

## **Local Development Framework Steering Group**

A meeting of the Local Development Framework Steering Group was held on Tuesday 25<sup>th</sup> September, 2007.

Present:- Councillor Cook (Chairman), Councillors Mrs Beaumont, Fletcher, Nelson, Patterson and Rix.

Officers:- M. Clifford, J Elliott, R Young, D. Bage, R. Tait, C. Straughan (DNS); N. Hart (LD).

Apologies for absence were submitted on behalf of Councillors Leckonby, Stoker, Walmsley and Womphrey.

### **Minutes**

The minutes of the meeting held on 31<sup>st</sup> July 2007 were agreed as a correct record.

### **Title Saved Policies Directions: Tees Valley Structure Plan (2004) and Stockton-on-Tees Local Plan (1997)**

Members were presented with a report that informed of the contents of two Directions with regard to the “saving “ of Structure Plan and Local Plan policies beyond 27<sup>th</sup> September 2007, under paragraph 1 (3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004. The “saved” policies would comprise the Local Plan for the Borough pending the adoption of replacement policy documents through the Regional Spatial Strategy (RSS) and Local Development Framework (LDF).

It was explained that the Planning and Compulsory Purchase Act 2004 provided for the saving of existing Structure Plan and Local Plan policies for a period of 3 years from the commencement of the Act on 28<sup>th</sup> September 2004. Therefore the policies in the adopted Tees Valley Structure Plan (2004) and the Stockton-on-Tees Local Plan were due to expire on 27<sup>th</sup> September 2007 unless the Secretary of State extended them beyond that date.

It was noted that in August 2006 the Department for Communities and Local Government (DCLG) published a protocol setting out the procedures for applying to the Secretary of State (SoS) to request extensions to policies beyond the 3 year period. The protocol set out the following criteria against which policies were to be assessed for their suitability for saving:

- There was a clear central strategy,
- Policies had regard to the Community Strategy,
- Policies were in general conformity with the Regional Spatial Strategy or spatial development strategy,
- Policies were in conformity with the Core Strategy where it had been adopted,
- They were effective policies for parts of the authority area where significant change in terms of development or conservation are envisaged,
- Policies do not merely repeat national or regional policy.

In addition, the government would have particular regard to policies:

- Which supported the delivery of housing including unimplemented site allocations, up-to-date affordable housing policies, policies relating to the infrastructure necessary to support housing,
- On Green Belt,

- Which supported economic development and regeneration, including policies for retailing and town centres,
- For waste management, including unimplemented site allocations
- That promoted renewable energy, reduce impact on climate change and safeguard water resources.

It was further noted the policies in the adopted Tees Valley Structure Plan and Stockton-on-Tees Local Plan were assessed on the basis of the criteria and a schedule produced identifying policies to be saved or deleted beyond 27<sup>th</sup> September 2007. Cabinet had endorsed the schedule for submission to the First Secretary of State (SoS) in April 2007.

Members were informed that the Government Office for the North East had informed the Council of the outcome of this procedure and issued two Directions; one for the Structure Plan and the other for Stockton-on-Tees Local Plan, which listed those policies that have been saved beyond 27<sup>th</sup> September 2007. They had accepted fully the Joint Strategy Unit's and Stockton Council's own recommendations for policies to be saved and deleted.

It was explained that the extension of saved policies listed in the direction did not imply that that the policies would be endorsed if presented to the SoS as new policy. They had been saved to maintain continuity in the planning system, a stable planning framework locally and a continual supply of land for development. Planning authorities were urged to adopt a positive non-regulatory approach to future policy development in the preparation of Development Plan Documents (DPDs) and to continue to progress local development frameworks in accordance with Local Development Scheme timetables. Existing Local Plan policies had been extended in the expectation that they would be replaced promptly by fewer policies in DPDs. The Structure Plan policies had been saved pending the adoption of the RSS. Maximum use was to be made of national and regional policies.

It was noted that the SoS advised the extended policies should be read in context and that where they were originally adopted some time ago, it was likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, would be afforded considerable weight in decisions on planning applications. In stating this, the SoS had in mind the Government's proposals for massively increasing the supply of housing and drew the attention of local planning authorities, in particular, to paragraphs 6 and 68 of Planning Policy Statement 3 Housing (PPS3), which stated:

- The policies in this PPS should be taken into account in the preparation of emerging development plan documents whilst maintaining plan-making programmes
- When making decisions for housing developments after 1 April 2007 local planning authorities should have regard to the policies in this statement as material considerations, which may supersede policies in existing development plans.

And to paragraph 15 of the Housing Green Paper "Homes for the Future: more affordable, more sustainable," which stated:

- Where authorities do not currently have sufficient land identified locally to meet the 5-year requirement they should not wait for the full LDF to be prepared before identifying potential additional housing land. They should draw up immediately Strategic Housing Availability Assessments and these

should be used as a material consideration in determining planning applications and appeals.

Members were advised that with effect from 27<sup>th</sup> September 2007, the saved policies would effectively comprise Stockton-on-Tees Local Plan and were the only policies that could be used to determine planning applications and be quoted as reasons for approving or refusing planning permission. This would be the case until the policies were gradually superseded by new policies in RSS and the various documents comprising the LDF.

RESOLVED that the report be noted.

### **Core Strategy Development Plan Document Preferred Options, Regeneration Development Plan Document Issues and Options Consultation Programme**

Members were presented with a report that provided an update of the position relating to the forthcoming consultation event for the Core Strategy Development Plan Document Preferred Options and the Regeneration Development Plan Document Issues and Options.

