

AGENDA NO

PLANNING COMMITTEE

11th July 2012

REPORT OF CORPORATE DIRECTOR, DEVELOPMENT AND NEIGHBOURHOOD SERVICES

Stockton-on-Tees Local Plan: Regeneration & Environment Local Development Document (LDD) Preferred Options and Draft Shop Fronts and Advertisements Supplementary Planning Document (SPD).

SUMMARY

The Regeneration and Environment LDD and Shop Fronts and Advertisements SPD will, when adopted, form part of Stockton-on-Tees Local Plan (formerly termed Local Development Framework) along with the adopted Core Strategy, the Minerals and Waste Core Strategy and Sites and Policies DPDs and a number of adopted SPDs. Together with these documents, they will provide the policy basis for the determination of planning applications within the borough.

The Regeneration and Environment LDD itself is an amalgamation of several documents which were previously to be prepared separately and also incorporates the results of the 'Planning for Housing' consultation which took place last year. The primary purpose of the LDD is to provide the detail of how the strategic policies in the adopted Core Strategy will be implemented by allocating sites for housing, transport infrastructure, economic development, retail, community facilities and mixed use regeneration schemes, as well as identifying key environmental and historic designations in the borough. The LDD also includes four strategic policies relating to sustainable development, the distribution of housing, limits to development and the extent of green wedges and detailed policies for their implementation.

The Shop Fronts and Advertisements SPD provides additional guidance for developers on the implementation of Core Strategy policy CS3 with the aim of improving design standards and quality of shop fronts and advertisements to help create more attractive and distinctive retail centres.

Both documents require a period of public consultation before they can move on to the next stage in their production and this report seeks the comments of Planning Committee on the Regeneration and Environment LDD, Policies Map, Sustainability Assessment and Habitats Regulations Assessment, Consultation Statement and Infrastructure Strategy and the Shop Fronts and Advertisements SPD before they are agreed by Cabinet and Council for a period of public consultation between 30th July and 24th September 2012.

RECOMMENDATION:

Members are requested to:

1. Note the contents of this report;
2. Comment on the proposed spatial strategies for housing, the control of development and the policies proposed in the document;
3. Comment on the associated Sustainability Appraisal, Habitats Regulations Assessment, Infrastructure Strategy, Consultation Statement and Policies Map;
4. Comment on the Shop Fronts and Advertisement Supplementary Planning Document (SPD).

BACKGROUND

1. The Regeneration and Environment LDD and Shop Fronts and Advertisement SPD will form part of Stockton-on-Tees Local Plan (formerly termed Local Development Framework) and will supplement and amplify policies contained in the adopted Core Strategy (March 2010), Minerals and Waste Core Strategy and Sites and Policies DPD and a number of SPDs.

Regeneration and Environment LDD Preferred Options

2. The Regeneration and Environment LDD itself is an amalgamation of several documents which were previously to be prepared separately; the Regeneration Development Plan Document (DPD), the Environment DPD and the Yarm and Eaglescliffe Area Action Plan (AAP). It also incorporates the results of the partial review of the Core Strategy housing location strategy which was consulted on last year under the heading of "Planning for Housing."

3. The primary purpose of the LDD is to provide the detail for the implementation of the strategic policies contained in the Core Strategy and to allocate sites for housing, transport infrastructure, economic development, retail, community facilities, mixed use regeneration schemes as well as identifying key environmental and historic designations in the borough. In addition, as a result of the partial Core Strategy review, it also includes four strategic policies relating to sustainable development, the distribution of housing, limits to development and extent of green wedges.

4. This is the second stage in the production of the document. All of the documents which have been amalgamated into it have had issues and options consultations, although at different times: the Yarm and Eaglescliffe AAP in July 2007; the Regeneration DPD in September 2007; the Environment DPD in January 2011 and the Core Strategy Review in July 2011.

5. The draft document attached at **Appendix 1** provides the full detail of the proposed strategy and the detailed policies which will deliver it. Members should note that the LDD should be read in conjunction with the adopted Core Strategy (March 2010). The other documents (the Policies Map, Sustainability Assessment, Habitats Regulations Assessment, Infrastructure Strategy and Consultation Statement) are not attached due to their size; however copies have been made available in the Members' Library and are also available in the electronic Members' Library.

6. The Regeneration and Environment LDD Preferred Options is set out under a number of subject headings. The following paragraphs provide a brief summary of the subject areas and the policies contained in each chapter of the document.

