

**AGENDA NO**

**PLANNING COMMITTEE**

**3 November 2016**

**REPORT OF CORPORATE DIRECTOR,  
ECONOMIC GROWTH AND  
DEVELOPMENT**

**Town and Country Planning (Local Planning) (England) Regulations 2012  
Local Plan Regulation 18 Consultation**

**Stockton-on-Tees Draft Local Plan and Policies Map  
Stockton on Tees Draft Local Plan Sustainability Appraisal  
Statement of Community Involvement  
Housing Supply in the Borough of Stockton-on-Tees Five Year Deliverable  
Housing Supply Final Assessment: 2015 to 2020**

**SUMMARY**

The Stockton on Tees Draft Local Plan 2017 – 2032 (draft STLP) will, when adopted, replace the adopted Core Strategy, the saved policies of the adopted Stockton on Tees Local Plan and Alteration No. 1, and alongside the Minerals and Waste Core Strategy and Policies and Sites DPDs and a number of adopted SPDs provide the policy basis for the determination of planning applications within the Borough.

The first draft of the new Local Plan and Policies Map have been produced, setting out a vision and policy framework for the future development of the Borough, facilitating delivery of the emerging Council strategy, identifying and responding to needs and opportunities in relation to all forms of housing, the economy, community facilities and infrastructure. It also seeks to safeguard the environment, respond to climate change and secure good design.

The draft Local Plan attached to this report at **Appendix 1** is accompanied by a Policies Map at **Appendix 2**, a Sustainability Appraisal at **Appendix 3**, and Statement of Community Involvement at **Appendix 4**. It takes account of the findings of the new evidence base (the details of which can be found in the appendices attached to the Local Plan Report itself), including the Housing Supply in the Borough of Stockton-on-Tees Five Year Deliverable Housing Supply Final Assessment: 1st April 2016 to 31st March 2021 at **Appendix 5**. The Habitats Regulation Assessment is being prepared and will be available, in full, for consideration prior to and appended to reports to Cabinet and Council.

A period of public consultation is required before they can move on to the next stage in their production and this report is an opportunity for Members to provide comments to Cabinet and Council on those documents and note the five year housing land supply position. It should be noted that to enable timely progress of the documents, delegated powers are sought to make minor amendments to the plan before public consultation.

It is proposed that the period of public consultation is between 21st November 2016 and 20th January 2017. Following the close of the consultation, all comments received will be assessed and appropriate amendments to the documents will be made. The "publication" or "Regulation 19" version of the Stockton on Tees Local Plan will then be published for final public consultation before submission to the Secretary of State for independent examination. The Statement of Community Involvement is recommended for adoption and will be published if the recommendation is accepted.

## **RECOMMENDATION:**

Members are requested to:

1. Note the content of the Draft Stockton on Tees Local Plan, Policies Map and Sustainability Appraisal and provide comments for consideration by Cabinet and Council
2. Note the current position in the production of the Habitats Regulations Assessment as set out in paragraph 25.
3. Note that any minor changes to the Draft Stockton on Tees Local Plan and Policies Map and associated documents prior to public consultation are recommended for delegation to the Director of Economic Growth and Development in consultation with Chair of Planning Committee and Cabinet Member for Regeneration and Transport.
4. Note that the Statement of Community Involvement is recommended for adoption by Council.
5. Note the position regarding housing projections and five year supply as set out at paragraphs 28 and 29.

## **BACKGROUND**

1. In June 2016, Cabinet agreed to the production of a new Local Plan and supporting documents to replace the existing policy documents and supersede the previous approach of the production of the Regeneration and Environment Local Plan, and steps towards the adoption of the Statement of Community Involvement.
2. The draft Local Plan attached to this report at **Appendix 1** is accompanied by a Policies Map at **Appendix 2**, a Sustainability Appraisal at **Appendix 3**, and Statement of Community Involvement at **Appendix 4**. It takes account of the findings of the new evidence base (the details of which can be found in the appendices attached to the Local Plan Report itself), including the Housing Supply in the Borough of Stockton-on-Tees Five Year Deliverable Housing Supply Final Assessment: 1st April 2016 to 31st March 2021 at **Appendix 5**. The Habitats Regulation Assessment is being prepared and will be available, in full, for consideration prior to and appended to reports to Cabinet and Council.

