

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

5 OCTOBER 2006

REPORT OF CORPORATE MANAGEMENT TEAM

CABINET DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Cook.

REGIONAL SPATIAL STRATEGY FOR THE NORTH EAST – EXAMINATION-IN-PUBLIC PANEL REPORT JULY 2006

1. Summary

This report informs Cabinet members of the publication of the Panel Report into the Examination-in-Public (EiP) of Submission Draft Regional Spatial Strategy (RSS), how the objections made by the Council have been taken into account and the next steps in the production of RSS.

2. Recommendations

That Cabinet: -

- 1) Note the publication of the Panel Report and its recommendations.
- 2) Note the further stages in the preparation of the final version of RSS.

3. Reasons for the Recommendations/Decision(s)

The Planning and Compensation Act 2004 requires the Regional Planning Body (the North East Assembly) to prepare and maintain Regional Spatial Strategy (RSS). Once adopted, this will supersede both Regional Planning Guidance Note 1 (2002) and the Tees Valley Structure Plan (2004). It will formally become part of the development plan for this Borough. The Council's own emerging Local Development Framework will be required to be in conformity with it

RSS must pass through a number of statutory stages prior to its formal adoption. Submission Draft RSS was published in June 2006 and placed on deposit for formal consultation between 13th July and 5th October 2005. In August 2005 (minute 256), Cabinet endorsed a number of representations. Following this period of consultation, the First Secretary of State appointed a Panel of Inspectors to conduct an EiP into selected issues arising from the Submission Draft. This took place between 7th March and 7th April 2006. In addition, the Panel considered the written representations of those unable to attend or who were not invited to appear. The Report presents the Panel's recommendations for changes to Submission Draft RSS. It is not subject to public consultation. Both the report and the representations made will be referred to the Secretary of State for consideration. Then Proposed Changes will be published for consultation. This is scheduled for winter 2006. At that time, a further report will be made to Cabinet and it may be necessary to make representations on the Proposed Changes. Following consideration of responses to the Proposed Changes, the Secretary of State is expected to publish final RSS in Spring 2007.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

AGENDA ITEM

REPORT TO CABINET

5 OCTOBER 2006

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Regional Spatial Strategy for the North East Examination-in-Public Panel Report July 2006

SUMMARY

This report informs Cabinet members of the publication of the Panel Report into Submission Draft Regional Spatial Strategy (RSS), how the objections made by the Council have been taken into account, the Panel's recommendations for changes to RSS on those issues of relevance to Stockton Borough and the next steps in the production of RSS.

RECOMMENDATIONS

That Cabinet:

- 1) Notes the publication of the Panel Report and its recommendations.
- 2) Notes the further stages in the production in the preparation of the final version of RSS.

DETAIL

1. In September 2005 (minute 256), Cabinet endorsed a number of representations to be made on Submission Draft RSS, which was published in June 2005 and placed on deposit for formal consultation between 13th July and 5th October 2005.
2. Following this period of consultation, the First Secretary of State appointed a Panel of Inspectors to conduct an Examination-in-Public (EiP) into selected issues arising from the Submission Draft. The EiP took place between 7th March and 7th April 2006. In addition, the Panel considered all written representations of those unable to attend or who were not invited to appear.
3. The Panel Report (July 2006) presents recommendations for changes to Submission Draft RSS. There are three types of recommendation:
 - Modifications to policies and new policies,
 - Amendments to supporting text and paragraphs,
 - Further work or studies.
4. The Panel Report is not subject to public consultation. Both the report and the representations made will be referred to the Secretary of State for consideration. Proposed changes are scheduled for publication in winter 2006 when there will be a period of public consultation. Following consideration of responses to the Proposed Changes, the Secretary of State is expected to publish final RSS in Spring 2007.
5. In its representations on Submission Draft RSS, Stockton Council supported seven policies in RSS (Policies 2, 5, 7, 12, 13,21 and 30) and objected to five (Policies 2, 10, 12, 18 and 30).

Key Recommendations for Stockton

6. City Regions Concept -The Panel considered that the emphasis on the city-regions is likely to have a positive impact on the growth prospects for the two northeast city regions. The Council supported this locational strategy (Policy 5), which was based on the Northern Way concept of promoting the Tyne and Wear and Tees Valley City Regions and focusing the majority of new development in the core areas of each conurbation, such as the Stockton-Middlesbrough Initiative (SMI). The Panel has therefore has supported the Council's position.
7. Dwelling Provision -The Council objected to the inadequate dwelling provision for the Tees Valley sub-region and Stockton (Policy 30). It requested an additional 1350 dwellings for Stockton Borough, proportionately phased across the Plan period. The Panel has recognised the need for increased housing allocations across the Tees Valley, in particular, in the earlier phases of the Plan period and has recommended an overall increase of the annual housing figure for Tees Valley of 240 dwellings for the period 2004-2021. (Table 1).

