

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

16 April 2009

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION/CABINET/KEY DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Cook.

**LOCAL DEVELOPMENT FRAMEWORK: SUBMISSION VERSION CORE STRATEGY,
SCHEDULE OF COMMENTS AND REVISED HABITATS REGULATIONS ASSESSMENT.**

1. Summary

The Core Strategy DPD is the key document in the new Local Development Framework (LDF) and will provide strategic planning policies for the Borough. Members have agreed previous versions of the document for consultation purposes; Issues and Options on 9th March 2006; Preferred Options on 5th July 2007; and the Publication Draft on 14th August 2008. The next stage in the process is for the Core Strategy to be submitted to the Secretary of State for independent examination. At Cabinet in August 2008, members resolved that prior to submission, major changes to the Core Strategy should be brought back to Cabinet.

This report presents, for members' approval, the Submission Version of the Core Strategy with proposed changes highlighted in track changes mode (**Appendix 1**) and a separate schedule of all comments made to the Publication Draft and how they have been dealt with (**Appendix 2**), and informed by the Habitat Regulations Assessment (**Appendix 3**). **Appendix 1** is attached; **Appendices 2 and 3** are available on agenda Cabinet 16th April 2009.

Once the proposed changes have been agreed, the Publication Draft Core Strategy and a Schedule of Proposed Changes will be submitted to PINS and dates for the independent examination will be arranged.

2. Recommendations

Members are recommended to:

1. Endorse the Proposed Changes to the Publication Draft Core Strategy and;
2. Endorse how comments made to the Core Strategy in response to the Publication Consultation have been dealt with;
3. Endorse the findings of the Habitats Regulations Assessment; and,
4. Delegate to officers any further minor amendments to documents prior to submission to the Secretary of State.

5. **Reasons for the Recommendations/Decision(s)**

To ensure members are aware of and agree to any Proposed Changes to the Submission Version Core Strategy.

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 (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must 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 (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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**LOCAL DEVELOPMENT FRAMEWORK: SUBMISSION VERSION CORE STRATEGY,
SCHEDULE OF COMMENTS AND REVISED HABITATS REGULATIONS ASSESSMENT.**

SUMMARY

The Core Strategy DPD is the key document in the new Local Development Framework (LDF) and will provide strategic planning policies for the Borough. Members have agreed previous versions of the document for consultation purposes; Issues and Options in March 2006; Preferred Options in June 2007; and the Publication Draft in August 2008. The next stage in the process is for the Core Strategy to be submitted to the Secretary of State for independent examination. At Cabinet in August 2008, members resolved that prior to submission, major changes to the Core Strategy should be brought back to Cabinet.

This report presents, for members' approval, the Submission Version of the Core Strategy with proposed changes highlighted in track changes mode (**Appendix 1**) and a separate schedule of all comments made to the Publication Draft and how they have been dealt with (**Appendix 2**) and informed by the Habitat Regulations Assessment (**Appendix 3**). **Appendix 1** is attached; **Appendices 2 and 3** are available on agenda Cabinet 16th April 2009.

Once the proposed changes have been agreed, the Publication Draft Core Strategy and a Schedule of Proposed Changes will be submitted to PINS and dates for the independent examination will be arranged.

RECOMMENDATIONS

Members are recommended to:

1. Endorse the Proposed Changes to the Publication Draft Core Strategy and;
2. Endorse how comments made to the Core Strategy in response to the Publication Consultation have be dealt with;
3. Endorse the findings of the Habitats Regulations Assessment; and,
4. Delegate to officers any further minor amendments to documents prior to submission to the Secretary of State.

DETAIL

1. The Core Strategy Development Plan Document (DPD) is the key document in the new Local Development Framework (LDF), which, when adopted, will provide strategic planning policies to guide the location of future development in the Borough over the next 15 years to 2024.

2. The preparation of DPDs is closely circumscribed by the Planning Acts and associated legislation and national planning guidance which set out the stages through which documents must proceed before they become statutory planning policy.
3. The Core Strategy has already passed through a number of these preparatory stages and associated consultation periods; Issues and Options, Preferred Options, Publication and is now moving on to its final stages of submission, examination and adoption.
4. **Appendix 1** is the version of the Core Strategy DPD that the Council intends to submit. It is presented in track changes mode so that members can easily identify which changes have been made as a result of representations made during the Publication Consultation in November and December 2008. **Appendix 2** is a schedule of all comments made during the Publication Draft consultation, which indicates how officers have dealt with them. Additionally, the Habitat Regulations Assessment comprises **Appendix 3**. This is a technical document that forms part of the evidence base, and demonstrates how the need to protect sites which are of European importance for their nature conservation value has informed policy development. This has been amended since publication to acknowledge comments submitted by Natural England and the Royal Society for the Protection of Birds.
5. The Submission Stage is the commencement of the examination of the Core Strategy. There is no further period of public consultation. The Core Strategy itself and associated documentation (Schedule of Proposed Changes, Consultation Statement, Sustainability Appraisal, Appropriate Assessment, the Infrastructure Strategy and all of the documents comprising the evidence base) are sent to the Planning Inspectorate. It will be allocated to a Planning Inspector who will undertake an initial checking procedure. Events may then take two courses of action:
 - The Core Strategy may proceed straight to examination;
 - If PINS have reservations about the soundness of the Core Strategy or any part of the evidence base, the inspector will call an exploratory meeting at which he may direct the Council to:
 - Undertake further work on the evidence base;
 - Undertake further consultation;
 - Consider withdrawal of the Core Strategy.
6. It is proposed to submit the Core Strategy to PINS in May 2009.

