

Cabinet

20 November 2008



County Durham Local Development Framework: Local Development Scheme Key Decision Env/EN/10/08

Report of John Richardson, Corporate Director, Environment Cabinet Portfolio Member for Environment - Councillor Bob Young and Cabinet Portfolio Member for Economic Regeneration – Councillor Neil Foster

Purpose of the Report

- 1 This report seeks Cabinet approval for the Local Development Scheme for the new County Durham Local Development Framework. The Council is required to submit an agreed Local Development Scheme to the Government before the 31st December 2008. The full document is attached to this report and a copy is available in the Members' Resource Centre.

Background

- 2 All Local Planning Authorities have a statutory requirement placed upon them to prepare and maintain an up to date development plan for their area. The Development Plan comprises the Regional Spatial Strategy and Local Development Frameworks.
- 3 The draft Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008 published on 18 June 2008 proposed that the Implementation Executive leading the transition to unitary status will become the local planning authority in relation to the Local Development Framework upon enactment. Although not enacted at the time of writing this is expected to have taken place by the date of this meeting. If enactment has not happened then it is expected that the Government will give the Council extra time to adopt the Local Development Scheme and therefore this report will need to be deferred until a Council Meeting after enactment. The Local Development Scheme has also been put on the agenda for each of Districts' Cabinets and Executives in December for information.
- 4 The Local Development Framework comprises a folder of documents that together make up the development strategy for an area. These documents are known as Local Development Documents comprising Development Plan Documents and Supplementary Planning

Documents and will allocate sites for development, set out criteria for determining planning applications and set out how the Community and Corporate Plans and other strategies including, the South and East Durham Growth Point, will be implemented through local spatial planning, including waste and minerals. The Local Development Framework can also include Area Action Plans that are used in specific areas of significant change or conservation.

- 5 The Local Development Scheme is the project plan setting out the timescale for the production of the Local Development Framework which will form the basis of a Service Level Agreement with Government Office North East.
- 6 The Local Development Framework is a key document for the new Council. It provides the planning framework embodied in spatial documents that are required to deliver local priorities as set out in the Sustainable Community Strategy through facilitating and delivering development. There is therefore a requirement to draw the two processes together.
- 7 The Local Development Framework will be based on the requirements set out in the Regional Spatial Strategy and at the local level will need to embrace the aspirations of the County Council set out in the Sustainable Community Strategy. The policies and proposals will need to be based on accurate and tested evidence and needs assessment. The evidence needs to include the Economic Assessment of the County, the Joint Strategic Needs Assessment, the Strategic Housing Market Assessment, aligning with the principles set out in Transforming Places. The Local Development Framework will provide the planning framework to deliver the County's vision for economic prosperity and improved quality of life. The key to this will be the Economic Strategy, the Local Transport Plan and other County based plans and strategies including the growth point areas.

Current Position

- 8 None of the key components of Local Development Framework production, by either District or County, reached the 'formal' stage of plan production, ie submission stage, although for Sedgfield and Easington submission stage was originally planned for March and May 2008 respectively. The vast majority of Core Strategy production was expected to reach Preferred Options stage during 2008 (7 of the 9 plans being prepared). Only the core strategies for Durham City Local Development Framework (April 2010) and the Waste Strategy (June/July 2009) lie outside this time framework. The latest date for a Core Strategy to reach Preferred Option stage was anticipated to be April 2010.
- 9 The planning system made provision for existing policy documents to be 'saved,' so that they remain part of the statutory development plan

and continue to be used in the determination of planning applications, safeguarding against a 'policy vacuum'. Specific policies in all of the Local Plans that were still appropriate and conformed with current national and regional policy have been saved indefinitely until they are replaced by new Local Development Framework policies.

- 10 In response to the July 2007 Housing Green Paper, the Durham Housing and Neighbourhoods Partnership, prepared and submitted a New Growth Point Bid for the area covering South and East Durham. Based along both the A19 and Bishop Auckland-Darlington Economic Corridors, the Durham Growth Point seeks to deliver accelerated housing and employment growth, in order to address economic and regeneration needs within these communities. In East Durham proposals focus on the two main towns of Seaham and Peterlee, whilst in South Durham the triangle of towns comprising Newton Aycliffe, Bishop Auckland and Spennymoor are the primary focus. The proposals deliver growth through a number of mixed use strategic sites and the implementation of town centre regeneration schemes, together with housing market renewal in the priority settlements of Peterlee, Coundon, Ferryhill and Chilton. These will be delivered alongside a number of planned improvements in both transport and community infrastructure within these localities.
- 11 An announcement in July 2008 confirmed that the Bid had been successful. Notwithstanding this, the proposals as set out in the Bid still need to be tested through the Local Development Framework process. It will therefore be essential to reflect the policy platform required to enable the timely delivery of the Growth Point within the Local Development Documents proposed in this Local Development Scheme and the Growth Point is therefore fundamental to the content of the County Durham Local Development Framework.