### **Purpose of the Consultation**

3. The purpose of the consultation under Regulation 18 is to invite comment on the proposed draft Local Plan, which, alongside the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG), will become the basis for determining planning applications when the Plan is adopted; whether the proposed Planning Policies would deliver sustainable development and meet the Local Plan's Objectives; and what alternative approach(es) might better achieve these objectives (supporting evidence required) and whether there are any gaps or omissions in the Planning Policies. At the end of each section are a series of questions, seeking to elicit views on specific policies and approaches.

## A New Local Plan for Stockton on Tees

- The introduction sets out the purpose of the Local Plan and its relationship to other plans and strategies. It sets out the structure of document under the themes shown in **Figure 1** below and under the chapter headings of Vision and Strategy, Housing, Economic Growth, Transport and Infrastructure, and Environment and Climate Change (including Historic Environment).

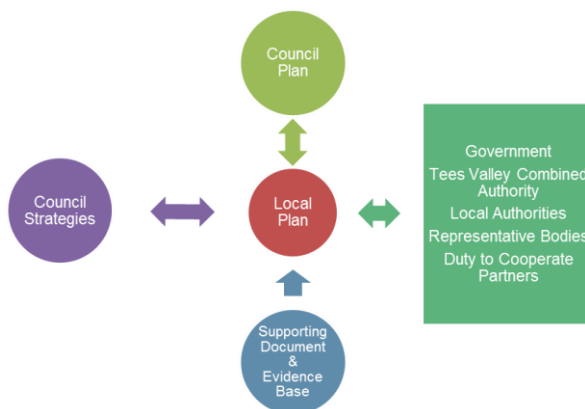
Figure 1 – Local Plan Themes



## Local Plan Chapters

- The Introduction to the document explains the purpose of the draft STLP, the legislative and policy background, and our obligations in terms of Duty to Cooperate. Importantly, it shows how the Local Plan will deliver the spatial element of the Council Plan, and its links with other plans and strategies. **Figure 2** below illustrates those links.

Figure 2 – How the Local Plan links to other strategies



6. The document then goes on to set a **Vision** for Stockton Borough in 2032:

*“In 2032 the major settlements and industrial locations in Stockton-on-Tees Borough are fundamental to the economic growth and success of the Tees Valley City Region and its positive contribution to the northern and national economies. Economic growth continues to be focused on low carbon and sites of strategic importance as well as established sites which are accessible from the strategic transport networks and remain attractive to local businesses and new inward investment.*

*Economic growth across the Borough is supported by a high quality local road network, and modern sustainable transport and communications infrastructure. Residents and visitors make full use of opportunities for sustainable transport choices.*

*The upgraded and regenerated town centres of Stockton, Billingham and Thornaby, in addition to Yarm, provide opportunities for a range of improved retail, culture, leisure, and related facilities. Residents have access to the very best in housing, education and training, health care, employment, sport, recreational and cultural facilities, which has created a better quality of life for existing and future generations.*

*Sustainable communities have been created through prioritising new housing development on areas of previously developed land within the conurbation and at a sustainable urban extension at West Stockton, as well as extensions to other main towns in the conurbation. Wynyard has grown in to a sustainable settlement of high quality, accommodating a mix of executive housing, market housing and additional employment development. All residents have access to high-quality social, community and green infrastructure.*

*The diversity, quality and character of the natural and built environment, together with the Borough’s unique historic assets continue to be valued, protected, enhanced and resilient to climate change for the benefit of everyone.”*

7. This is accompanied by eleven strategic objectives through which it is intended to achieve the vision:

#### Business

- To encourage economic growth, job creation and a more entrepreneurial culture within the Borough, as a means of diversifying the economic base and strengthening existing economic strengths, clusters and sectors.
- To identify sufficient employment sites and premises to ensure the needs of inward investors, as well as, existing and new businesses are met.

#### People

- To support education and training opportunities to enhance the skills of the existing and future workforce, whilst retaining and attracting highly skilled people.
- To ensure sufficient land is identified for the new homes required to meet the objectively assessed housing needs of the population.

