

Planning Committee

19 September 2007



Wear Valley District Council Local Development Framework

Report of Rod Lugg, Head of Environment and Planning

Purpose of the Report

- 1 Durham County Council has been consulted by Wear Valley District Council on three documents as part of its developing Local Development Framework (LDF):
 - i) Creating a New District Plan: Setting the Context
 - ii) Core Strategy: Issues and Alternative Options Report
 - iii) Generic Development Control Policies: Issues and Alternative Options Report.
- 2 This report considers the three documents in relation to existing strategic planning guidance comprising the County Durham Structure Plan, the Local Transport Plan (LTP2) and the Regional Spatial Strategy for the North East (RSS). Wear Valley District Council originally requested the Council's response by 31st August 2007 but this was extended to 17th September 2007; holding responses were submitted by this date. Members are asked to endorse the comments in Appendix 2 to this report, which explains the County Council's response to each of the documents. Copies of all three documents have been placed in the Members' Resource Centre.

Background

- 3 The District Council's Local Development Scheme, agreed with Government Office North East, prioritises preparation of the Core Strategy Development Plan Document (DPD). Once prepared this document will provide the strategic planning framework for the District. The document will set out the vision, spatial strategy and core policies for meeting known and anticipated development requirements to 2021. All subsequent DPDs will be prepared to be in conformity with the Core Strategy.
- 4 "Creating a New District Plan: Setting the Context" document presents a profile of Wear Valley and identifies key issues facing the District, which the new LDF should seek to address. The purpose of this document is to provide the context for the development of the Core Strategy and Generic Development Control Policies. The other two documents consider the issues and alternative options available for developing the Core Strategy and Development Control Policies that will guide development in the District.

- 5 The setting in context document provisionally identifies three generic themes the LDF is to be developed around and thus forms the basis of the Core Strategy and Development Control Policies. These themes are:
- Planning for People
 - Planning for Place, and
 - Planning for Prosperity
- 6 The latter two documents conclude with advice regarding the need for an effective Implementation and Monitoring Framework. All three documents are considered in detail in Appendix 2 and were the focus of the Council's provisional response.

Conclusion

- 7 The documents are broadly welcomed. They pose a number of options which will have strategic implications for the planning of the County.

Recommendation

- 8 Members are requested to endorse the comments in Appendix 2 as the formal response of Durham County Council to Wear Valley District Council on its three Local Development Framework Consultation Documents:
- i) "Creating a New District Plan: Setting the Context" document
 - ii) Core Strategy: Issues and Alternative Options Report
 - ii) Generic Development Control Policies: Issues and Alternative Options Report.

Background Papers

Creating a New District Plan: Setting the Context
Core Strategy: Issues and Alternative Options Report
Generic Development Control Policies: Issues and Alternative Options Report.

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Appendix 1: Implications

Finance

None

Staffing

None

Equality and Diversity

None

Accommodation

None

Crime and Disorder

Options for developing the LDF to reduce crime and disorder are considered in the documents.

Sustainability

Sustainability is a recurring theme throughout the documents.

Human Rights

None

Localities and Rurality

The documents received relate to the development of a LDF for the whole of the Wear Valley District Council Area.

Young People

The documents consider the implications of developing spatial policy that is relevant to the needs and development of young people, including education.

Consultation

The consultation is being carried out by Wear Valley District Council.

Health

The documents consider the implications of developing spatial policy that is relevant to the health needs of the local community.

Appendix 2:

Creating a New District Plan: Setting the Context

General Comments

The bulk of the County Council's response to Wear Valley District Council relates to the Core Strategy and Development Control Generic Policies, however the following points were made regarding the issues raised in this document. The main concerns were around some apparent weak linkages between some of the issues and the options being presented.

A major concern was the lack of recognition that Climate Change is essentially a "People" issue as it largely is a result of human activity. As outlined in more detail in the Core Strategy section below, Climate Change issues need to be redefined and its profile raised in the new LDF. The Planning for People section looks at the attraction and retention of younger people. In the County as a whole there is evidence of immigration of east European workers. It is difficult to quantify at this stage how many of these transitory migrants will become naturalised or just stay short-term. The LDF should consider whether or not there is local evidence to suggest that opportunities are being missed through a lack of accommodation for such members of the community.

