

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

26 NOVEMBER 2009

**REPORT OF
CORPORATE
MANAGEMENT TEAM**

CABINET DECISION/COUNCIL DECISION/KEY DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Cook

**ANNUAL MONITORING REPORT 2008/09
LOCAL DEVELOPMENT FRAMEWORK**

1. Summary

This report informs Cabinet Members of the completion of the fifth Local Development Framework Annual Monitoring Report (AMR). The report must be submitted to the Secretary of State before the end of December 2009. The AMR contains information about how the Council has performed against Core Indicators set by the Department for Communities and Local Government relating to Business Development, Housing, Environmental Quality, Minerals and Waste.

2. Recommendations

Members are recommended to:

i) Note and endorse the Local Development Framework Annual Monitoring Report for 2008/09.

3. Reasons for the Recommendations/Decision(s)

Local planning authorities must prepare a Local Development Framework (LDF) which comprises a folder of Development Plan Documents and Supplementary Planning Documents. These documents will deliver the spatial strategy for the area and replace the 1997 Local Plan. Development Plan Documents (DPD) contain policy and are subject to Independent Examination by the Planning Inspectorate on behalf of the Secretary of State, whilst Supplementary Planning Documents (SPD) expand policies set out in DPDs or provide additional detail.

The policies contained within LDF must have a robust and credible evidence base. As Stockton's LDF progresses, the AMR will become an increasingly important tool for assessing whether policies are performing as intended and whether targets are being met. As well as monitoring the effectiveness of existing policies, it will also contribute to the development of new policies in the future.

This report is presented to Cabinet to endorse the findings of the AMR which may influence policy development and inform any amendments to the Local Development Scheme.

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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SUMMARY

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RECOMMENDATIONS

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DETAIL

1. Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004 requires local authorities to produce an Annual Monitoring Report to assess:

- The implementation of the Local Development Scheme
- The extent to which policies in Local Development Documents are being achieved.

Review and monitoring are key aspects of the Government's approach to the planning system and should be undertaken on a continuous, pro-active basis. Identifying outputs and trends enables local planning authorities to build a comprehensive evidence base which can be used to assess the impact and effectiveness of existing local development document policies, as well as informing new policy development.

2. This Annual Monitoring Report is based on the period 1 April 2008 to 31 March 2009, known as the 'reporting year'. It must be submitted to the Secretary of State no later than the end of December 2009.

Monitoring

3. Planning Policy Statement 12: Local Spatial Planning gives guidance to local authorities as to the content of the Annual Monitoring Report, stating that monitoring is essential to producing an effective strategy. There are three main requirements of AMRs:
 - Report progress on the timetable and milestones for the preparation of documents set out in the local development scheme including reasons where they are not being met.
 - Report progress on the policies and related targets in local development documents.
 - Include progress against the core output indicators including information on net additional dwellings (required under Regulation 48(7)) and an update of the housing trajectory to demonstrate how policies will deliver housing provision in their area.

Output Indicators

4. Guidance on the preparation of Local Development Frameworks includes a set of Core Indicators which local planning authorities are required to address in their annual monitoring report. New guidelines on Core Indicators were issued in August 2008 in the document *Regional Spatial Strategy and Local Development Framework: Core Output Indicators - Update 2/2008*.
5. Where possible, local planning authorities were asked to include the new Core Indicators in their 2008 AMRs, which concerned the 2007/2008 reporting year. However, Stockton did not monitor the new Core Indicators in full in 2007/2008 as new monitoring systems to collect the information were required. Since then, existing monitoring systems have been adapted and where necessary, new systems have been established.
6. The 2009 AMR includes the Core Indicators from *Regional Spatial Strategy and Local Development Framework: Core Output Indicators - Update 2/2008*. In some cases, monitoring systems are not sufficiently established to report changes and trends; however, this will improve as more data is produced each year.
7. In order to provide a contextual suite of indicators (as encouraged by LDF guidance), National indicators have also been included where appropriate.
8. The Council's first DPD, the Core Strategy is currently undergoing an Examination in Public into its soundness. The Submission Draft Core Strategy outlines a number of key targets and includes an Implementation Plan with potential Local Indicators. It is anticipated that they, or similar indicators will be comprehensively monitored and included in future AMRs. Where possible, information related to these potential local indicators has been included in the 2009 AMR.