- To provide high quality services and facilities for the Borough's growing and ageing population, with an emphasis on health care, education and training, together with sport, leisure, recreation and cultural pursuits.
- To promote equality and diversity whilst ensuring all of Stockton-on-Tees Borough's residents live in strong, prosperous, cohesive and sustainable communities in a safe, healthy and attractive environment.

#### Place

- To ensure better use of resources, particularly the re-use of vacant premises and previously developed or under-used land in the conurbation.
- To deliver healthy and vibrant town centres, enhancing the role of Stockton as the main centre, and improving the environments of the Borough's district and local centres.
- To enhance local identity and sense of place through the protection and enhancement of the Borough's natural and built environment, green infrastructure, biodiversity, cultural and heritage assets in the area.
- To achieve a healthy, vibrant and successful low carbon community, resilient to the challenges of climate change and resource pressures.

#### Infrastructure

- To ensure good accessibility for all to jobs, facilities, goods and services within the Borough, and to improve communications infrastructure links to other areas of the Tees Valley and beyond.

### **Strategic Development Strategy**

8. The section of the plan contains introductory policies relating to 'Strategic Development Needs' and strategies for housing, economic growth, environment and climate change, and, transport and infrastructure are set out in later chapters of the Plan.
9. **Presumption in favour of sustainable development-** this policy is considered an appropriate way of meeting the Government's expectation that Local Plans are based upon the presumption in favour of sustainable development and have clear policies that guide how the presumption should be applied locally.
10. **Infrastructure Delivery and Viability-** this policy identifies the approach to the delivery of infrastructure within and alongside new development as it is essential to the delivery of sustainable development and the creation of sustainable communities. It sets out that development will only proceed where a development is viable; and identifies the approach to infrastructure delivery where the viability of a site is threatened.
11. **Sustainable Design Principles-** the Council is committed to ensuring all new development fits in to the surrounding area ensuring both residential and commercial environments remain attractive places to live or invest. The principles set out in this policy provide the contextual, design, and highway

principles which every proposal should be assessed against to ensure that it delivers a sustainable form of development.

12. Strategic Development Strategy SD2 sets out the Borough's Objectively Assessed Need (OAN) for housing and requirements for economic growth, including town centre uses, over the plan period. These are set out in Table 1 below:

**Table 1 – Strategic Needs**

<b>Housing</b>	Based on the OAN of 11,061 dwellings
<b>Economic Growth</b>	
<u>General Employment Land</u>	<ul style="list-style-type: none"> <li>• 115ha</li> </ul>
<u>Specialist Uses</u> (including chemical and process, energy generation, waste processes, port related uses and other uses)	<ul style="list-style-type: none"> <li>• 120 ha</li> </ul>
<u>Airport Related Uses</u>	<ul style="list-style-type: none"> <li>• 70 ha including 20 ha for general employment uses</li> </ul>
<u>Town Centre Uses (over the Borough)</u>	<ul style="list-style-type: none"> <li>• By 2032: Up to 2,950sqm of convenience retail</li> <li>• Up to 2021: Up to 4,500 sq.m. of comparison retail. ( Beyond 2021 to be determined by retail capacity assessment)</li> </ul>

### The Key Diagram

13. Part of the draft Local Plan document and indicative, as opposed to the detailed Policies Map, the key diagram provides a geographical representation of the broad locations of strategic locations and land uses. This can be found on page 39 of the draft STLP.

### Housing

14. This chapter seeks to identify a range of suitable, available and achievable housing sites, to satisfy the Borough's housing needs based on the OAN of 11,061 homes. This OAN evidence is the first step in the process to determining a housing requirement for the local plan. Further consideration is required of:
  - How housing needs across the housing market area will be met- The housing market area identified in our evidence includes the boroughs of Stockton-on-Tees, Middlesbrough and Redcar & Cleveland. It will

therefore be appropriate for us to consider the approach being taken by these authorities in establishing their housing requirement.

