

## **Local Development Framework Steering Group**

A meeting of Local Development Framework Steering Group was held on Monday, 23rd November, 2009.

**Present:** Cllr Robert Cook (Chairman), Cllr Mrs Jennie Beaumont, Cllr John Fletcher, Cllr Mick Stoker, Cllr Mick Womphrey

**Officers:** D Bage, M Clifford, Ms J Hall, I Nicholls, Miss R Richardson, Mrs C Straughan, Miss R Wren, Mrs R Young (DNS); Mrs T Harrison (LD)

**Also in attendance:** No other persons were present

**Apologies:** Cllr Colin Leckonby, Cllr Steve Nelson and Cllr Roy Rix

### **LDF 24/09      Declarations of Interest**

Councillor Womphrey declared a personal/prejudicial interest in relation to the Minerals and Waste item due to having signed a petition against the use of the anhydrite mines in Billingham.

### **LDF 25/09      Minutes of the meeting held on 25th August 2009**

Consideration was given to the draft minutes of the meeting held on 25th August 2009.

CONCLUDED that the draft minutes of the meeting held on 25th August 2009 be agreed.

### **LDF 26/09      Open Space Recreation and Landscape SPD Consultation**

Members were provided with a report which outlined the comments received during the consultation on the Open Space, Recreation and Landscaping Supplementary Planning Document (SPD) and the responses to them. The comments that had resulted in the most significant changes to the SPD were explained.

A statutory six week period of consultation was required for SPDs. The consultation period for the Open Space, Recreation and Landscaping SPD took place between the 18 May and the 29 June 2009. During this time period comments were received requiring consideration or some change to the SPD, Planning Policy Guidance 17 Assessment or Sustainability Appraisal.

A change which was not instigated by a comment but became apparent through dealing with the comments was that some parts of the Landscaping section would overlap with issues in the Sustainable Design SPD. It was decided, in consultation with Urban Design, to split the section by relocating some of the content to the Sustainable Design SPD where it would be more appropriate.

The comments that generated the most additional tasks were from Sport England who had a particular interest in this area of work. They requested that further consideration was given to the categories of sports facilities included in the assessment. This resulted in the need to do additional assessment work on outdoor sport facilities. They also highlighted the omission of reference to an

up to date Playing Pitch Strategy from the Planning Policy Guidance 17 (PPG17) Assessment, a draft version of the Strategy from Leisure and Sports Development would soon be ready to integrate into the work.

The PPG17 Guidance identified a five-stage methodology for PPG17 Assessments; Sport England submitted another comment referring to a lack of clarity about which stage the Stockton Assessment had reached. Additional work had been undertaken to clarify the stage of methodology that had been completed.

A number of comments were submitted about the distances used in the proximity standards with some comments saying they were too long and another saying they were too short. Comments referred to both open space and built facility standards. The approach taken was to maintain the existing open space proximity standards because they had been identified using a consistent methodology and a shorter standard would limit realistic opportunities to improve existing open spaces through planning obligations, which was the most likely type of improvement to take place. It would also limit the possibility of pooling contributions from more than one development.

An alternative approach was suggested for the built facility proximity standards that respondents suggested were both too long and too short. The chosen approach was also influenced by discussion with Sport England and Leisure and Sports Development. The approach was to use the standards identified through the draft assessment to identify deficiencies in provision but use a proximity standard hierarchy as suggested in the PPG17 guidance for determining where contributions could be spent. The hierarchy would be based on walking distance (two kilometres), cycling distance (five kilometres) and Borough wide standards.

Facilities had been inserted into this hierarchy based on their significance. It also generally gave a longer distance than those identified in the draft Assessment and SPD to recognise that as private facilities had been included in the assessment, the closest facility may not always be the one available for people to use. It was also felt that this approach would better support the Draft Sport and Active Leisure Strategy by increasing the possibility of a facility that the Council could improve, falling into the standard area and making the instance of pooling contributions more likely.

Work required completion on the changes suggested to the documents and additional work required as a result of the consultation. Following this the SPD and supporting documents were to be taken to Planning Committee in December and Cabinet and Council in January for adoption.