Content of the Local Development Scheme

- 12 It is proposed that the first Local Development Scheme includes milestones for the following documents:
 - **The Core Strategy** - contains the overarching strategy for future development of the County, including minerals and waste, to which all subsequent planning documents must conform. The Core Strategy will cover the period up to 2026. It will include a vision and strategic objectives, a spatial strategy, core policies, strategic development sites and a framework for monitoring and implementation.
 - **The Growth Point Area Action Plans** - will be separate but co-ordinated Area Action Plans covering Central and Eastern Bishop Auckland, Peterlee and Spennymoor. Although three separate Development Plan Documents they will be closely co-ordinated and run parallel to the timeline for the Core Strategy until the Examination stage when they will be staggered by a month to ensure that the Core Strategy is likely to be found sound.

- **Design and Sustainability Supplementary Planning Document** – will provide guidance on how new development should be designed and constructed. This will help achieve high design standards to reflect the aims and ambitions of national advice and guidance and local aims and objectives. It is also intended to address some of the causes of climate change.

13 The initial focus will be on those Local Development Documents that are clearly vital to spatial planning in the County or where resources are already committed. However there are other Local Development Documents that will be produced when the time and resources are available and others, which may be produced if it becomes clear that they are required. These are listed below:

- Minerals and Waste Policies and Allocations Development Plan Document
- Site Allocations Development Plan Document
- The Stanley Town Centre Area Action Plan
- Newton Aycliffe Area Action Plan
- The Durham City Centre Area Action Plan
- The Barnard Castle Town Centre Area Action Plan
- The Chester-le-Street Area Action Plan
- The Consett Town Centre Area Action Plan
- Affordable Housing Supplementary Planning Document
- CIL/Planning Contributions Supplementary Planning Document
- Green Infrastructure Supplementary Planning Document

Political Management

14 The suggested procedure for political management of the Local Development Framework is set out below:

Development Plan Documents

- Full Council Resolution required for Adoption (Reg 36) stage.
- Cabinet Resolution required at Publication (Reg 27) and Submission (Reg 30) stages and to consider document before Adoption (Reg 36) stage.
- Central and Area Planning Committees and Overview and Scrutiny Panel to consider document before publication (Reg 27) and Submission (Reg 30).

Supplementary Planning Documents

- Cabinet to approve Draft for consultation.
- Full Council Resolution required for Adoption stage.
- Cabinet to consider document before Adoption.
- Overview and Scrutiny Panel and Central and Area Planning Committees given opportunity to comment at Draft stage.

Risk

- 15 A full risk assessment has been undertaken and a schedule of risks is shown in Appendix 1 of the attached Local Development Scheme.

Next Steps

- 16 Once the content of the Local Development Scheme has been agreed by Council it will be submitted to the Government Office for the North East by the 31st December 2008 deadline. It should be noted that Government Office has been involved in the drafting of the Local Development Scheme and have expressed support for its contents.
- 17 The Local Development Scheme will be used by the Council, through its Annual Monitoring Report, and by the Department of Communities and Local Government (for the purposes of calculating Housing and Planning Delivery Grant) to monitor the progress of the preparation of the Local Development Framework. If it becomes clear that milestones will not be met or that further Local Development Documents need to be produced then the Local Development Scheme will be reviewed.

Recommendation and Reasons

- 18 That Members approve the attached Local Development Scheme for submission to the Government by the 31st December 2008 deadline.

Background Papers

Draft Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008

Contact: Bob Hope Tel: 01388 761570

Appendix 1: Implications

Local Government Reorganisation

(Does the decision impact upon a future Unitary Council?)

The LDS is a project management tool for the production of a LDF for the new County Durham unitary authority.

Finance

In terms of financial resources to undertake evidence gathering, consultation and printing, it is estimated that a sum of £800,000 will be needed. It should be noted that County Durham's constituent authorities received £846,354 in Housing and Planning Delivery Grant for planning performance and successfully delivering new housing. In order to secure further Grant in the future, performance on LDF documents must be timely and in accordance with the milestones in this LDS.

Staffing

Resource issues are outlined in the attached LDS and particular reference to the sustainable appraisal capacity that will be needed.

Equality and Diversity

Equality and Diversity will be built into the LDF preparation process, particularly through the methods used for consultation.

Accommodation

None.

Crime and Disorder

None.

Sustainability

Sustainability Appraisal is a statutory part of the LDF preparation process and will inform all of its policies and proposals.

Human Rights

None.

Localities and Rurality

The needs and aspirations of all areas of the County including rural areas will be considered as part of the preparation of the LDF.

Young People

The views of young people will be extremely important and appropriate techniques will be used to ensure their involvement in the LDF preparation process.

Consultation

Wide ranging and comprehensive consultation is essential to ensure the soundness of all documents in the LDF. Full details of how the County's communities and other stakeholders will be involved in LDF preparation will be given in the Council's new Statement of Community Involvement due to be prepared in 2009. Until then the provisions of the Town and Country Planning (Local Development) (England) Regulations 2004 as amended, will be used. A small Member Steering Group has been set up to agree the content of the LDS. Two meetings have been held and Members have approved the LDS document for Cabinet consideration.

Health

None.