It was explained that the Core Strategy Development Plan Document Preferred Options and the Regeneration Development Plan Document Issues and Options documents had now been finalised for public consultation, scheduled to begin on 28 September 2007.

For the Core Strategy, this was a six week statutory consultation period, which had to be carried out in accordance with Regulation 26 of the Town and Country Planning (Local Development) (England) Regulations 2004. This involved making copies of the documents available at principle offices and libraries, publishing them on the Council's website, sending out documents to consultees and advertising the consultation in the local press.

Members were advised that consultation on the Regeneration Development Plan Document Issues and Options paper was a less formal stage than Preferred Options. However, both were required to be in accordance with the Council's Statement of Community Involvement.

The Officer advised that in addition to making documents available as set out above, it was proposed to carry out a wider consultation programme to try and involve more members of the public. It was proposed that this would include:

- a) a "launch" event, to be held at Stockton library on Friday 5 October
- b) exhibitions in all the libraries (and possibly supermarkets) at some time during the consultation period, including manned sessions
- c) press releases
- d) articles in local newsletters, where acceptable to the editors
- e) use of local radio, if possible

Members were asked to forward any further suggestions to improve consultation to Officers.

RESOLVED that the report be noted.

### **Strategic Housing Land Availability Assessment: Scoping Report**

Members considered a report that informed of the approach that the Council was taking to carrying out a Strategic Housing Land Availability Assessment (SHLAA). The approach was set out in the draft SHLAA Scoping Report.

It was explained that Planning Policy Statement 3 “Housing” (PPS3) set out a new policy approach for housing, including the identification of sufficient land for the plan period of 15 years, ensuring that the first 5 years of sites were allocated and developable and that the 5-year supply was maintained as sites were developed out.

To support the new policy approach to housing, the PPS3 “daughter document” Strategic Housing Land Availability Assessments: Practice Guidance required a new approach to assessing housing land availability.

Members were advised that the fundamental aim of a SHLAA was to identify the capacity of a district to accommodate new housing development over the plan period. The SHLAA would form part of the evidence base for the emerging Local Development Framework (LDF). The results of the study would also be used to inform work on the next review of the Regional Spatial Strategy for the North East and on sub-regional strategies.

A draft Scoping Report for the SHLAA had been written. The Scoping Report set out the proposed methodology of the SHLAA to be prepared by Stockton-on-Tees Borough Council. Members were advised that the objectives of the draft Scoping Report were as follows:

- To raise awareness that a SHLAA was to be undertaken and to explain what its role and purpose was;
- To provide an overview of the proposed methodology; and
- To invite comments on the proposed methodology.

It was noted that a Tees Valley working group had been established to ensure a consistent approach to the methodologies used for the Assessments undertaken by the Tees Valley authorities. It was explained that the draft Scoping Report would be circulated for comments as follows:

- Firstly, to the other Tees Valley authorities. Agreement would be sought on its use as a template by the other Tees Valley authorities.
- Secondly, to all consultees on the LDF database. Comments would be invited on the proposed methodology.

A copy of the draft Scoping Report was presented to Members. It was noted that a revised, updated version of the Scoping Report would be circulated to Members and brought back to a future meeting.

RESOLVED that the report be noted.

### **Yarm and Eaglescliffe Area Action Plan Issues and Options Paper Consultation**

Members considered a report that provided an update as to the progress of the Yarm and Eaglescliffe Area Action Plan.

It was explained that the Yarm and Eaglescliffe Area Action Plan formed part of the Local Development Framework as a Development Plan Document and would inform development management decisions. The Action Plan would also go beyond just policy and include additional detail that would normally be found in Supplementary Planning Documents, thus broadening its scope.

The Action Plan would address the development pressures within the Yarm and Eaglescliffe area and would coordinate the implementation of various plans and strategies. Consultation on issues and options for the area was carried out between 30 July and 10 September 2007.

Members were advised that a total of 26 representations had been made by statutory consultees, local resident groups, developers and individual members of the Yarm and Eaglescliffe communities. Members were presented with a full list of all the comments received.

The Officer reported that it was intended that the Preferred Options report would be developed over the coming months with consultation being undertaken in May-June 2008. It was noted that the Preferred Options Report would be reported to the LDF Steering Group before the consultation took place.

RESOLVED that the report be noted.

### **Summary of Consultation Responses Received Regarding the Planning Obligations Supplementary Planning Document and Sustainability Appraisal**

Members considered a report that provided a summary of the comments received following the publication of the Planning Obligations SPD consultation draft. The six week period began on the 30th July and expired on the 10th September.

It was noted that to date, 19 responses had been received from the following consultees: England and Lyle; Ramblers Association; Network Rail; Yorkshire Forward; Tees Valley Regeneration; Environment Agency; Ingleby Barwick Parish Council; Home Builders Federation; One North East; Nathaniel Lichfield and Partners (on behalf of the North Shore Development Partnership); The Theatres Trust; Highways Agency; Signet Planning (on behalf of Hellens Developments Ltd); English Heritage; Sport England; Persimmon Homes; Natural England; RSPB; and a resident of Kirklevington.

Members were advised that comments were provided on the majority of topics covered by the SPD. However, the sections on; affordable housing; open space and recreation; and transport received the most responses. A more comprehensive list of comments was presented to Members.

In terms of the next stage the Officer advised that the Council would consider the representations made and revise the document accordingly. A summary of the main issues in the representations would be prepared which would set out the Council's response to the comments raised and how they had been addressed. Members were provided with a draft copy of the Council's responses. It was advised that the document would then be adopted.

RESOLVED that the report be noted.