

## **Stockton on Tees Borough Council**

### **Special Urgency – Proposed Key Decision**

Notice is hereby given that, on 13 June 2013, Cabinet proposes to make the following key decision in accordance with Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. This key decision is not included in the current statutory forward plan published on 15 May 2013.

#### **DRAFT SUPPLEMENTARY PLANNING DOCUMENT 8 – PROVISION OF AFFORDABLE HOUSING AND THE NEED FOR VIABILITY EVIDENCE**

On 13 June 2013 Cabinet will receive a report relating to the Council's affordable housing requirement as set out in Core Strategy Policy CS8. The Core Strategy (2010) recognised that the Council's Planning Obligations SPD (2008) would require updating to reflect the new Core Strategy policy. This Supplementary Planning Document will provide clear planning guidance on determining appropriate 'affordable housing' contributions.

SPDs must be subject to public consultation prior to their adoption as part of the Borough's Development Plan. It is intended that the draft SPD will undergo public consultation between July and September 2013. At a recent public inquiry the appellant put forward an interpretation of Policy CS8 which differed from the Local Planning Authority's (LPA) interpretation of that policy. This SPD will assist in clarifying the correct interpretation.

#### **DOCUMENTS TO BE CONSIDERED BY CABINET**

The report to Cabinet will include the SPD and will be accompanied by a Habitats Regulations Assessment (HRA) Scoping Report and an Equalities Impact Assessment. The HRA Scoping Report concludes that a full HRA is not required for this SPD.

These documents will be available from Stockton on Tees Borough Council, Municipal Buildings, Church Road, Stockton, TS18 1LD from Wednesday 5 June 2013 and via the Council's website from Friday 7 June 2013. If you have any queries relating to receiving/viewing the documents please contact Michael Henderson on 01642 528173 or e mail [michael.henderson@stockton.gov.uk](mailto:michael.henderson@stockton.gov.uk)

#### **PROPOSED DECISION**

Cabinet will be asked to recommend to Council that it:

1. Note the contents of the report on this matter.
2. Agree the 'Draft Supplementary Planning Document 8 – Provision of Affordable Housing and the need for Viability Evidence' for public consultation.

3. Delegate to Officers minor amendments to the contents of the document prior to the public consultation period.

### **REASONS FOR URGENCY**

The Forward Plan containing those key decisions Cabinet intend taking at its meeting to be held on 13 June 2013 was published on 15 May 2013.

At a Public Inquiry into a planning application (12/2517/OUT) for a Free School and 350 houses at Little Maltby Farm there was a debate about the implementation of Stockton-on-Tees Borough Council's adopted Core Strategy Policy CS8.5 relating to the targets for affordable housing provision and the need for developers to provide robust justification in the form of a viability appraisal if they wished to vary the level of their affordable housing contribution. The debate took place at the Public Inquiry on 14 and 15 May 2013 and following consideration of the implications of that debate it was considered that a Supplementary Planning Document (SPD) needed to be prepared urgently to provide amplification of how the Council implements this policy. It was agreed that a suitable report should be prepared, in this regard, for submission to Cabinet.

Any decisions coming from Cabinet's consideration of the draft SPD will be presented, as recommendations, to Council on 17 July 2013. This Council meeting falls within the call in period for decisions, taken by Cabinet at its meeting to be held on 11 July 2013. Given this, it is not felt to be appropriate to submit the draft SPD to the 11 July Cabinet meeting and the view is taken that the 13 June Cabinet would be a more suitable meeting at which to consider the draft SPD.

Approval by Cabinet on 13 June 2013 will also be beneficial in that it will provide an indication of the acceptability, or otherwise, of the draft SPD. If acceptable, officers will have sufficient confidence to be able to commence the necessary preparatory work ahead of the planned consultation period, earlier than they would otherwise have been able to do. Delaying the decision until 11 July would not provide such assurances at an early enough stage.

It is considered that the decision to be taken by Cabinet is key. It was not possible however, to include that decision in the Statutory Forward Plan published on 15 May 2013 and it is not considered that it would be appropriate to defer the decision so it can be included in the Forward Plan containing key decisions to be taken at Cabinet's meeting on 11 July 2013

### **EXECUTIVE SCRUTINY CHAIRMAN**

The Chairman of the Executive Scrutiny Committee has given his agreement to special urgency being used for this matter.