Description of the LDD

7. Introduction explains:

- Why the Council is reviewing the housing spatial strategy in the adopted Core Strategy;
- Why the Yarm and Eaglescliffe Area Action Plan, the Regeneration DPD, the Environment DPD and the Core Strategy Review are being amalgamated into a single document;
- How the document will integrate with other planning policies;
- The evidence base for the combined document.

8. The Spatial Strategy:

- Policy SP1 - Presumption in favour of sustainable development sets out the Council's overarching sustainability context within which the Council will determine planning applications in accordance with the National Planning Policy Framework (NPPF).
- Policy SP2 - Housing Spatial Strategy identifies the Council's preferred spatial strategy for realising the objectives of the Core Strategy and delivering the housing requirement of 8,250 between 2014 and 2029 dwellings and sets out the criteria that will be used to allocate sites and that a site selection hierarchy, based on sustainability criteria, has been used as the basis for determining the Preferred Options.
- Policy SP3 - The Limits to Development: identifies the categories of development that the Council will support outside the Limits to Development. Supporting text explains how the adopted Core Strategy uses Strategic Gaps, Green Wedges and the Limits to Development to control the expansion of built up areas. Whilst the principle of controlling development through these policies will be maintained, the physical boundaries require some adjustment to accommodate some of the proposed allocations.
- Policy SP4 - Green Wedges identifies the land uses and small scale development that will be supported within the Green Wedges.

9. Sustainable Transport policies are focused on improvements to public transport, walking and cycling networks.

- Policies T1 - Footpath and Cycle Routes, T2 - Tees Valley Metro and T3, Tees Valley Bus Network Improvements seek to improve sustainable transport links and ensure that new development benefits from and capitalises on sustainable transport infrastructure.
- Policy T4 - Portrack Relief Road, safeguards the route of a highway improvement necessary to deliver a key regeneration site identified elsewhere in the document. If, following consultation on the Preferred Options draft, further highways improvements are identified as necessary to support the delivery of other site allocations, these will be included in a subsequent draft of the document.
- Policy T5 - Sustainable Freight promotes the retention of infrastructure which can support sustainable freight transport.
- Policies T6 and T7 relate to Aerodrome Safeguarding and Public Safety Zones relating to the safe operation of Durham Tees Valley Airport.

10. Sustainable Living:

- Policy SL1 Development and Amenity requires new development to take into account the amenities of the occupiers of adjacent or nearby properties;
- Policy SL2 Renewable Energy Generation, which provides support for medium to small-scale renewable energy developments providing there is no adverse impact upon landscape character, the natural environment or the amenity of the area. This replaces Core Strategy Policy CS3.7 which supports renewable energy developments that meet criteria set out in the soon to be abolished Regional Spatial Strategy.

11. The 'Economy' section of the document allocates land to maintain a forward supply of sites for economic development:

- Policy EMP1 allocates sites for general employment development, and identifies industrial estates which will be protected in that use.
- Policy EMP2 identifies Principal Office Locations, promoting these sites for this use when no alternative opportunity exists in a town or district centre.
- Policy EMP3 allocates 70 hectares of land at Wynyard as a Key Employment Location. The policy provides a framework for a revised master plan for the area.
- The document includes two policies relating to process industry related economic development: Policy EMP4 allocates 294 hectares of land for the process industries; Policy EMP5 recognises the importance of bird species in the area, and provides guidance to mitigate the impact of the sites allocated in policy EMP4.
- Policy EMP6 allocates land for port related development. It also details the circumstances where alternative uses may be permitted.
- Land at Durham Tees Valley, which is not allocated as general employment land in policy EMP1, is allocated for airport related uses under Policy EMP7.

12. Town Centres chapter provides policies which protect and promote development in the centres identified in Core Strategy Policy CS5.

- The chapter designates neighbourhood centres – small shopping parades of neighbourhood level significance – in policy TC7.
- Policy TC1 details the improvements which will be encouraged in the public realm of the town centre.
- Policy TC2 allocates two sites at the Southern Gateway and to the rear of the western part of the High Street for development.
- Policy TC3 identifies the primary shopping area of the centre and provides policy on protecting retail uses in the area.
- Policy TC4 provides the Council's local interpretation of the sequential and impact tests which are a requirement of national planning policy.
- Policy TC5 encourages food and drink uses in Stockton Town Centre, whilst recognising the potential cumulative impact an over-concentration of these uses can have.
- The document also promotes town centre uses in the District Centres (Billingham, Thornaby and Yarm), with policy TC6 promoting the protection of retail uses in these areas and the regeneration of Billingham and Thornaby.
- The protection of Local Centres (Billingham Green, High Newham Court, Ingleby Barwick and Norton) and neighbourhood centres is dealt with in Policy TC8, which promotes small-scale town centre uses in these areas.