Annual Monitoring Report for 2008/09

9. Attached for Members' information is Stockton Borough's fifth Annual Monitoring Report. This covers the period from 1 April 2008 to 31 March 2009. In the absence of new Local Development Documents that will make up the Local Development Framework, this monitoring report still focuses on the performance of 'saved' policies from Stockton-on-Tees Local Plan, and housing targets set in the Regional Spatial Strategy for the North East. However, the report also looks forward to the adoption of

the Core Strategy and attempts to establish base line information for indicators which may be monitored more rigorously in the future.

10. This Annual Monitoring Report will enable the Council to:
 - assess progress towards meeting the targets set out in the Local Development Scheme, and provide a basis for amendments in timetabling, as necessary
 - strengthen baseline data against which to monitor performance in the future
 - identify further gaps in the knowledge base, to enable systems to be put in place to collect information required for monitoring
 - look at the existing Local Plan policies to assess their effectiveness.

Key findings of the 2008/09 Annual Monitoring Report

11. During the year 2008/09, a number of the key milestones set out in the Local Development Scheme (LDS) 2008 were not met. With the agreement of Government Office North East, a revision to the Local Development Scheme was published in March 2009. This took into account the changes required by the June 2009 revision to Planning Policy Statement 12 as well as those required by the Planning Act (2008). Allowances were also made for the need to prepare further studies to supplement the evidence base and the effect of staff loss and turnover.
12. Progress on the LDF during 2008/2009 included
 - The Preferred Options consultation for the joint Tees Valley Minerals and Waste Core Strategy and Site Allocations DPDs, which ended on 8 April 2008.
 - The Publication of the Core Strategy DPD in October 2008, followed by an 8 week consultation period.
13. Significant further progress has been made on the Core Strategy since the reporting year ended. This included:
 - submission to the Secretary of State on 29 May 2009
 - a pre-hearing meeting on 5 August 2009
 - a consultation on significant proposed changes relating to affordable housing
 - hearings between 21 September and 2 October 2009
 - a further consultation on a variety of proposed changes made by the Council in response to discussions during the hearing sessions

The Inspectors report on the Core Strategy's soundness is anticipated in late December.

14. Some facts included in the AMR that may be of interest to Members are:
 - Although the number of gross housing completions has reduced significantly since 2007/2008, the Council has continued to meet its housing target as set out in the Regional Spatial Strategy of 600/annum between 2004 and 2011.
 - The percentage of housing built on previously developed land continues to increase and in 2008/2009 was 72.5%. This is well above the Government target of 60% and slightly above the RSS target of 70%.
 - Of the 604 dwellings completed in the Borough in 2008/2009, over 20% were defined as affordable.
 - Take-up of employment land was just below 13 hectares, the proposed target set in the Core Strategy DPD.
 - The percentage of waste disposed of through landfill of just over 8% and is still one of the best (lowest) in the country.

The Next Steps

15. The Annual Monitoring Report should be submitted to the Secretary of State by the end of December 2009.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

None.

Legal

The Planning and Compulsory Purchase Act 2004 states that every local planning authority must make an annual report to the Secretary of State. This report must be submitted within 9 months of the end of the monitoring period.

RISK ASSESSMENT

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

The Local Development Framework is the delivery mechanism for the Sustainable Community Strategy. The AMR will help inform on progress in implementation of this Strategy by reporting the Council's progress against relevant National, Core and Local Indicators. These indicators particularly relate to **Economic Regeneration and Transport, Healthier Communities and Adults, and Liveability**. Performance against these indicators will demonstrate the effectiveness of existing policies, as well as contributing to the development of new policies in the future.

CONSULTATION INCLUDING WARD/COUNCILLORS

Not applicable.

EQUALITY IMPACT ASSESSMENT: This report is not subject to an Equality Impact Assessment as it is a factual report and does not contain any policy content.

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Background Papers:

Planning and Compulsory Purchase Act 2004
Planning Act 2008
The Town and Country planning (Local Development) (England) Regulations 2004;
The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
Planning Policy Statement 12: creating strong safe and prosperous communities through Local Spatial Planning (2004)
Planning Policy Statement 12: Local Spatial Planning (2008).

Ward(s) and Ward Councillors: N/A

Property: N/A