Table 1 Panel Recommendations for Amendments to Policy 30: Average Annual Net Additions to Dwelling Provision in Tees Valley Compared with Figures in Submission Draft.

Plan Phase	Submission Draft	Panel Report	Difference
2004-2011	2065	2579	+514
2011-2016	1505	1938	+433
2016-2021	1410	1082	-328
2004-2021	1710	1950	+240

8. In Stockton itself, the Panel has recommended an increase in the annual average net additions to dwelling provision for the period 2004-2021 from 405 to 530. This comprises increases in the first two Plan phases (2004-11 and 2011-16) and a decrease in the last phase (2016-21) (Table 2). For the period 2004 –2021, this is a total of 9065 dwellings compared with a total figure of 6900 in the Submission Draft.

Table 2 Panel Recommendations for Amendments to Policy 30: Average Annual Net Additions to Dwelling Provision in Stockton Compared with Figures in the Submission Draft.

Plan Phase	Submission Draft	Panel Report	Difference
2004-2011	600	820	+220
2011-2016	270	445	+175
2016-2021	270	220	-50
2004-2021	405	530	+125

9. Prestige Employment Site at Wynyard – The Panel considered that this was an unsustainable location for development but recognised that there was limited scope for action at the moment. It stated that the scale of development is not consistent with the proposed strategy for the city region and that the potential use of this land for office development (B1a) would pose a considerable threat to town centre and regional brownfield mixed-use developments in the area. The Panel recommended that every opportunity should be taken to restructure the consents in this area to limit the opportunity to large-scale development. It recommended that Policy 19 is amended to include a requirement for long term restructuring to maximise large scale opportunities and minimise B1a) potential.
10. Airport Development – The Panel considered that the Submission Draft's emphasis on the airports as key economic drivers should be tempered and that there was insufficient evidence to support permitting non-airport related development in Policy 21. Furthermore, it considered that such expansion would be inconsistent with the need to mitigate greenhouse gas emissions. The Council expressed support for the sustainable expansion of Durham-Tees Valley Airport through the safeguarding of 80 hectares of land for airport related uses and the inclusion of

additional criteria to consider proposals that fall outside the definition of airport related uses (Policy 21). The Panel still supports the sustainable expansion of facilities at Durham-Tees Valley Airport but for airport – related uses only. Therefore the criteria for assessing alternative non-airport related uses are recommended for deletion. The Panel has also recommended the replacement of the list of appropriate airport related uses contained in paragraph 33 of the Submission Draft be replaced with their own list. Paragraph 3.34, which relates to allowing non-related uses, is recommended for deletion.

11. Green Wedges and Strategic Gaps– The Council expressed concern that the text relating to the role of Green Wedges within the Tees Valley had been relegated from policy in the Consultation Draft RSS to the reasoned justification in the Submission Draft (Policy 10). The Panel have recommended that Policy 10 is deleted and that Policy 7 is modified to include a section on “Strategic Gaps and the Environment.” This will identify the location of and explain the function of the Strategic Gaps and will include any additional gaps recommended by the Panel, for example between Eaglescliffe and Middleton-St.George and the conurbation and rural areas.

How the Panel addressed Stockton’s Other Representations

Impact of other expressions of support

12. The following summarises the remainder of the Council’s reasons for support and the Panel’s recommendations:

- Policy 3 – the Council expressed support for the principle that Sustainability Assessments be submitted for major development proposals. This was not supported by the Panel, which recommended that this requirement be deleted from the policy.
- Policy 7 – The Council supported this policy which set out a series of regional priorities which included; regeneration of both banks of the Tees between Stockton and Redcar for mixed use developments; encouraging the development of 80 hectares of land for airport related uses at Durham-Tees Valley Airport; giving priority to major new heavy industry and port-related development at Billingham and Seal Sands; supporting business and financial services and new city scale leisure, culture and retail development in Stockton and Middlesbrough; supporting the development of Wynyard and Netpark as prestige employment sites. The Panel has recommended changes to this policy but those parts relating to Stockton have remained unchanged.
- Policy 13 – The Council welcomed the reference to the sub-regional significance of North Shore, Stockton as a major mixed-use development in this policy. The Panel has not recommended any change to this aspect of the policy.

