in setting out a clear and comprehensive approach to minimising and mitigating adverse effects.
16. Policy ST4 sets out the Spatial Strategy and identifies individual settlements as either Local Centres or Smaller Villages. However, the policy does not set out a noticeably different policy approach to the two categories of settlement. Following discussion at the hearing, the Authority also accepted that it was not necessary or appropriate for parts 3-5 of Policy DM3 in relation to affordable housing to only refer to Local Centres. Whilst I deal with Policy DM3 in more detail below, given the resulting lack of a different policy approach, there is no justification for the distinction between Local Centres and Smaller Villages. Main modifications **MM4** and **MM5** would address this concern and classify all of the identified settlements as "Named Settlements". Subject to these main modifications, Policy ST4 sets out a justified and effective approach to development in and adjoining settlements and in the open countryside which is consistent with national policy.
17. I conclude therefore that subject to the main modifications referred to above, Strategic Policies ST1-ST4 are positively prepared, justified, effective and consistent with national policy.

Issue 2 – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the approach to housing

Housing requirement/provision

18. The Planning Practice Guidance makes it clear that the standard method for assessing local housing need is not applicable to national parks given the lack of data at the appropriate geographical level. The Authority's assessment of housing need is set out in the Northumberland National Park Strategic Housing Market Assessment 2017 (the SHMA). This is informed by analysis of the 2014 based population and household projections, disaggregated to fit with the National Park area. The resultant demographic starting point of 7 dwellings per year is then increased to 8 dwellings per year through a market signals uplift to take account of affordability issues. There is no basis for any further uplifts for economic growth or other factors. The SHMA provides a robust evidence base and the housing need figure of 8 dwellings per year is justified (a total of 160 dwellings over the 20-year plan period 2017-2037).
19. Although the submitted Local Plan refers to this need figure it does not include a housing requirement. This was due to the Authority's concerns over the potential pressure to ensure that such a requirement/target was met and the fact that housing delivery will be totally reliant on windfalls, with no housing sites allocated in the Local Plan.
20. Whilst I note those concerns, it is clear from the NPPF that strategic policy making authorities should establish a housing requirement figure for their whole area. Given the status of the National Park and the policy safeguards that are in place, both at a local and national level, there is no reason to suggest that the existence of a clear housing requirement would undermine the relevant statutory purposes or duties.
21. The Authority confirmed at the hearing that its intention was to see the full housing need met and potentially exceeded, provided suitable and acceptable sites and development proposals came forward. Following discussion, it accepted that it would be appropriate for the Local Plan to include a housing requirement.
22. Main modification **MM6** would introduce a housing requirement figure of 160 dwellings for the plan period (an average of 8 per year) and a clear explanation of how that requirement is intended to be met in full through small windfall sites, affordable housing, conversion of existing buildings, custom and self-build housing and the delivery of housing in gateway settlements close to but outside of the National Park. It is necessary to ensure that the Local Plan is effective and consistent with national policy.
23. Given the very modest housing requirement and the nature of potential sites, along with the likelihood that an element of supply will come from the gateway settlements, the Local Plan is justified in not allocating housing sites. Due to the particular circumstances that apply in this case, a housing trajectory would serve little if any practical purpose and the Local Plan is justified in not including one.

New housing – Policy ST5

24. The National Park has a very high dwelling vacancy rate of 19.7%. This compares with 6.4% for Northumberland as a whole and just over 4% for the North East and England (2011 Census). A key factor in this is the number of holiday and second homes. Whilst tourism is important to the local economy, the proportion of dwellings not used as a principal residence raises issues in terms of population decline, the vitality of communities and support for local services. The adopted Core Strategy includes a local connection test policy for new housing. This restrictive approach has limited demand for new housing and the delivery of housing has been very modest.
25. The Authority is rightly seeking to take a more flexible approach which will enable the delivery of housing whilst seeking to ensure that this is for principal residence to help support local communities and services. The Viability Assessment of the Local Plan demonstrates that such an approach would only have a very modest impact on property values and would not significantly affect the viability of development. It would be implemented through the use of planning conditions. Policy ST5 is therefore justified and effective in requiring all new housing to be used as the principal residence of the occupiers.
26. In overall terms, Policy ST5 sets out a justified approach to new housing which is consistent with national policy. Main modification **MM7** is required however to ensure that it is effective in clarifying that an appropriate mix of dwelling types, size and tenure will only be sought on schemes of more than 5 dwellings and that in addition to the SHMA, other relevant guidance will be used to inform the approach. This main modification is also necessary for the policy to be effective in clarifying that the requirement for principal residency housing also applies to those special circumstances where housing in the open countryside may be permitted and to ensure that the approach to self-build and custom housebuilding is consistent with the rest of the policy and other policies in the Local Plan.

Affordable housing, rural workers' housing and accommodation for Gypsies, Roma and Travellers

27. The SHMA identifies a need for an average of 2 affordable dwellings per year over the plan period. Although a significant proportion (25%) of the overall housing requirement, this is a very modest figure in itself. Along with the small scale and relatively remote nature of settlements within the National Park and limited service provision, this has affected the willingness of affordable housing providers to invest in schemes and the delivery of affordable housing.
28. Policy DM3 takes a realistic approach to the provision of affordable housing on exception sites and as part of market housing schemes which is consistent with national policy. Seeking 50% affordable housing on schemes of more than 5 dwellings is justified by the evidence on needs and viability and the policy provides a sufficiently flexible approach to the proportion of affordable housing, off site contributions and the impact on the viability of specific proposals.