- TC9 Small Scale Retail and Ancillary Uses sets out the tests for this type of retail activity outside defined centres.
 - Policy TC10 provides policy guidance on hot-food takeaways, which are directed to the defined centres set out above. The policy also recognises the impact that a large group of takeaways may have and that proposals outside of centres, which are near to schools, will be resisted.
13. Provision of Facilities - Core Strategy Policy CS6 identifies the need to provide community facilities to support the creation of sustainable communities and delivering the aims of the Council's Sustainable Communities Strategy. This section of the Regeneration and Environment LDD contains policies to deliver community facilities across the Borough.
- PF1 - Open Space, Sport and Recreation Facilities: this policy aims to protect and enhance open space, sport and recreation facilities inline with the standards outlined within the Open Space, Recreation and Landscaping SPD. The policy also identifies that planning obligations will be used to implement proposals outlined within the emerging Green Infrastructure Delivery Plan and Sports and Active Leisure Strategy delivery plans.
 - PF2 - Provision of a new Cemetery and Crematorium: identifies a site for the expansion of Durham Road Cemetery. The policy also identifies that further sites will be allocated as cemetery space and for a crematorium, following further assessment work.
 - PF3 - Bowesfield Marina: identifies that the Council will support the development of a marina or similar water activity based development that will enhance the recreational use and increase access to the river at this location.
 - PF4 - Maximise Civic Space for Community Interaction: identifies that civic space will be enhanced to maximise their function as areas for performances and events and for social interaction.
 - PF5 - Facilities for Ingleby Barwick: safeguards land for a community centre in Village 6.
 - PF6 - Supporting Durham University's Queen's Campus: safeguards land at North Shore for the expansion of Queen's Campus.
 - PF7 - Supporting Health Care Developments: supports the delivery of integrated health care facilities and where appropriate, safeguards land.
14. Housing policies are:
- Policy H1 - Housing Allocations: identifies the housing sites proposed for allocation. Policies H1a to H1l set out the amount of land that each site is proposed to be allocated for, the number of dwellings that each site will be expected to deliver and the site specific requirements that developers will be expected to meet.
 - Policy H2 - Housing Phasing and Implementation: states that land allocated for housing development will be phased and released in accordance with the indicative phasing plan and states the circumstances necessary for allocated land to be released earlier than in the phasing plan.
 - Policy H3 - Housing Mix and Affordable Housing: states that a balanced mix of housing types will be required and identifies a number of requirements including the densities developers will be expected to achieve, the average annual target for affordable homes, the target range for affordable housing provision, the mix of affordable housing to be provided, the minimum standards affordable dwellings must achieve and how the requirement for affordable housing in the rural parts of the Borough will be met
 - Policy H4 - Care Homes and Housing for Older People: states that proposals for care homes should be in locations with services and facilities, directly address a proven local need based on the most-up-to-date information

available and that where extra Care Housing Schemes have on-site A1/A3 uses, they must always remain ancillary to the main development.

15. Environmental Protection and Enhancement this chapter is split into three sub sections entitled Green Infrastructure and Urban Open Space, Natural Environment and Rural Environment and contains policies on:

- Policy ENV1 - Green Infrastructure: identifies that the council will support development which protects and enhances the Green Infrastructure network. The policy continues to identify that development which results in the loss of existing green infrastructure is to be replaced by that which is considered to be of equal or greater value than that lost.
- Policy ENV2 - Urban Open Space and Local Green Space: identifies open space that will be protected for its openness and amenity value. The policy also identifies land where development will not be supported except in very special circumstances
- This section provides site specific designations and policies which add detail to the strategic policies set out in the Core Strategy. It summarises the international and national designations within the Borough which includes Teesmouth and Cleveland Coast SPA and RAMSAR site, five Sites of Special Scientific Interest and Teesmouth National Nature Reserve. The report continues to outline the statutory protection afforded to these sites.
- Policy ENV3 - Local Sites: is a criteria based policy which identifies how proposals affecting local sites will be assessed. There is a presumption in favour of preserving the sites and where development is allowed, providing mitigation or compensatory provision. This policy covers Local Wildlife Sites and Local Geological Sites (formerly Sites of Nature Conservation importance), Ancient Woodlands and Local Nature Reserves.
- Policy ENV4 - Previously Developed Land, Development and the Creation of New Habitats: seeks to protect biodiversity in the redevelopment of previously developed sites and promote the creation of new habitat within development schemes.
- Policy ENV5 - Landscape Character: identifies that the Council will support proposals which reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Tees Lowlands National Character Area and the Stockton-on-Tees Landscape Character Assessment and Capacity Study.
- Policy ENV6 - Re-Use and Replacement of Rural Buildings: supports the re-use and replacement of buildings, with a presumption in favour of re-use.
- Policy ENV7 - Farm Diversification: identifies the criteria for supporting retail development associated with horticultural nurseries or for farm shops will be supported.
- Policy ENV8 - Equestrian Activity: identifies criteria where applications for stables and equine related development for both private and commercial use will be supported.
- Policy ENV9 – Agricultural, Forestry and other Rural Based Enterprise Dwellings sets out the tests that such proposals should meet.