The issues considered in the Planning for Place section lack reference to building high quality design into the environment. There is no reason why quality design is the preserve of only the historical environment. It should be consistently high through all new development.

Educational achievement is mentioned in the draft Vision but it is not identified as a key issue in the Planning for Prosperity section. Greater attention should also be given to building an attractive environment for business. There is also some concern that the discussion document is over reliant on the role of retailing and leisure for bringing prosperity. More than half (7) of the issues raised in this section relate to retailing and leisure. To a great extent retailing and leisure often reflect prosperity rather than creating it. This section should place an emphasis on the creation of sustainable sources of employment.

It is agreed that the document provides an accurate profile of the district.

Core Strategy: Issues and Alternative Options Report

Draft Vision and Spatial Objectives

The draft Core Strategy presents a sound vision with 18 spatial objectives that are compatible with current strategic planning policy and the RSS (Secretary of State's Proposed Changes) Policy. The only concern is the categorising of one objective that relates to sustainable travel. SO18 is identified with the LDF theme relating to prosperity, although there are links with this theme and the theme of place, the objective should be more strongly associated with the theme of people.

Strategic Objective 18 is:

To reduce the need to travel and provide access to sustainable modes of transport for those who live work or visit the district.

A reason for this objective may be to reduce congestion for the benefit of the local economy, but it is equally essential to achieve essential improvements to the environment; however the only way the objective can be achieved is through the choices people make, it therefore has to be a people focussed objective. Both the Local Transport Plan (LTP) and the emerging RSS have the objective of promoting to people the wide ranging benefits of walking, cycling, using public transport on a regular basis and travelling by car much less.

Locational Strategy

Existing locational strategy is criteria based which in principle may have allowed development to be carried out in many of the District's settlements if it satisfied a comprehensive set of criteria, including the relevance of development to regeneration. RSS provides the strategic context in terms of specifying the settlements where development should be directed to be city region focussed. Wear Valley is in the Tees Valley City Region sphere of influence; Bishop Auckland and Crook are identified as Regeneration Towns and Stanhope is identified as a Rural Service Centre. RSS allows development to take place in these settlements commensurate to their status.

The option that the County Council supports is that of focussing growth in the towns of Bishop Auckland, Crook and Stanhope (Option 1 for Locational Strategy para 4.15). Although the focus of the development will need to be on regeneration in terms of Crook and Bishop Auckland and sustaining Stanhope as a Rural Service Centre, the sequential approach in Policy 3 of the RSS Proposed Changes (May 2007) also allows for development in "other settlements identified in Local Development Frameworks as providing a significant opportunity in terms of previously developed land buildings". Development that relies upon long distance commuting to the conurbation of the City Region will not be compliant to current or emerging regional strategy or LTP objectives related to reducing the need to travel.

Once strategic guidance is satisfied, the distribution of development is generally a matter to be determined at the District level. However the Core Strategy document includes a prediction on housing figures that turned out to be incorrect (Table B para 4.17), the result of the RSS Examination in Public did not recommend an increase in housing allocation for Wear Valley but a reduction to 2,040 for the period to 2021. The revised housing figures produced by the Regional Assembly in response to the Secretary of State's request for further information would give an allocation of 3,485 (2004-21). However the situation remains uncertain and the Core Strategy at the preferred options stage will need to reflect the Secretary of State's future decision on the finalised RSS.

Planning for People

Delivery mechanisms ensuring housing mix, affordable homes and tenure are policy issues to be determined locally, as are trigger points and mechanisms relating to the provision of open space, sport and recreation facilities and other community facilities.

The County Council acknowledges the consideration being given to the strategic requirement for these facilities.

In pursuance to strategic planning policy Durham County Council supports planning policy that prioritises the development of brownfield sites in the settlements of Bishop Auckland, Crook and Stanhope. In support for sustainable development options 1(a) and 1(b) should be pursued where the current approach is adopted or the “Urban Areas” are prioritised, RSS Policy 8 also allows for an appropriate scale of development in rural areas that is sufficient to sustain settlements and vibrant rural economy where there is an acceptable level of accessibility.

Planning for Place

In this section of the document a number of detailed options are presented regarding the promotion of sustainable development, protection of the environment and prudent use of resources including land. Most of the options are detailed actions and commitments which on the whole are compatible with existing and emerging strategic planning policy in whatever combination the District Council chooses to adopt.

