

Planning Committee

17 August 2007



Sedgefield Borough Council Local Development Framework

Report of Rod Lugg, Head of Environment and Planning

Purpose of the Report

- 1 To advise the Committee of four documents produced by Sedgefield Borough Council for consultation as part of its Local Development Framework (LDF):
 - i) Core Strategy (Preferred Options)
 - ii) Major Allocations (Alternative Options)
 - iii) Affordable Housing (Draft Supplementary Planning Document)
 - iv) Incorporating Renewable Energy Obligations into Development (Guidelines for Developers).

Members are asked to endorse the attached schedule of responses (Appendix 2). Copies of the Documents have been placed in the Members' Resource Centre.

Background

- 2 The Planning and Compulsory Purchase Act 2004 introduced major changes to the planning system in England. The Act requires the Borough Council to replace its existing Local Plan with a new style Local Development Framework comprising a number of documents. The Borough Council's Local Development Scheme, agreed with Government Office North East, prioritises preparation of a Core Strategy Development Plan Document (DPD). The Planning Committee considered a report on the Core Strategy in September 2006 and endorsed comments on alternative options. This report considers the Preferred Options now identified by the Borough Council.
- 3 Three other documents have also been produced for consultation. The Major Allocations DPD will identify new housing and employment allocations and is at the earlier Alternative Options stage. The latest advice from the Planning Inspectorate is that the Core Strategy should be examined and found to be sound before site specific matters are considered at a future public examination. The other two documents provide supplementary advice and guidance on affordable housing and energy matters.

i) Core Strategy Preferred Options Document

- 4 The Preferred Options document takes forward representations received on earlier consultation documents as well as having regard to changes in national planning policies and emerging regional policy documents such as the Regional Spatial Strategy and the Regional Housing Strategy. The options supported by the County Council in its earlier comments have been selected as the Borough Council's "preferred options" and this is to be welcomed. The preferred policy approach with reasons is outlined for each of the 17 policy areas. The actual detailed policies will be the subject of further consultation when the submission version of the Core Strategy is submitted to the Secretary of State for examination. Details of the preferred options are listed in Appendix 2 together with the County Council's suggested response.

ii) Major Allocations Alternative Options Report

- 5 The eventual Major Allocations DPD will identify new housing and employment allocations. This is the first formal stage of considering alternative site options. The Borough Council seeks to prioritise the most important employment sites and review the rest of the remaining employment land portfolio. 120 alternative housing sites, including some from existing planning documents and some suggested by landowners or developers, have been categorised into a Search Sequence developed from the sequential approach in the Regional Spatial Strategy, which prioritises locations in the main towns and villages and the use of previously developed land. The alternatives have also been assessed against sustainability criteria on accessibility to services and facilities, environmental impacts, climate change, flood risk etc. Those sites eventually selected for allocation must contribute to the achievement of sustainable communities in accordance with the emerging core strategy policy approach and the issues identified through sustainability appraisal. The approach to assessing alternative sites is worthy of support.

iii) Draft Affordable Housing Supplementary Planning Document

- 6 The requirement for this document has arisen because of the significantly changing housing market across the Borough with an increasing differential between house prices and household incomes. The document provides detailed advice and guidance on affordable housing issues to secure the delivery of affordable housing to meet local needs through the development control process. The preparation of the document is welcomed.

iv) Incorporating a Renewable Energy Obligation into Developments – Guidelines for Developers

- 7 The document aims to help developers by providing a clear and easy to understand guide for integrating renewable energy into new developments or major refurbishments of 10 or more residential units or over 1000 square metres of floorspace. The intention in the first

instance is to provide at least 10% of the predicted energy requirements from renewable sources. This approach accords with national and regional planning policy and is welcomed.

Conclusions

- 8 The publication of the four documents represents significant progress by Sedgefield Borough Council in developing an updated planning policy framework to replace its existing Local Plan. The County Council's suggested response offers broad support for the policy approaches taken, with detailed comments in relation to the strategic policy context provided by the Regional Spatial Strategy where appropriate.

Recommendation and Reasons

- 9 The Committee is recommended to endorse my comments in Appendix 2 as the County Council's formal response to Sedgefield Borough Council on its four LDF documents.

Background Papers

Sedgefield Borough Council Local Development Framework: Core Strategy Preferred Options; Major Allocations Alternative Options; Draft Affordable Housing Supplementary Planning Document; Incorporating a Renewable Energy Obligation into Developments – Draft Guidelines for Developers

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Appendix 1: Implications

Finance

None

Staffing

None

Equality and Diversity

None

Accommodation

None

Crime and Disorder

None

Sustainability

Achieving sustainable development is a central requirement for Local Development Frameworks and the relevant documents have been subject to full sustainability appraisal.

Human Rights

None

Localities and Rurality

Proposals contained within the LDF will affect the whole of Sedgefield Borough, including rural areas.