CONCLUDED that the report be noted.

**LDF  
27/09**      **Minerals and Waste DPD**

A report was provided to Members informing on the progress in the preparation of the Joint Minerals and Waste Core Strategy and Policies and Sites Development Plan Documents, to advise of representations received following public consultation during the period 27th August to 9th October 2009, and likely progress to submission to the Secretary of State for Examination in Public.

It was appreciated that a number of months had passed since the issue of Minerals and Waste had been brought to Member's attention. However, Members were reminded of a previous report, presented in June 2009 that set out a context and summarised the detail of the documents. It also sought endorsement of the Publication Draft Documents and a consultation period beginning August this year.

A meeting of the Minerals and Waste Steering Group was scheduled for the 20th November at which the Councils' responses to the representations would be discussed. It was envisaged that the finalised responses would be reported to Cabinet at its meeting on 17th December 2009. The matter would then be referred to Council for approval, and it was likely that this would be on 20th January 2010.

Whilst this report concentrated on the areas of concern and objection, it was acknowledged that there was support for the overall vision, strategy and policies.

Members queried the playing fields which had been allocated for Household Waste Recycling Centres but were advised that the sites were areas of search rather than direct allocations.

CONCLUDED that the report be noted.

**LDF  
28/09**

### **Sustainable Design Guide SPD**

Members received a report with an outline of the purpose of the Sustainable Design Supplementary Planning Document which identified proposed subject areas and future tasks necessary for the production of the document.

PPS1: Delivering Sustainable Development set out the Government policy for the delivery of sustainable development within the planning system. It stated that 'good design ensured attractive usable, durable and adaptable places and was a key element in achieving sustainable development'.

Government Guidance (PPS3: Housing) also considered that 'good design was fundamental to the development of high quality new housing, which contributed to the creation of sustainable, mixed communities'. It required that Local Planning Authorities encouraged developers to provide sustainable and environmentally friendly housing developments.

The purpose of the Sustainable Design SPD was to reflect this guidance and to provide advice to developers to improve the design standards and sustainability of new residential developments.

It was also intended that the document would provide greater detail on Policy CS3 of the Core Strategy. The aim of this policy was to reduce the environmental impacts of development and, among other things, required that 10% of the energy requirement of a major development was provided from on site renewable sources and that developments met various national standards designed to improve their design and sustainability.

These standards included the Code for Sustainable Homes, which was a 1 to 6 level rating system based on the performance of the building against a set of 9 criteria. These criteria related to energy, water efficiency, materials, ecology, surface water run-off and waste. Advice on how to achieve the higher levels of this rating system would be incorporated into the SPD.

The main objectives of the SPD were to encourage vibrant, sustainable and inclusive communities, to promote energy efficiency and environmental sustainability and to promote high quality design standards, which had a high regard for the surrounding character of the site and created attractive places to live.

The matters considered in order to achieve these objectives included:

- The connectivity of the development to the local area, including public transport and community facilities.
- The provision of, or access to, high quality green and open amenity space.
- The scale and layout of the development and its character in relation to its surroundings.
- The design and integration of car parking.
- Ensuring inclusive and safe development through design.
- The use of sustainable construction methods and the provision of renewable technologies.
- Impact on ecology and the provision of Sustainable Drainage Systems.

The SPD was in the process of being drafted in preparation for an internal consultation. Comments received as a result of the consultation of interested sections of the Council, including Urban Design, Care for Your Area and Environmental Policy would inform the development of the document prior to being presented before the Planning Committee.

Following approval from Cabinet and Council, the SPD would be subject to a 6-week public consultation period. It was intended that the document would be ready for public consultation in mid 2010.

Members discussed the desire for the planning document to go through to ensure correct future designs.

Members discussed building methods in other countries and were advised that Barratt Homes had produced a development which was 100% carbon efficient.

Members requested that all Members be notified. It was suggested that the item went to a policy update seminar and update Members on the Local Development Framework.