FINANCIAL IMPLICATIONS

7. The production of the Core Strategy and associated documentation can be made within existing budgetary provisions. However, Housing and Planning Delivery Grant is based on meeting the timetable set out in the Local Development Scheme and missing the date for Submission could reduce the amount of HPDG awarded.

LEGAL IMPLICATIONS

8. The submission of Development Plan Documents is a statutory requirement of the Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008. Failure to comply would lead to the Core Strategy being found "unsound".

RISK ASSESSMENT

9. "The Submission of the Core Strategy for independent examination is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk."

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

10. The Local Development Framework is a key delivery vehicle for the Sustainable Community Strategy. The Core Strategy reflects the priorities of the SCS as follows;

Economic Regeneration and Transport

11. Economic regeneration and the provision of a first class integrated transport system are central themes of the Core Strategy. The provision of employment land, support for existing and new employment uses, improving skills and training, improvements to the strategic and secondary road network and public transport systems are all included in the policies of the Core Strategy.

Safer Communities

12. The Core Strategy also aims to ensure development can make a positive impact to the safety of the Borough's residents. The Vision specifically refers to the "creation of safe.... communities". Safety and well being are central to proposals and the Strategy ensures that all development is designed with safety in mind.

Children and Young People

13. The Core Strategy supports the provision of education and training facilities, provision of open space and recreation facilities and other community facilities to improve the health and achievement of children and young people.

Health and Wellbeing

14. The Core Strategy seeks to bring together the spatial aspects of other plans and strategies and the implications of policies for the health of the community are taken into account through the Sustainability Appraisal. The Vision specifically refers to the "creation of healthy...communities" and a holistic approach has been taken to considering the impact on health of providing quality homes, access to employment opportunities, improved access to health care, sport, leisure and recreation facilities.

Environment and Housing

15. The Core Strategy is aimed at ensuring development makes a positive contribution to sustainable development within the Borough of Stockton-on-Tees. Sustainability is at the heart of proposed policies, which seek to enhance the quality of the Borough's natural and built environment. The provision of housing to meet all needs and incomes is a key objective.

Supporting Themes: -

Stronger Communities

16. A key objective of the Core Strategy is to enable all of Stockton's residents to live in prosperous, cohesive, sustainable communities.

Older Adults

17. The needs of older adults are recognised in the Core Strategy through the provision of housing to suit all needs and incomes, particularly through the provision of lifelong homes that are adaptable to meet changing needs and through improved accessibility to all services and facilities.

Arts Leisure and Culture

18. The Core Strategy supports the provision of community facilities that will widen the Borough's cultural, sport, recreation and leisure offer.

EQUALITIES IMPACT ASSESSMENT

19. This report has been subject to an Equality Impact Assessment and has been judged to have a positive impact. No remedial actions are required.

CONSULTATION INCLUDING WARD/COUNCILLORS

20. The Submission Draft Core Strategy was referred to Planning Committee on 9th April 2009.
21. Previous versions of the document have been subject to extensive consultation and the purpose of this report is to inform members of changes made in response to the final round of public consultation, which took place in November-December 2008.

Name of Contact Officer: Rosemary Young.
Post Title: Spatial Planning Manager
Telephone No. 01642 526054
Email Address: Rosemary.Young@Stockton.gov.uk

Background Papers:

Planning Policy Statement 12: creating strong, safe and prosperous communities through Local Spatial Planning;
The Town and Country Planning (Local Development)(England) Regulations 2004;
Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008;
All available at www.communities.gov.uk.
Core Strategy Issues and Options Paper;
Preferred Options Paper
Publication Draft
All available at www.spatialplans.gov.uk.
Evidence Base listed in section 17, page 71 of Core Strategy.
Available from Spatial Planning Manager on ext 6054.

Ward(s) and Ward Councillors:

Property

Development Plan Documents (DPD) will only have implications if proposals are likely to involve developments of Council land or assets. The Core Strategy is the overarching plan, which sets out broad locations for development but does not go into detail. Site-specific allocations will be included as part of the Regeneration DPD. However, the Local Development Framework should both inform and support the Council's Capital Strategy and Asset Management Plan.