- How affordable housing needs will be met- the evidence identifies that there is a need for 40% of the OAN to be delivered as affordable to meet identified needs. However, it has been identified that only 20% affordable is affordable on most sites. One option for boosting the amount of affordable housing is to increase the housing requirement.
15. How the housing requirement should be phased- potential options include an average across the plan period or phasing linked to population projections
  16. This section also covers the requirement to maintain a five-year supply of deliverable housing land in sustainable locations (Paragraphs 28 and 29 and the full document at **Appendix 5** refers) alongside a range and mix, with reference to the nature of homes, and contains a separate policy which seeks to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeople.

### **Economic Growth**

17. This chapter sets out the policies and sites to achieve sustainable economic growth in appropriate locations. Policy also seeks to maintain and enhance the vitality and viability of town centres, the appropriate management and growth of town centres, introduces the Town Centre Hierarchy and the general considerations that apply to town centre use development proposals. It sets the Council's approach to the development of local shops and services, farm diversification and homes proposed for agricultural, forestry and other rural based enterprise retail uses

### **Transport and Infrastructure**

18. This chapter seeks to deliver sustainable communities and promote community cohesion. It details the Council's approach to, and details supported schemes which will deliver transport, community and communications infrastructure. It seeks to secure community access to facilities to fulfil education, cultural, social, leisure/recreation and health needs. In respect of transport, where appropriate the Council will seek to work with partners to provide a sustainable transport network – including the bus, rail, footpath and cycleway network, infrastructure that enables rail and water freight movements, and local and strategic roads that are safe and give reliable journey times. In terms of new development policy seeks to ensure that new development protects sustainable and public transport infrastructure. It seeks to protect, maintain and improve existing and address deficiencies in education, cultural, social and leisure/recreation and health facilities, including playing fields and pitches. Support is given to the expansion and enhancement of necessary communications infrastructure, including telecommunications and high speed broadband.

### **Environment and Climate Change**

19. The Council aims to ensure that all new development, within feasibility and viability constraints, is energy and resource efficient, provides resilience to the impacts of climate change, supports delivery of renewable and low carbon energy generation and consumption, contributes to creating a low carbon community and reduces levels of fuel poverty.



20. The plan seeks to plan positively for the creation, protection and enhancement and management of networks of biodiversity and green infrastructure. In particular, reference is made to the need to protect and where possible enhance internationally, nationally and locally designated sites. Policy seeks to ensure that ecological networks and green infrastructure are enhanced, extended and created and that green infrastructure to be integrated into new developments, and open space is protected. Furthermore, this chapter deals with flood risk, and policy seeks to protect human health, amenity or the environment, through measures to ensure that development proposals prevent or reduce ground, air or noise or light pollution.
21. This chapter is also the home to the Council's approach to positive strategy for the conservation and enjoyment of the Historic Environment, and introduces the SPD 4 Conservation and Historic Environment Folder, the Historic Environment Record and the Council's Heritage Strategy Action Plan. Policies seek to ensure the identification, conservation and enhancement of Stockton's Heritage Assets.

### **Supporting Assessments and Documents**

22. The draft STLP is supported by documents which direct the timetable for progression to Adoption and Statement of Community Involvement.
  - The Local Development Scheme (LDS) sets out the documents which will comprise the Local Plan for the area and a timetable for their production. It is publicly available and kept up to date. This document can be found on the Council's website.
  - The Statement of Community Involvement (SCI) sets out how the Council will engage with communities when producing the Local Plan. This document has been consulted upon and a Consultation Statement attached that document sets out the representations received and our response to them. It is recommended to Cabinet and Council for adoption. This document is available at **Appendix 4**.

A tailored Consultation Strategy for the STLP is attached as an Appendix to that document.

23. For the proposed public consultation, two documents will accompany the draft STLP and Policies Map - these are the Sustainability Appraisal and Habitats Regulation Assessment.
24. Sustainability Appraisal (SA) - This is a statutory document which informs the preparation of a local plan. It outlines 16 sustainability objectives and uses these to assess the sustainability of the plan's vision and objectives and the likely effects of the implementation of the plan's policies, site allocations and designations. The SA compares all reasonable alternatives including the preferred approach and assesses these against the baseline environmental, economic and social characteristics of the area and the likely situation if the STLP were not to be adopted. The SA is an iterative process that informs each stage in the development of the STLP. It has allowed the draft STLP policies to be developed and strengthened to ensure a more sustainable outcome. This document is available at **Appendix 3**