16. Historic Environment - this section provides links to the Historic Environment Record (HER) and Stockton-on-Tees Heritage Strategy and discusses the designated heritage assets within the Borough which includes scheduled monuments, listed buildings, registered parks and gardens, and conservation areas. The NPPF provides specific policy guidance with regards to designated heritage assets; therefore there is no requirement for this LDD to contain specific policies for them. There are also non-designated heritage assets within the

borough and in response to Issues and Options consultations the following policies have been included:

- Policy HE1 - Historic Landscape: is an overarching policy which identifies that proposals for development should be informed by the by the historic context of the landscape as detailed within the Historic Landscape Characterisation.
 - Policy HE2 - Character Areas: ten character areas have been identified for their distinctive character and sense of place; the policy for these areas will seek to resist development within residential gardens.
 - Policy HE3 - Local List: seeks to protect and enhance locally listed buildings.
 - Policy HE4 - Stockton and Darlington Railway: seeks to safeguard the line of the historic Stockton to Darlington Railway of 1825, the branch line to Yarm and associated structures.
17. Regeneration and Gateway Sites -this section reiterates the Council's commitment to supporting and promoting regeneration. For this reason it is important to identify those sites that continue to be key regeneration priorities (Policy RG1) and to state what the Council's aspirations for these sites are:
- Policy RG1 - Regeneration and Gateway Sites: identifies the sites it is proposed to allocate as regeneration or gateway sites.
 - Policy R1 - Green Blue Heart: states that the Council will encourage and support proposals that assist in the delivery of the Green Blue Heart. It outlines what the proposals could include and will need to relate well to.
 - Policy R2 - North Shore: allocates land at North Shore for a comprehensive mixed-use development.
 - Policy G1 - Stockton Riverside: allocates land at Stockton Riverside for events spaces, a riverside park and improvements to the public realm
 - Policy G2 - Northern Gateway: allocates land in the Northern Gateway for a comprehensive, mixed-use development involving the demolition and renewal of housing stock, community facilities, including environmental improvements and biodiversity benefits.
 - Policy G3 - Mandale Triangle: sets out the mix of uses that the Council will support and what developers will be encouraged to provide.
 - Policy G4 - Boathouse Lane: allocates land at Boathouse Lane for a mixed-use scheme.

Supporting Assessments and Documents

18. Four further documents accompany the Regeneration and Environment LDD Preferred Options and Policies Map and will form part of the public consultation. These are:

Infrastructure Strategy identifies, as far as possible the range of infrastructure, that is required to underpin the development strategy and allocations in the development plan document. Further to this, where possible, it sets out the costs, funding mechanisms, timescales and those responsible for implementation.

Sustainability Appraisal – this is a statutory requirement for land use plans. The SA considers the environmental, social and economic impacts of the LDD and is an iterative process that informs the development of each stage of the LDD. It allows policies to be developed to ensure a more sustainable outcome.

Habitat Regulations Assessment – this is also a statutory requirement and it assesses the potential for impacts upon sites designated as being of European importance for their nature conservation value. Like the SA, the HRA has also informed the Preferred Options policies and the consideration of the Habitat Regulations Directive has led to the inclusion of a policy to protect land of

functional importance to bird populations at Seal Sands. The HRA of the Preferred Options has concluded that there will not be any significant impact upon a European Site from the Regeneration and Environment LDD.

Consultation Statement – this outlines the consultation activities undertaken in the preparation of the Regeneration and Environment LDD Preferred Options to fulfil the requirements of Regulation 22 (1) (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. For the ‘Issues and Options’ consultations related to the Yarm and Eaglescliffe Area Action Plan, the Regeneration DPD, the Environment DPD and the Regeneration DPD, this statement sets out:

- The bodies and persons the local planning authority invited to make representations
- How those bodies were invited to make representations
- The number of representations made and a summary of the main issues raised
- How the representations have been taken into account in the preparation of the Regeneration and Environment LDD Preferred Options.