29. Given the modest overall housing requirement and the nature and scale of sites that are likely to come forward, the Authority recognises that the gateway settlements outside the National Park are likely to continue to play a role in providing affordable housing. As noted above this issue is addressed in the agreed statement of common ground with Northumberland County Council.
30. Main modification **MM9** would provide necessary clarity in relation to the acceptance of a lower proportion of affordable housing and would reflect the fact that there is no reason to distinguish between Local Centres and Smaller Villages in terms of the policy approach. It is necessary to ensure that the policy is justified and effective in these respects.
31. Policy DM4 provides a justified and effective approach to rural worker's housing which is consistent with national policy. It will allow for essential housing for those working in farming, forestry or other essential land management activities and will help to sustain the local economy, whilst ensuring that there is a clear justification for such housing. It will also ensure that should the need for such housing no longer exist, occupancy would continue to be limited to that of a principal residence.
32. The Northumberland Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018 update) assesses needs for accommodation across the whole of Northumberland and does not disaggregate needs for the National Park boundary. Across the County, identified needs are modest (8 permanent pitches between 2018 and 2036) and this is heavily focussed on the more urbanised south east of the County. Given this evidence, there is no need for the Local Plan to identify a supply of specific sites. However, should a specific need be identified for the National Park in future, there is no reason in principle why this could not be met within the National Park itself. Given this, criterion b), which would require a demonstration of a lack of suitable alternative sites outside of the National Park, is not justified. Main modification **MM10** would address this concern and ensure that the policy is effective in also referring to Travelling Showpeople.
33. I conclude therefore that subject to the main modifications referred to above, the Local Plan has been positively prepared and is justified, effective and consistent with national policy in relation to the approach to housing.

Issue 3 – Whether the other development management policies are justified, effective and consistent with national policy

34. Policies DM1 and DM6 provide a comprehensive and justified approach towards community facilities and infrastructure and the conversion of buildings. Main modification **MMS** would ensure that Policy DM1 is consistent with other modified policies and therefore effective by removing references to Local Centres and Smaller Villages. Main modification **MM11** is required in order to make the wording of Policy DM6 fully consistent with national policy in relation to the need for high quality design.
35. Policy DM9 sets out a justified approach to transport and accessibility which is consistent with national policy. It will help to facilitate safe and sustainable transport and improvements in accessibility within the particular context of the National Park and its natural environment. Main modifications **MM12** and

MM13 would ensure that the wording of the policy and reasoned justification are sufficiently clear in respect of the incorporation of transport and accessibility needs in new development proposals and the relationship with Northumberland County Council as Highway Authority, particularly in terms of vehicle and cycle parking. They are necessary for effectiveness. As noted above, I have amended the wording of **MM12** to correct the reference to the Appendix of the Northumberland Local Plan.

36. The comprehensive approach to habitats, biodiversity and geodiversity set out in Policy DM10 is justified and consistent with national policy. Main modification **MM14** would provide necessary clarity regarding the approach to the protection of national sites and protected species and is required for effectiveness.
37. Policy DM13 allows for small scale schemes for the generation of renewable energy subject to a number of criteria. This includes small scale wind turbines. This approach is in the context of approximately 10% of residential properties in the National Park not being connected to the mains electricity grid and the fact that the Authority has planning controls over small, stand-alone turbines (in other areas they are subject to permitted development rights). The properties without mains electricity are scattered throughout the National Park and it is not feasible to identify specific areas where small scale wind turbines would be acceptable. In light of this, the Local Plan regards the whole of the National Park as suitable in principle for small scale wind energy development subject to the criteria in Policy DM13. Given the particular circumstances that apply, the approach is justified, effective and consistent with national policy.
38. The approach to minerals development and minerals safeguarding areas set out in Policies DM16 and DM17 is justified and consistent with national policy in the context of the National Park and its statutory purposes and the duties of the Authority. In order to ensure that the Local Plan is effective in providing clarity as to the definition of small-scale minerals development and a consistent approach towards major development, main modifications **MM15** and **MM16** are required.
39. I conclude therefore that subject to the main modifications set out above, the other development management policies, including those not specifically referred to, are justified, effective and consistent with national policy.

Assessment of Legal Compliance

40. My examination of the legal compliance of the Local Plan is summarised below.
41. The Local Plan has been prepared in accordance with the Authority's Local Development Scheme.
42. Consultation on the Local Plan was carried out in compliance with the Authority's Statement of Community Involvement.
43. Sustainability Appraisal has been carried out and is adequate.
44. The HRA Report concludes that the Local Plan will have no likely significant effects upon any European sites, either alone or in combination with other plans and projects and that an Appropriate Assessment is not necessary.
45. The Local Plan includes policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change. Examples of such policies are ST1 and ST2.
46. The Local Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
47. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the mix of new housing and provision for Gypsies, Travellers and Travelling Showpeople.

Overall Conclusion and Recommendation

48. The Local Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
49. The Authority has requested that I recommend main modifications to make the Local Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix, the Northumberland National Park Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

Kevin Ward

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.