



Hartlepool Local Planning Framework Emerging Local Plan

Matter 18

Monitoring and Implementation



September 2017



Issue 1 - Does the Plan set out a clear and robust framework for delivery and monitoring?

A number of representations on the published plan raised concern that there was no monitoring and implementation framework for the Plan. The Inspector encourages those who have raised such concerns to look at document [HLP01/3] – the Local Plan Implementation and Monitoring Framework – which accompanied the Publication Plan. The Council is proposing (see MM/APP12/01 in document EX/HBC/19) that the Framework is embedded in the Plan as an appendix.

Q1. **Is the proposed monitoring framework robust and effective? What are the intended mechanisms and timescales for monitoring the implementation and effectiveness of the policies and proposals in the Plan?**

The proposed monitoring framework to monitor the broad effects of the Local Plan is robust and effective. It is in accordance with legal requirements of the Planning and Compulsory Purchase Act 2004 (section 35) as updated by Regulation 34 of the Town and Country Planning (Local Planning) Regulations (2012). The framework covers all minimum requirements to be monitored as stated in Regulation 34. In addition it monitors locally derived indicators as appropriate to the Borough of Hartlepool such as the coast with internationally protected wetlands and wildlife areas. In addition the framework is in accordance with the EU Directive 2001/42/EC known as the Strategic Environmental Assessment Directive (SEA Directive) which in the UK is taken forward by means of Strategic Environmental Assessment (SEA) and/or Sustainability Appraisal (SA).

The local plan is set for a period of 15 years and outlines how the Borough will develop over this time period. The monitoring framework is set in such a way that the proposed developments will be monitored on an annual basis by reviewing how the policies are performing in terms of delivering proposed developments in the Borough and the extent to which they are being implemented.

To do this, performance indicators (i.e. ones that show results relative to what is planned) will be measured annually and milestones established to indicate how the policies are performing, whether or not they are being implemented, how far they have gone towards meeting set targets and whether or not they are heading in the right direction as proposed in the plan.

In the annual review and report, policies will be grouped together according to their common strategic objectives and reviewed as a group rather than individually. Grouping policies reflects that they collectively have effects on the wider sustainable development of the Borough.

Actual policy performance will be reviewed against set baseline information to establish progression on the direction being taken by the policies. This will show whether the policy is deviating or performing as planned. Deviation of a policy will not necessarily indicate policy failure as there may well be sound justification for the deviation. Where there is no justification however and the deviation is prolonged and negative that would be viewed as policy failure and in this instance that policy will need to be reviewed.

The baseline information has not all been collated at the time of examination but this will be done at a later stage by the time the first review of the plan is due. Data from different sources such as the national statistics, sub-regional statistics, existing local data within different council departments, organisations affiliated to the council, SA report, and any other reliable data sources will be collected and collated to act as the baseline information for the subsequent annual review of the local plan.

Having regard to NPPF, paragraph 153, it is important to note that indicators for the local plan will continue to be used flexibly in the duration of the plan in order to be able to respond to any changing circumstances such as when:

- (i) better indicators become available

- (ii) a policy review is done for failing policies or for policies that are not being implemented
- (iii) data streams cease

Q2. Does it provide for co-operation and participation and are appropriate participants involved? Are the Duty to Cooperate bodies embedded in the delivery/ monitoring of the Plan?

Section 7 of the monitoring framework document [HLP01/3] details the council's methodological approach of monitoring the plan. The provision for cooperation and participation of relevant participants is briefly covered in paragraph 7.1(v).

The authority's monitoring report for the current plan has, since 2012 (when Regulation 34 came into force), been reporting annually where the Borough has cooperated with any local authority or relevant bodies or authorities as required in the relevant legislation and regulations as listed in question 1.

Therefore, where there has been cooperation with other bodies, the council will continue to cover the duty to cooperate through reporting in the Authority's Monitoring Report (AMR) on an annual basis. This way the duty to cooperate bodies will be embedded in the delivery of the plan.

Q3. Are suitable arrangements in place for reviews at appropriate times? Is it clear when monitoring will trigger action? Is it sufficiently clear how the Plan will be monitored? If not, could it be made clearer?

The Authority's Monitoring Report (AMR) which annually reports on the progress of implementation and performance of policies and proposals within the Local Plan is in place. The report will continue to be prepared on an annual basis to report on the performance for the previous financial year.

As partly explained in Q1 above, monitoring triggers action when:

- (i) the policies repeatedly deviate from their planned action in terms of delivering development with no justification
- (ii) a policy has had unintended consequences which cannot be justified
- (iii) policies constantly and significantly under deliver below set targets with no justification,
- (iv) indicators do not show overall positive improvement in developments when compared to baseline information

(See section 2.2 and 2.3 of the framework regarding trigger points)

If necessary, the framework could seek further clarification in terms of agreed trigger points. If there are more instances which could trigger action these can be further discussed during the examination and included in the amendments to the framework in the same way as Q5 below.

Q5. Does the monitoring framework include an indicator/monitor of development approved within HSE consultation zones? [I.e. number approved contrary to HSE advice].

The monitoring framework does not include any indicators to monitor developments approved within the HSE consultation zones. However, if required the monitoring framework can be amended to include this indicator.

With reference to the Local Plan Publication draft (HLP01/1) appendix 11a; due to presence of national grid gas pipelines, the HSE advises against development within HSE consultation zones in the following local plan allocations:

- a. High Tunstall Strategic Housing Site (policy HSG5)
- b. South West Extension Strategic Housing Site (policy HSG4)

- c. Green Wedges (NE3)
- d. Prestige Employment Site Wynyard Business Park (policy EMP1)

Therefore the proposed HSE indicators will be:

- (i) Number of approved developments contrary to HSE advice within 15m of all HSE consultation zones (i.e. inner, middle and outer) at High Tunstall Strategic Housing Site (HSG5), South West Extension Strategic Housing Site (HSG4) and green wedges (NE3).
- (ii) Number of approved developments contrary to HSE advice within the inner HSE consultation zone at the Prestige Employment Site Wynyard Business Park (EMP1)

Q6. Having regard to NPPF, paragraph 153, is there a clear and justified need for additional supplementary planning documents?

It is considered that there is a clear and justified need for the Residential Design and Access SPD. The SPD, whilst not increasing the burden on developers, will help to provide additional guidance and advice on the design and layout of developments to help meet the requirements of Policy QP3, 4 and 5.