25. Habitats Regulations Assessment (HRA) – This assessment is a statutory requirement if it is considered likely that a plan or project will have significant effects on European habitats or species, located in the local planning authority’s area or in its vicinity. Like the SA, the HRA informs policies in the draft STLP. The assessment is being prepared and will be available for consideration prior to Cabinet and Council. Any changes that may be indicated by the HRA can be made to draft STLP document via delegated powers as recommended at point 3 above, prior to public consultation. Members should note that the full HRA will be available for consideration at Cabinet and Council, at Member Briefings, and throughout this and future public consultation.
26. The next version of the Local Plan, the Publication Draft STLP, will be accompanied by a further complement of supporting documents and these will include:
- Infrastructure Strategy and Schedule which identifies baseline infrastructure and assesses what additional infrastructure will be needed to deliver the development identified in the plan. The Schedule will detail up to date cost estimates, timings, funding sources and mechanisms, and those responsible for delivering individual infrastructure projects.
  - Consultation Statement which outlines the consultation activities undertaken in the preparation of the Stockton on Tees Local Plan to fulfil the requirements of Regulation 22 (1) (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. This will set 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, and how the representations have been taken into account in the preparation of the Stockton on Tees Local Plan
  - Duty to Cooperate Statement which identifies how the Council have engaged with partners to fulfil the requirements of the duty as specified within the NPPF.
27. The wider evidence base documents which underpin the approach and policies in the STLP are listed in the draft STLP Appendix. These and the remaining documents will be available on the Council website at the beginning of the consultation period.

**Five Year Deliverable Housing Supply Final Assessment: 1st April 2016 to 31st March 2021**

28. The NPPF requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against our housing requirement. The latest document is the “Housing Supply in the Borough of Stockton-on-Tees: Five Year Deliverable Housing Supply Final Assessment: 1st April 2016 to 31st March 2021”.
29. This Assessment shows that the Council is unable to demonstrate a 5 year supply of deliverable housing land against the OAN. It should be noted that in accordance with National Planning Practice Guidance the weight attributable this assessment, which is based on the OAN, should take account of the fact

that the OAN has not been tested or moderated against relevant constraints. In this regard the Council consider that this assessment should be given limited weight at this time. The full document is attached at **Appendix 5** and will be made available from 7<sup>th</sup> November 2016.

### **Next Steps and Further Opportunities to Comment**

30. Following endorsement by Cabinet and approval by Full Council, Stockton on Tees Local Plan, Policies Map, together with the Habitats Regulations Assessment and Sustainability Appraisal will be made available for a period of public consultation scheduled to commence on 21st November 2016 and closing on 20th January 2017. The Statement of Community Involvement would be adopted and published.
31. Further information on the progress of Local Plan is set out in the Local Development Scheme (2016 - 2019). A full copy of this document is available to view on the Council's website. The main 'next steps' are: below:
  - 'Regulation 18' period of public consultation - 21<sup>st</sup> November 2016 to 20<sup>th</sup> January 2017.
  - Spring 2017- Review and amend documents in response to representations received.
  - Summer 2017- Prepare the 'Publication Draft' version of the Local Plan, associated documents and the evidence base for the 'Regulation 19' stage public consultation.
  - Autumn 2017- Submission of Local Plan associated documents and evidence base for Examination in Public

### **Corporate Director of Economic Growth and Development Contact Officer Name: Richard McGuckin**

#### **Financial Implications –**

Provisions for the production of the Stockton on Tees Local Plan has been made within existing budgetary provision.

#### **Environmental Implications –**

The Stockton on Tees Local Plan contains 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 Stockton on Tees Local Plan 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 Stockton on Tees Draft Local Plan supports 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 –**

Stockton-on-Tees Draft Local Plan and Policies Map

Stockton on Tees Draft Local Plan Sustainability Appraisal

Statement of Community Involvement

Housing Supply in the Borough of Stockton-on-Tees Five Year Deliverable Housing Supply Final Assessment: 2015 to 2020

Evidence Base Documents listed in Appendix attached to the Stockton on Tees Draft Local Plan

**Ward**

The contents of the Stockton on Tees Local Plan affects all wards of the Borough.

