

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting24th January 2019

1. Title of Item/Report

Stockton-on-Tees Local Plan

2. Record of the Decision

Consideration was given report that updated Members of the process undertaken in the preparation of the Stockton-on-Tees Local Plan (STLP) and the conclusions and recommendations of the report received from the Planning Inspector appointed to undertake the examination of the STLP which identified that the STLP (subject to recommended Main Modifications) was sound, legally compliant and capable of adoption.

In addition, the report informed Members of the statutory procedures for the adoption of the STLP, following which there was a six-week period when it could be challenged in the High Court under section 113 of the Planning and Compulsory Purchase Act 2004.

To adopt the STLP the Council must as soon as reasonably practicable complete the following statutory procedures:

- The Inspector's Report, the STLP and supporting documentation, the Adoption Statement and Sustainability Appraisal Post Adoption Statement will be made available during normal office hours in the places where pre-submission documents were made available (that is, our principal office, which is Stockton Central Library and Customer Service Centre Council and local libraries);
- Publish the documents referred to above on the Council's website;
- Inform stakeholders who have asked to be kept informed of the adoption of the STLP and let them know where the documents can be inspected; and
- Send a copy of the Adoption Statement to the Secretary of State.

The legal date of adoption of the STLP was the date it is adopted by Full Council. Under section 113 of the Planning and Compulsory Purchase Act 2004, there was a period of six weeks from this date within which any person aggrieved by the document may make an application to the High Court on the ground that:

- The document is not within the appropriate power;
- A procedural requirement has not been complied with.

Grounds for being aggrieved do not include disagreement with policies contained within the STLP.

RECOMMENDED to Council that:-

1. The conclusions of the Report on the Examination of the STLP received from the Planning Inspectorate (see paragraph 8 of the report) be noted which recommended that, subject to modifications, the Local Plan can be adopted.
2. The STLP as attached at Appendix 1 of the report (including all modifications) and Policies Map (Appendix 2) be adopted.
3. The Core Strategy (2010) policies and saved Local Plan (1997) and Alteration Number 1 (2006) policies be superseded upon the adoption of the STLP.
4. The comments made at Planning Committee 16th January 2019 be noted.

3. Reasons for the Decision

The Planning and Compulsory Purchase Act 2004 provides that a Local Development Document or Development Plan Document can only be adopted by resolution of the Council. The STLP is a Development Plan Document and can only be adopted in accordance with the recommendations of the Inspector appointed to carry out Examination of the STLP, which includes Main Modifications. Upon adoption the STLP would form part of the Development Plan alongside the Joint Minerals and Waste Core Strategy and Policies and Sites LDDs (September 2011) and be the starting point for considering planning applications.

4. Alternative Options Considered and Rejected

None.

5. Declared (Cabinet Member) Conflicts of Interest

Councillor Steve Nelson declared a pecuniary interest in respect of agenda item 14 - Stockton-on-Tees Local Plan as he was a Director of Thirteen Group. Councillor Steve Nelson withdrew from the meeting and left the room during consideration of the item.

6. Details of any Dispensations

N/A

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

N/A

Proper Officer
28 January 2019