Young People

The planning system promotes community involvement including that of young people.

Consultation

Sedgefield Borough Council requires responses on the LDF documents by 28 August 2007.

Health

The sustainability appraisal has highlighted the need for a policy in the Core Strategy to deal with community safety, health and well being.

Appendix 2: Durham County Council's Suggested Responses to Sedgfield Borough Council Local Development Framework Documents

1. Core Strategy Preferred Options

Aims and objectives

The County Council continues to support the aims and objectives of the Core Strategy.

Policy Areas:

1) Achieving Sustainable Development

The County Council supports the preferred option selected and the criteria set out in the policy approach.

2) Locational Development Strategy

The County Council supports the option of promoting development in regeneration areas by focussing development on existing urban areas with more limited development in the villages to sustain these communities. The sequential approach covers all types of development and not just housing. However it should be made clear in developing future policy that the inclusion at the end of the sequence of "development in the countryside", if it is unrelated to existing towns or villages and not a planned extension, is the exception and should only relate to types of development which depend on the natural resources of the countryside.

3) Housing Strategy

The County Council supports the option of promoting housing development in regeneration areas, with priority given to the regeneration towns of Newton Aycliffe, Spennymoor and Shildon and "other settlements identified in Local Development Frameworks as providing a significant opportunity in terms of previously developed land and buildings" - Policy 3 Regional Spatial Strategy (RSS) Proposed Changes. The figures for net additions to the housing stock in the Borough reflect the position in the Submission Draft RSS. The County Council has supported the revised housing figures produced by the North East Assembly in response to the Secretary of State's Proposed Changes to RSS which would give an allocation of 260 per annum over the period 2004-21 rather than 235. However the situation remains uncertain and the LDF will need to reflect the Secretary of State's future decision on the finalised RSS.

4) Affordable Housing

The County Council supports the option of delivering affordable housing through negotiation on a site by site basis rather than applying a prescriptive percentage on all sites, whilst seeking to achieve a 20% plan target for affordable housing overall.

5) Housing for Special Needs Groups

The County Council supports the option of taking a pro-active approach to ensure that developers cater for the needs of special needs groups within their development schemes. The Regional Housing Strategy 2007 details the work to meet specific community and social needs, including work undertaken within County Durham on the housing needs of vulnerable people which should be considered in relation to the policy approach.

6) Gypsy and Traveller Accommodation

The County Council supports the need to take a pro-active approach in the LDF and supports the preferred policy approach for a criteria based policy which accords with national guidance and Policy 32 of RSS.

7) Design of Built Environment

The County Council supports the option of promoting high quality design with new housing to conform to the DCLG code for sustainable homes. Support is also given to the extension of the policy theme to ensure the protection of the “streetscene” and the suggested policy approach.

8) Landscape Character

The County Council supports the option for development to respect landscape character and welcomes a policy approach based on the County Council’s Landscape Character Assessment and Landscape Strategy.

9) Conservation

The County Council supports the option for promoting high quality design that conforms with Conservation Area Appraisal guidance.

10) Transport

The County Council supports the option and policy approach of locating new development with regard to reducing the need to travel and encouraging accessibility by a choice of sustainable transport modes to reduce dependence on the private car.

11) Energy

The County Council supports the options selected in relation to promoting energy efficiency in new buildings and developing a new positive policy approach to renewable energy generation whilst protecting sensitive landscapes from inappropriate development. The suggested policy approach takes account of the RSS requirements for embedding renewable energy in new developments and this is developed in the guidance document – see comments below. With regard to wind turbines, the development capacity study for the East Durham Limestone Area, now underway with the NEA, should help to inform policy development for that part of Sedgefield Borough.

12) Managing Flood Risk

The County Council supports the option of implementing a sequential flood risk assessment approach to development and encouraging the use of Sustainable Urban Drainage Systems.

13) Open and Green Space

The County Council supports the option to ensure development helps to maintain, improve or create community access to areas of open or green space. The policy approach is supported by RSS Policy 7 (7.6a Proposed Changes) on the establishment of strategic networks of green infrastructure in the Tees Valley City Region which includes Sedgefield Borough.

14) Biodiversity and Geodiversity

The County Council supports the option for development to maintain and enhance the biological and geological heritage of the Borough as well as the creation and restoration of habitats. Policy 35 of RSS sets out the strategic methodology for protection and enhancement which should help to inform the Borough’s policy approach. The wording in relation to national sites would convey the high degree of protection and the presumption against development better if the word “only” was inserted. “Development adversely affecting national sites will be permitted *only* in exceptional circumstances”.