The Spatial Plans Manager would coordinate with the Principal Development Officer for Member Learning to organise a policy update seminar.

CONCLUDED that:

1. The report be noted.

2. The Spatial Plans Manager will coordinate with the Principal Development Officer for Member Learning to organise a policy update seminar.

**LDF  
29/09**

## **Annual Monitoring Report**

A report was provided to Members advising of the completion of the fifth Local Development Framework Annual Monitoring Report (AMR). The report was required to be submitted to the Secretary of State before the end of December 2009. The AMR contained information about how the Council had performed against Core Indicators set by the Department for Communities and Local Government relating to Business Development, Housing, Environmental Quality, Minerals and Waste, and the Council's progress in meeting the timetable set out in the Local Development Scheme (LDS).

Review and monitoring were 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 enabled a comprehensive evidence base to be established. This could be used to assess the impact and effectiveness of existing local development document policies, as well as informing new policy development.

The Annual Monitoring Report was based on the period 1 April 2008 to 31 March 2009, known as the 'reporting year'. During the reporting year, a number of the key milestones set out in the Local Development Scheme (LDS) 2008 had not been met and a revision to the LDS was published in March 2009, with the agreement of Government Office North East. This revision took the changes required by the June 2008 revision to Planning Policy Statement 12 into account, 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.

Progress on the Local Development Framework during 2008/2009 had been focused on the Core Strategy. The introduction of new regulations in autumn 2008 meant that the timetable was amended; however, the Publication Draft was published in October 2008, followed by an 8 week consultation period. Following this, the Submission Draft was prepared and submitted to the Secretary of State in May 2009, beginning the Examination in Public. The Preferred Options consultation for the joint Tees Valley Minerals and Waste Core Strategy and Site Allocations DPDs also took place during the reporting year, ending on 8 April 2008.

In July 2008, the Department for Communities and Local Government introduced the Regional Spatial Strategy and Local Development Framework: Core Output Indicators - Update 2/2008. This document revised the Core Output Indicators for Local Planning Authorities to report on in their AMRs and included sections relating to Business Development, Housing, Environmental Quality, Minerals and Waste.

As far as possible, the AMR assessed progress against the 20 Core Indicators included in Regional Spatial Strategy and Local Development Framework: Core Output Indicators - Update 2/2008. In some instances, monitoring systems were not sufficiently developed to report on Core Output Indicators fully, however work was being undertaken to improve monitoring systems and

establish a comprehensive monitoring framework.

It was also recognised that further work was required to establish Local Output Indicators and sustainability indicators. Following the adoption of the Core Strategy and other Development Plan Documents (DPDs) (along with their Sustainability Appraisals, Appropriate Assessments and Infrastructure Strategies), locally distinctive indicators would be introduced to record the impact of policies contained within them as part of a Monitoring Framework. In the short term, relevant locally distinctive information had been included in the Annual Monitoring Report where appropriate.

A presentation was given, demonstrating how the Council had performed against each Core Indicator and highlighting areas where improved data collection was required.

Members queried whether temporary gypsy sites which had been made permanent would be recorded and were advised that they would be recorded but would not be picked up until the next municipal years figures.

CONCLUDED that the report be noted.

**LDF**      **Strategic Housing Land Availability Assessment**  
**30/09**

Members were reminded that the Strategic Housing Land Availability Assessment (SHLAA) was in the process of being updated. The annual updating of SHLAA work was a requirement of the Government's guidance. The 2009 SHLAA was now complete. A copy of the document was available in the Members library. The report set out a brief summary of the process of producing the SHLAA.

The national SHLAA Practice Guidance stated that the Assessment, once completed, should be annually updated. Therefore, the 2008 SHLAA had been reviewed and updated to produce the 2009 SHLAA.

The national Practice Guidance emphasised the importance of partnership working in the production of a SHLAA and this was reflected in both the regional and Tees Valley SHLAA implementation guides. Accordingly, a steering group comprising representatives of key stakeholders such as the Home Builders Federation, Registered Social Landlords and relevant SBC teams such as Development Services guided the production of the 2009 SHLAA.

