

Local Plan Steering Group

A meeting of Local Plan Steering Group was held on Tuesday, 3rd September, 2013.

Present: Cllr Michael Smith(Chairman), Cllr Nigel Cooke(Vice-Chairman), Cllr Robert Cook, Cllr Phillip Dennis, Cllr John Gardner, Cllr Mrs Maureen Rigg

Officers: Matthew Clifford, Isabel Nicholls, Carol Straughan, Rosemary Young(DNS) and Kirsty Wannop(LDS)

Also in attendance:

Apologies: Cllr Steve Nelson and Cllr David Rose.

LPS 1/13 **Declarations of Interest**

Cllr Maureen Rigg declared a personal interest in the item titled Neighbourhood Planning as she was a Member of Egglecliffe and Eaglescliffe Parish Council who are in the process of setting up a Neighbourhood Plan.

LPS 2/13 **Minutes - 8th January 2013**

Consideration was given to the minutes of the meeting held on 8th January 2013.

AGREED the minutes be approved.

LPS 3/13 **Local Development Scheme 2013 -2015.**

The Committee considered a report which informed members of an update to the Local Development Scheme (LDS) which contained the timetable for the production of the remaining local plan documents; the Regeneration & Environment LDD, the Gypsy and Traveller and Travelling Show People Site Allocations LDD and the Community Infrastructure Levy.

Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by section 111 of the Localism Act 2011, required local planning authorities to prepare and maintain a Local Development Scheme (LDS) which identified the local development documents (LDDs) or development plan documents (DPDs) it intended to prepare, the subject(s) of those LDDs or DPDs, any documents to be prepared jointly with other local planning authorities and the timetables for the preparation or revision of these documents.

The LDS was a public statement of Stockton's programme for the production of its development plan up to 2015. Stockton's first LDS was produced in March 2005 and there had been a number of updates since then; the last being in January 2012. Originally, as the Act required a Council resolution to bring the LDS into effect, it was referred to Cabinet and Full Council for approval, but in 2008, Council delegated decisions for agreeing future amendments to the scheme to the Head of Planning and Chairperson of the LDF Member Steering Group. Formerly, it was also necessary for the schemes to be sent to and agreed by the Secretary of State but the Localism Act 2011 removed this requirement.

Many of the documents identified in earlier LDS had been completed and this

latest one contained the details of the two remaining documents required to complete Stockton's Local Plan (formerly referred to as the Local Development Framework); the Regeneration & Environment Local Development Document (LDD) and the Gypsy Traveller and Travelling Show -people Site Allocations LDD. Although it was not strictly part of the local plan, a timetable for the completion of work on the Community Infrastructure Levy was also included for completeness.

The full document was available in the members' library and a summary timetable was provided.

After Members' Steering Group had considered the report, a delegated decision could be signed to bring the scheme into effect. The LDS would be reported to Cabinet on 4th September for information. The scheme could then be placed on the Council's website and information about progress on documents against the timetable in the LDS could be published there on a regular basis.

AGREED the information be noted.

**LPS
4/13**

Infrastructure Planning

Members considered a report that provided information regarding Infrastructure Planning.

Infrastructure Planning identified the type and quantum of infrastructure required to support future growth and the development strategy in the Borough. It underpinned and informed the Regeneration and Environment Local Plan Local Development Document (RELDP) making process and development of the charging schedule for the Community Infrastructure Levy (CIL).

It could be the basis for conversations within the authority, and with neighbours, partners, agencies and suppliers, and those in the development industry. Furthermore, it could be developed with partners and provides a platform for efficient and effective service provision and investment programmes. It could also help local communities decide their infrastructure priorities for local spend of the Community Infrastructure Levy.

Infrastructure work, ongoing and developing since before the adoption of the Core Strategy in March 2010, was for the most part, on hold. This was to allow further work and a review of the impact of the proposed housing site allocations on local and strategic highway networks. Once completed, the extent of any mitigation works to the networks would be known and their impact on the economic viability of the proposed sites could be established. At that stage, the range of infrastructure required for each site, and potentially any new sites could be discussed, reviewed and collated for use in the final documentation. Infrastructure information would be used by the Authority to assess the RELDP whole plan viability and deliverability.

It was envisaged that the final infrastructure documents to underpin the Local Plan would comprise an Infrastructure Strategy (IS) explaining the Borough's baseline conditions and future projects to provide social, physical and green infrastructure. An accompanying Infrastructure Programme (IP) would set out the detail of those projects, location, costs, funding and delivery responsibilities

and timeframe.

Project information from the Infrastructure Programme would be used to produce an Infrastructure Funding Gap Document, part of the evidence base for Stockton's Community Infrastructure Levy. The Infrastructure Programme would help inform and allow review from time to time of the list of CIL fundable items and types of infrastructure (the Regulation 123 list).

Infrastructure documentation was 'live' and would be updated as new information becomes available. The performance of the authority and partners in this respect could be monitored and reported, although the final details of that process were yet to be determined.

AGREED the information be noted.

**LPS
5/13**

Statement of Community Involvement Update

The Group considered a report that provided Members with information on the Statement of Community Involvement.

The Statement of Community Involvement (SCI) sets out how interested parties would be involved in both the preparation of the Local Plan and the determination of Planning Applications. Once an authority had adopted its SCI, it must comply with it in preparing any Local Development Document (LDD) or Supplementary Planning Document (SPD) in order for the document to be considered a sound plan.

Since Stockton-on-Tees' original SCI was adopted in 2006, there had been numerous amendments to the legal framework and regulations. Previously, SCIs were required to undergo extensive consultation followed by Examination in Public. The most recent regulations removed this requirement; however, were the SCI to be revised and updated in full, a period of public consultation would be necessary.