15) Key Employment Locations

The County Council supports the option to align the provision of employment land more closely with the economic and social needs of the Borough and the need to undertake a comprehensive review of employment sites. It is agreed that Green Lane, Aycliffe Industrial Park and NETPark should be protected and promoted whilst providing for local employment opportunities elsewhere in key settlements in line with the results of the review of sites. The County Council supported the NEA's proposal to seek the re-instatement of Heighington Lane West in RSS as a logistics site and the LDF will need to take account of the Secretary of State's decision on further Proposed Changes to RSS and the outcome of the outline planning application.

16) Retailing and Town Centres

The County Council supports measures to protect the vitality and viability of town centres in the Borough in line with their sub-regional role as service centres for their surrounding hinterlands. Promoting the diversification of town centres to support residential and office development and other compatible uses whilst ensuring the prime use of town centres remains as A1 retailing is an appropriate policy approach.

17) Tourism and Arts

The County Council supports the option of tourism and arts development provided there is no resultant environmental harm. Recognition of the need for "sustainable tourism", that is, development subject to the sequential approach and accessible by sustainable modes of transport, is welcomed.

2. Major Allocations Alternative Options

Employment

The County Council supports the prioritisation of NETPark, Green Lane and Aycliffe Industrial Park as primary employment sites whilst providing for local employment opportunities elsewhere in key settlements in line with the results of the review of employment sites. In particular, NETPark is a unique hub for research, innovation and technology transfer and its strategic role is recognised in both the County and Regional Economic Strategies. The County Council supported the NEA's proposals to seek the re-instatement of Heighington Lane West in RSS as a logistics site and to relax the constraints on NETPark's expansion imposed in the Proposed Changes. The LDF will need to take account of the Secretary of State's decisions on further Proposed Changes to RSS and the outcome of the outline planning application at Heighington Lane West.

Housing

Reference is made to the sequential approach to development set out in Policy 3 of the Submission Draft RSS, but the insertion of the additional clause in the RSS Proposed Changes now needs to be recognised. This clarifies and widens the definition of "urban areas" to include "other settlements identified in LDFs as providing a significant opportunity in terms of previously developed land and buildings". Policy 7 of RSS Proposed Changes supports the regeneration of Newton Aycliffe, Spennymoor and Shildon for sustainable indigenous growth. Policy 7 also refers to developing housing to support the economic growth strategies in sustainable locations, mainly on previously developed land in areas where it does not undermine existing housing markets, particularly housing market restructuring areas. The County Council supports the Borough Council's methodology for assessing sites as well as the priority given to housing development in the regeneration towns and the use of previously developed land in sustainable locations in the emerging Core Strategy. Within this strategic policy context the location of new housing sites is a matter for the Borough Council to decide.

3. Draft Affordable Housing Supplementary Planning Document (SPD)

The production of this SPD to address affordable housing issues is welcomed. The Regional Spatial Strategy (para 3.98 - 3.99 and Policy 32 – Proposed Changes) recognises that significant inequalities in demand and affordability in the region's housing stock show that it is not meeting the housing needs of people on modest or low incomes. In particular the RSS identifies that former coalfield areas in southern parts of County Durham, which includes Sedgfield Borough, have mixed patterns of high and low demand.

The SPD's proposed threshold for affordable housing of 15 or more dwellings accords with national policy in PPS3 and is supported. It is noted that a lower threshold may apply in future should this be justified by housing needs evidence. The Housing Needs Survey 2003 suggests that all future permissions for housing should include 20% affordable provision. However, the Survey is somewhat dated as para 3.6 refers to the housing market in the Borough having changed significantly over the last 3 years. It is noted that future needs will be identified through the Strategic Housing Market Assessment that is now underway in the County. The approach of undertaking individual site assessments in relation to conditions in the wider housing community is supported.

4. Guidelines for Developers on Incorporating Renewable Energy into Built Development

The proposed requirement for all new major developments to generate 10% of the predicted energy requirements from renewable sources accords with both PPS22 (paragraph 8) and with the Regional Spatial Strategy (Policy 39 (e) - Proposed Changes). RSS also requires that plans seek to achieve more than 10% where appropriate. The Guidelines propose to achieve this by applying a 1% increase in the requirement year on year. This will help to 'signpost' future changes to developers, and to achieve a doubling of the requirement by 2020, matching the wider renewable electricity target of 20% set out in RSS Policy 40.

The Guidelines rightly emphasise that the renewable energy requirement in new development can be reduced if developers first consider energy efficiency. This approach is in line with the energy hierarchy which places an emphasis on energy efficiency and sustainable design before use and supply of energy is considered.

The challenge is going to be in the implementation of the policy. The Guidelines recommend the use of the Building Research Establishment's Carbon Mixer toolkit, in order to calculate predicted energy demand and the consequential renewable energy requirement and indicate most appropriate renewable energy technologies. This is being endorsed and promoted by the North East Assembly. Durham County Council supports this approach, whilst acknowledging that the Carbon Mixer software package is still to be delivered to Local Planning Authorities and needs to be supported by adequate training.