The steering group met on 15 December 2008 to agree the process for producing the 2009 SHLAA. It was agreed that it would include a highways workshop, an internal stakeholder workshop and a key stakeholder event. It was also agreed that the key stakeholder event should form part of a consultation period in which Local Development Framework consultees would also be given the opportunity to comment on the internal stakeholder site assessments.

The consultation period ran from 8th May to 12th June 2009. Both public and professional consultees had the opportunity to comment through e-mail or written comments. The key stakeholder event was run as a "drop-in" event and held on 1st June 2009.

Following the close of the consultation period and the holding of the key stakeholder event the steering group met in order to come to a conclusion about any “contentious” sites. A site was regarded as contentious if comments were received through the consultation process that expressed a different view from the internal stakeholder assessment.

Members queried the different criteria of the Strategic Housing Land Availability Assessment and the Highways Department, however Members were advised that the SHLAA did have a criterion on access but it was up to the Highways Department to comment on each development.

CONCLUDED that the report be noted.

**LDF  
31/09**      **Core Strategy Progress Report**

Members were provided with a report which set out a brief summary of progress of the Core Strategy Development Plan Document (DPD) and an update on progress on the Strategic Flood Risk Assessment and Rural Housing Needs Assessment, for Members’ information.

The independent examination into the soundness of the Core Strategy concluded on 8th October 2009. As a result of discussions at the examination, a number of changes to the document were agreed. The Planning Inspector considered a number of these were minor but others in particular those relating to the housing policies were significant. Whilst the inspector could simply endorse the minor changes, the significant changes needed to be the subject of further public consultation. Therefore the significant changes were the subject of a six-week period of consultation which began on 16th October and which would end on 27th November 2009. The inspector had stated that if no significant issues emerge from the further period of consultation, he would issue his report on the Core Strategy on 18th December 2009.

Members were reminded that Arc4 had been commissioned to undertake a Rural Housing Needs Study in conjunction with Kirstine Riding, an independent rural housing specialist. The purpose of the survey was to find out the level of housing need in each Parish from both existing and future households. Every household had been sent a questionnaire and the return deadline was 24th November 2009. Arc4 were holding a series of community events to inform local residents about the study and provide information on affordable housing.

The final report was scheduled for January 2010. There would also be a follow up community consultation event in February 2010 to discuss the research findings.

Members were reminded that JBA Consulting had been commissioned to undertake the update of the Stockton-on-Tees SFRA. The SFRA Level 1 provided baseline information. The SFRA Level 2 then built on the baseline and provided more detailed site-specific information. Flood risk was considered at Matter 5: Regeneration and Flood risk of the Examination in Public (EiP). Neither report was available for the EiP. However, the ongoing SFRA work informed a Flood Risk and Regeneration Key Issues Paper which was prepared for the EiP. The content of this paper was agreed with the

Environment Agency (EA). This meant that it also fulfilled the Inspector's request for a Statement Of Common Ground to be produced by Stockton Borough Council (SBC) and the EA. Core Strategy Policy CS10 (9) stated the following in relation to flood risk:

"New development, will be directed towards areas of low flood risk, that is FloodZone 1, as identified in the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment".

At the EiP the Inspector requested that SBC and the EA agrees a draft memorandum of understanding for how Policy CS10 (9) would be implemented. An initial draft of this had been agreed. This would also link to ongoing work focused on how to enhance the way in which flood risk was dealt with in the Sustainability Appraisal (SA) Scoping Report for the LDF and also to develop flood risk indicators for the SA of the Regeneration DPD Preferred Options paper. It was anticipated that the SFRA would be completed in December and that a full report on it would be submitted to the January Local Development Framework Members Steering Group.

Some Members advised that they were not aware of the public meetings; however officers advised that the information had been readily available and had been mentioned at previous meetings. Great effort had taken place to ensure that members and the public were informed.

It was observed that some residents were not happy with the financial earning questions, however they had been advised that it was not the Council who had requested the information, it had been the consultation company who were trying to compile a full and correct overview.

CONCLUDED that the report be noted.