Whilst it had not been considered necessary to completely review the existing adopted SCI, a supplementary leaflet had been produced. This reflected changes in legislation and regulations, and emerging best practice. A draft of the SCI supplement was provided. It was explained that this included:

- The latest legal requirements and regulations that the Council must work within when involving the community and other stakeholders in the planning process
- Who the Council would routinely involve in the development plan process
- The methods the Council would use to consult, engage and communicate with the community and other stakeholders
- How local people could get involved in the Local Plan Process and could be included within the Council's regular consultees
- How local people and other stakeholder's views would be taken into account during the decision making process, and how feedback would be given
- Details of how the Council intends to support Neighbourhood Planning and comply with the Duty to Cooperate introduced in the Localism Act (2011)

As the principles and commitments in the original SCI had not been altered and

remain valid, it was not considered necessary to review the SCI in full or undertake further consultation on its content.

The SCI Supplementary Leaflet would be made available on the Council's website. Consideration would be given to producing paper copies to be distributed during future periods of consultation.

AGREED the information be noted.

**LPS
6/13** **Neighbourhood Planning Update**

Members considered a report which provided details regarding Neighbourhood Planning.

It was explained that Neighbourhood planning enabled neighbourhoods and communities to contribute to the statutory development plan by producing neighbourhood plans and neighbourhood development orders. Introduced by the Localism Act in 2011, neighbourhood planning was intended to give communities a greater say in the development of their local area (within certain limits and parameters). When adopted, neighbourhood plans and orders would be used by the Council to help determine applications for planning permission within the neighbourhood, and in some cases, to determine whether planning permission was required. However, neighbourhood planning was a right rather than an obligation and the Council would continue to plan for all areas of the Borough.

Members were updated on the progress of Neighbourhood Planning nationally and within the Tees Valley. It was reported that the Spatial Planning Team had received a number of enquiries from local communities about neighbourhood planning, and had produced some fact sheets to give introductory information about the process with specific reference to Stockton-on-Tees. These were provided and had been placed on the Council's website. The team had also attended two events hosted by Tees Valley Rural Community Council, as well as a small number of Parish and Town Council meetings when invited. In late July, applications had been received for Neighbourhood Area designation from Egglecliffe and Eaglescliffe Parish Council and Grindon Parish Council. The progress of these applications was discussed in detail.

It was noted that the content of neighbourhood plans and orders was largely a matter for each community, although to be part of the development plan they should be focused on the development and use of land. For example, they could include policies supporting particular types of development across the neighbourhood, site allocations (for all types of development), protection and promotion of routes, improvements to community assets and requirements for infrastructure provision.

Legislation dictated that neighbourhood plans and orders must:

- have appropriate regard to national policy
- contribute to the achievement of sustainable development
- be in general conformity with the strategic policies in the Stockton-on-Tees Development Plan
- be compatible with EU obligations (such as environmental matters and

human rights)

- have regard to the protection and enhancement of listed buildings and conservation areas.

These criteria would be tested by an examiner (a suitably qualified person appointed by the Local Authority) prior to a referendum of local people to decide if the plan should be 'made' and used to help determine planning applications in the neighbourhood.

Under the Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004, the Council had a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take them through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) set out the Council's responsibilities as:

- Publicising, agreeing and designating the area of the neighbourhood plan or order
- Publicising agreeing and designating a neighbourhood forum (where relevant)
- Supporting the preparation of the plan
- Receiving and publicising the submission of the plan or order
- Appointing an examiner, arranging the examination and making any changes to the plan recommended by the examiner
- Arranging the referendum
- 'Making' the plan as part of the Development Plan

The Localism Act also placed a legal duty on local planning authorities to give advice or assistance to parish councils or neighbourhood forums that wanted to undertake neighbourhood planning, however the nature and scope of this support was not defined. The advice and assistance that might be included were sharing evidence and information on planning issues, helping with consultation events, providing advice on assessments and evidence, providing advice on national and local plan policies with which the neighbourhood plan or neighbourhood development order would need to fit and helping communities communicate with local partners where this was required.

It was reported that funding was available from DCLG to enable the Council met its new legislative duties in relation to neighbourhood planning; specifically, to provide advice and assistance to neighbourhoods, to hold an examination and to make arrangements for a referendum. DCLG funding and support was also available to Parish Councils and Neighbourhood Forums to enable them to produce their Neighbourhood Plans. The funding and support opportunities for both the Local Authority and community groups were detailed at the meeting. It was also noted that Parish Councils and Neighbourhood Forums who had adopted Neighbourhood Plans would be eligible to receive a greater proportion of the Community Infrastructure Levy for spending in their community than would otherwise be the case.

AGREED the information be noted.

**LPS
7/13**

Housing Trajectory

Members considered a report which provided them with information regarding

the housing trajectory (a schedule showing when planning permissions and draft allocations for housing were likely to build out) that had been updated using a base date of 31.3.2013 and discussed the implications in relation to the development management and forward planning processes.

The Group highlighted how planning approval was agreed then developers would sit on the approval for some time without progressing. This caused issues with the five year supply of housing needed. Members noted that although they recognised this was an issue they could not impact this.

AGREED the information be noted.

**LPS
8/13**

STOCKTON-ON-TEES 2013 RURAL HOUSING NEED ASSESSMENT

Members considered a report that informed them that the 2013 Stockton-on-Tees Rural Housing Needs Assessment had been completed and briefed Members on the findings of the study.

AGREED the information be noted.