The Shop Fronts and Advertisements Supplementary Planning Document (SPD)

Background

19. In February 2004 the Authority adopted the Shop Fronts Design Supplementary Planning Guidance (SPG). In order bring the document in line with the Local Development Framework and updated version has been prepared that will also incorporate advice on how to achieve successful advertisements.

Purpose of the document

20. The purpose of the Shop Front and Advertisements SPD is to provide advice to developers to improve the design standards and quality of shop front and advertisements, helping to create more attractive and distinctive retail centres. Particular emphasis is also placed on shop frontages and adverts within conservation areas such as Stockton, Yarm and Norton retail centres and upon listed buildings where there is a need to achieve higher standards of design to ensure that the historic environment is both preserved and enhanced.

21. The document will provide practical guidance and support in designing shop fronts and advertisements to help achieve the following key objectives:

- Improve the quality of the street scene, create a sense of place and improve the vibrancy and vitality of retail areas;
- Create shop fronts which respect the character and appearance of the building and surrounding area in terms of scale, proportions and materials;
- Create attractive signs and adverts that respect the character of the building and street;
- Ensure security measures do not detract from the built fabric and create intimidating environments.

22. **Appendix 2** contains the main written content of the proposed document. By encouraging higher standards of shop front design, the SPD may also create some added value by helping to achieve some of the wider aims of the Council’s Urban Design Strategy (which identifies poor frontages as a particular weakness of Stockton Town Centre) and the Environment and Regeneration LDD.

Next Steps

23. Following endorsement by Cabinet and Full Council, the Regeneration and Environment LDD Preferred Options and Policies Map, together with the supporting documents and assessments and the Shop Fronts and Advertisement SPD will be made available for a period of public consultation scheduled to commence on 30th July 2012 for a period of 8 weeks, closing on 24th September 2012. A comprehensive consultation plan will be drawn up to facilitate the involvement of statutory consultees, members of the public and other stakeholders in the consultation.

24. Following the public consultation period, future stages in the preparation of the LDD are:

- Analyse the comments received during the Preferred Options consultation. Produce the Publication Draft of the document.
- Analyse the comments received during the Publication Draft consultation. Produce the 'Submission' document and submit it to the Secretary of State. There is no consultation period at this stage.
- Assessment of the document by an independent inspector.
- The Council publishes the Inspector's Report following its receipt.
- The Regeneration and Environment LDD is adopted by the Council (scheduled for January 2014).

For the Shop Fronts and Advertisements SPD:

- Analyse the comments received during the consultation period and if necessary, re-draft the SPD:
- Adoption by the Council as part of Stockton-on-Tees Local Plan for use in the determination of planning applications.

Corporate Director of Development and Neighbourhood Services

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Financial Implications –

Provisions for the production of the Regeneration & Environment LDD and Shop Fronts and Advertisements SPD have been made within existing budgetary provision

Environmental Implications –

The Regeneration & Environment LDD and Shop Fronts and Advertisement SPD contain a number of policies which seek to protect, preserve and enhance the built and natural environment of the borough. The document has been subject to Strategic Environmental Assessment and Sustainability Appraisal to ensure that the policies it contains will not have a detrimental impact on the borough's environment and that, taken as a whole, the strategy for development contained in it represents the most sustainable option when considered against alternatives.

Legal Implications –The Regeneration and Environment Local Development Document and Shop Front and Advertisements Supplementary Planning Document have been prepared under the relevant provisions the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008 and the Town and Country Planning (Local Development)(England) Regulations 2004 and the Town and Country Planning (Local Development) (England)(Amendment) Regulations 2008 and 2009, which until April 2012, made provisions for the operation of that system. Since April 2012, documents have been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, which includes saving provisions for work undertaken in line with the previous regulations. Failure to comply with the provisions of the Act or Statutory Regulations may result in all or part of the documents being challenged in the High Court under section 113 of the 2004

Act, which if successful may lead to all or part of an adopted Development Plan Document being quashed.

Community Safety Implications - The LDD and SPD support the creation of safe communities via policies which seek to create attractive, safe developments where people want to visit and the development of a wider evening economy in the borough.

Human Rights Implications - The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers –

Core Strategy Review: Planning for Housing Consultation July 2011.

Regeneration DPD Issues and Options Consultation September 2007.

Yarm and Eaglescliffe Area Action Plan Issues and Options Consultation July 2007.

Environment DPD Issues and Options Consultation. January 2011.

All available on Spatial Planning website: spatialplans@stockton.gov.uk.

Ward

The contents of the Regeneration and Environment Local Development Document and Shop Fronts and Advertisement SPD affect all wards of the borough.