Impact of Objections

13. The following summarises how the Council’s remaining objections have influenced the recommendations of the Panel:

- Policy 2 – The Council expressed concerns over how the requirement for a Sustainability Assessment could be implemented and highlighted the lack of a definition in the glossary for “major proposal.” The Panel have recommended the deletion of the requirement for a Sustainability Assessment. No recommendations for amendments to the glossary have been made.
- Policy 12 – The Council wished to have a reference to employment opportunities at Durham Tees Valley Airport included in this policy. The Panel has not recommended any change to this policy.
- Policy 18 – The Council sought support in this policy to enable consideration of soft end uses for sites de-allocated as employment land in the review of the employment land portfolio but not suitable for other hard end uses. It was considered such support would provide authorities and environmentally - led organisations with greater certainty when

seeking funds for the reclamation of such sites. The Panel has not specifically addressed this issue.

- Policy 18 – The Council objected on the basis that the figure contained in this policy for Prestige Employment Land in Stockton (70 hectares) was incorrect and should read 155 hectares. The Panel have not addressed this issue or amended the figure as suggested.

Other Issues of Concern to Stockton

14. Control of Office Development – The Panel has recommended a new policy (18A) to assess proposals for office development outside city and town centres and to control their impacts on town and city centres and regional brownfield mixed-used developments.

15. Employment Land Portfolio – This has not been changed but the Panel have recommended that to ensure a reasonable level of provision, local authorities maintain a 25-year supply.

16. North East Technology Park (NETPARK) – This site lies in Sedgefield District. The Panel have recommended that there should be no expansion of the site beyond the 13 hectares that already have planning permission because of its relatively remote location. The Panel also considered that the research and development potential of the universities in the region can be exploited in more sustainable locations such as North Shore in Stockton.

17. Need for a Green Belt in Tees Valley - The Panel have concluded that a Green Belt designations is not required in the Tees Valley but that there should be a policy to prevent urban coalescence and contribute to urban regeneration and that an Environmental Strategy for the Tees Valley should be linked to the Strategic Gaps policy (see also paragraph 13).

18. Brownfield targets – The Panel considered that there was sufficient evidence in the region of restructuring which would provide plenty of opportunities on previously developed land. Therefore it recommends an increase in the regional targets for the development of previously developed land and re-use of existing buildings to 70% for 2008 and 75% for 2016. The sub-regional target for Tees Valley is recommended to be 70%.

19. Support for Segregated Rail based Metro System – The Panel has recommended the inclusion of this longer-term priority for the Tees Valley city region in Policy 51.

20. Climate Change – The Panel considers that this issue needs to be addressed more holistically and that there is a need to identify action to decouple the economic growth scenarios from increased energy use. The role of wider locational policies in reducing the need to travel and, in consequence, carbon dioxide emissions need to be acknowledged.

21. Sequential Approach to Development – The Panel considered that the broad economic forecasts on the nature of economic growth supports a high degree of development in the core areas, such as the Stockton-Middlesbrough Initiative.

22. Renewable energy – The Panel recommended that all new developments should have technology embedded to supply a minimum of 10% of their energy supply from renewable sources.

The Next Steps

23. The Panel report is not subject to public consultation. Proposed changes will be published for consultation. This is scheduled for winter 2006. At that time, a further report will be made to the Committee and there may be a need to make representations on the Proposed Changes. Following consideration of responses to the Proposed Changes, the Secretary of State is expected to publish final RSS in Spring 2007.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

24. There are no financial implications at this stage.

Legal

25. The Planning and Compulsory Purchase Act 2004 sets out the statutory procedures for the preparation of RSS and the publication of the Panel Report is one of the key stages in that process.

RISK ASSESSMENT

26. This report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.”

COMMUNITY STRATEGY IMPLICATIONS

Environment

27.

- Reduce Borough’s contribution to climate change
- Reduce environmental damage and nuisance and all forms of transport in the Borough
- Protect and enhance the natural environment
- Ensure all residents have access to quality open space and green space
- Improve the quality and condition of all public and private sector housing

Community Safety and Well-Being

28.

- Promote safe and sustainable neighbourhoods

Economic Regeneration

29.

- Foster entrepreneurial culture and encourage new business start-ups
- Continue with major redevelopment projects to take advantage of strategic sites
- Revitalise the Borough’s town centres to develop sense of pride in the wider community
- Improve the image of the Borough by improved environmental surroundings
- Regenerate the most deprived areas to bring them to the borough norm.

30. RSS takes into account principles that are at the heart of the current national planning agenda. Once adopted, it will form part of the Development Plan system, together with the adopted Local Plan and Alteration No. 1 and any subsequent local development documents that will form part of the Local Development Framework. Local Development Frameworks should be in conformity with RSS.

CONSULTATION INCLUDING WARD/COUNCILLORS

31. Not applicable.

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Background Papers

Regional Spatial Strategy for the North East Examination-in-Public Panel Report July 2006

“View: shaping the north east.” Regional Spatial Strategy for the North East Submission Draft
June 2005

Ward(s) and Ward Councillors - N/A

Property - N/A