

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting6th November 2008

1. Title of Item/Report

Stockton on Tees Local Plan Alteration number one:Extension of Saved Policies

2. Record of the Decision

Consideration was given to a report on the Stockton-on-Tees Local Plan Alteration Number One saved policies exercise. The policies in the Alteration Number One would expire in March 2009 unless they were extended by the Secretary of State. It recommended that the environment policies EN32a, EN32b and EN32c which dealt with flooding, were deleted. Policies S3, S12, S19, S20 and S21 in the retail chapter were also recommended to be deleted, however, the rest of the policies in the retail chapter S1, S2, S4, S5, S6, S7, S8, S9, S10, S11, S13, S14, S15, S16, S17 and S18 were recommended to be saved.

The Stockton-on-Tees Local Plan Alteration Number One was adopted in March 2006. By virtue of the Planning and Compulsory Act 2004 policies under the Local Plan system were saved for three years pending the adoption of replacement policy document through the Local Development Framework.

This meant the Alteration Number One policies were due to expire in March 2009. To retain the policies beyond this three year period the Secretary of State must agree to issue a direction to this effect. To do this a letter had to be sent to Government Office for the North East six months before the expiration of the three year period.

In June 2008 the Government published the new Planning Policy Statement 12. Section 9 set out criteria which policies should comply with in order to be saved:

- “where appropriate, there is a clear central strategy;
- policies have regard to any sustainable community strategy for the area;
- policies were in general conformity with the regional spatial strategy or spatial development strategy;
- policies are in conformity with the core strategy development plan document (where the core strategy had been adopted);
- there are effective policies for any parts of the authority’s area where

significant change in the use of development of land or conservation of the area is envisaged; and

- policies are necessary and do not repeat national or regional policy.

The Government had particular regard to:

- policies that support the delivery of housing, including unimplemented site allocations, up-to-date affordable housing policies and policies relating to the infrastructure necessary to support housing;
- policies on Green Belt general extent in structure plans and detailed boundaries in local plans or unitary development plans;
- policies that support economic development and regeneration, including policies for retailing and town centres;
- policies for waste management, including unimplemented site allocations; and
- policies that promote renewable energy, reduce impact on climate change or safeguard water resources.”

The policies in the Alteration Number One had been assessed against these criteria and a proposed schedule of policies to be saved and deleted with written justification had been produced and was attached to the report.

The policies in Alteration Number One were divided into two chapters; one on the environment, which set out flooding policies and the other on the economy, which dealt with retailing.

It was considered that the environment policies EN32a, EN32b and EN32c were unnecessary as they repeated Government policy and therefore they were recommended for deletion.

Policies S3, S12, S19, S20 and S21 in the retail chapter were also recommended to be deleted because they were considered to be no longer necessary. However, the rest of the policies in this chapter policies S1, S2, S4, S5, S6, S7, S8, S9, S10, S11, S13, S14, S15, S16, S17 and S18 were recommended to be saved because they were in conformity with national and regional policy and adapted it to the locally specific circumstances of the Stockton Borough. It was considered important to save these policies to avoid a local retailing policy vacuum pending their replacement by the Local Development Framework.

A provisional schedule had been submitted to Government Office for the North East in order to comply with the regulations in PPS12.

RECOMMENDED to Council that:-

1. The recommendations of the report that Stockton-on-Tees Local Plan

Alteration Number One policies EN32a, EN32b, EN32c, S3, S12, S19, S20 and S21 are deleted be endorsed.

2. The recommendations of the report that Stockton-on-Tees Local Plan Alteration Number One policies S1, S2, S4, S5, S6, S7, S8, S9, S10, S11, S13, S14, S15, S16, S17 and S18 are saved be endorsed.

3. Authority be delegated to the Head of Planning, in consultation with the Lead Cabinet Member for Regeneration and Transport to negotiate with Government Office for the North East about the schedule of saved and deleted policies prior to submission to the Secretary of State.

3. Reasons for the Decision

The policies had been assessed against the criteria in Section 9 of PPS12 on saving policies, and the decisions about whether to save or delete them had been made accordingly.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not Applicable

7. Date and Time by which Call In must be executed

Not Applicable

Proper Officer
10 November 2008