The current strategic rising target on the directing 65% of development to previously developed land and reiterated in emerging RSS Policy 30 is adhered to in the documents options on brownfield development. Current strategic planning policy and emerging RSS Policy 30 recognise that low density housing may contribute to a better living environment; however there is a set average in the latest RSS draft of 30-50 houses per hectare. Local Development Frameworks are required to provide for this average density at the local authority level and set out criteria to define circumstances where lower densities are needed to achieve a better mix of housing.

Planning for Prosperity

The options presented in this section build upon existing and emerging strategic planning policy relating to developing the local economy, delivering a strong rural economy, increasing tourism potential and creating vibrant towns and villages. Specific mention is made of the Eastgate Renewable Energy Village Project, Bishop Auckland Town Centre Master Plan, Stanhope’s Market Town Initiative and the tourism opportunities brought through the local assets such as the North Pennines Area of Outstanding Natural Beauty and designated conservation areas throughout the District. In particular this section takes forward RSS Policy 1 – North East Renaissance.

Generic Development Control Policies: Issues and Alternative Options Report

This document is split between two sections. The first section relates to the document’s focus, appropriateness and scope. The second section relates to presenting the development control policy approach options under the three planning themes of people, place and prosperity.

The first section seeks to address four issues:

- ISSUE 1: Appropriateness of Purpose
- ISSUE 2: Appropriateness of the proposed focus
- ISSUE 3: Prioritising the proposed focus
- ISSUE 4: Determining the Scope

In response to the questions raised in this section, the County Council advises that the document be drawn up as close as possible to national guidance PPS12: Local Development Frameworks. As such then it would be most appropriate for the development control policies to be generic and avoid the use of policies that could be termed as being land-use based. Of the four options presented “option a” of using no land-use based policies would be ideal, but “option b” is probably the most realistic approach to adopt.

The section then goes on to present a focus for Generic Development Control Policies under the three themes:

PEOPLE

- a. Ensuring all new development contributes towards creating sustainable communities.

PLACE

- b. Ensuring all new development delivers a cleaner, safer and sustainable local environment.
- c. Protecting and enhancing the quality of Wear Valley’s natural and built environment by managing the impacts of new development.

PROSPERITY

- d. Managing new development in a manner that delivers a sustainable, prosperous and viable district economy.

This draft focus conforms to current strategic planning policy and the developing RSS and equal weight should be given to each component. This is because each component is interconnected and the components are by necessity harmonised to create a focus. From this focus base a list of policy themes has been drawn up to illustrate the potential policy scope of this document.

List of Policy Themes identified

- A. Community Safety and Health
- B. Residential Amenity
- C. Building Communities
- D. Accessibility
- E. Highway Safety
- F. Local Amenity
- G. Efficient Use of Land
- H. Risks of and from Pollution
- I. Heritage and Culture
- J. Risks of and from Flooding
- K. Biodiversity and Geodiversity
- L. Landscape and Townscape
- M. Design
- N. Waste Management
- O. Sustainable Economy
- P. The Rural Economy
- Q. Town Centres and Rural Service Centres
- R. Economic Activity

It is considered that the above list provides a fairly comprehensive coverage of the issues that need to be addressed in this document. The County Council requests

that the themes be developed around the need to reduce CO2 emissions and also address the theme of renewable energy (RSS Policies 40-42). If these two issues are embedded in the themes above then they should somehow be brought to the fore.

Many of the option approaches put forward for each theme are a matter for local determination and whichever combinations are chosen will be acceptable in principle. No comments from the County Council are required on these option areas. The following however present options upon which comments were submitted.

Theme A: Community Safety and Health

Option A2 is the only option that conforms to current strategic planning policy and addresses RSS key challenge on improving health and tackling health inequalities and takes forward Policy 2 – Sustainable Development and Policy 24 – Delivering Sustainable Communities. Option A2 states:

*Develop a generic policy which ensures that **new development delivers a reduction** in the health inequalities, crime rates and fear of crime levels currently experienced in Wear Valley.*

Theme C: Building Communities

Option C2 will be the most significant option in taking forward strategic planning policy on delivering sustainable communities especially RSS Policy 1 – North East Renaissance and Policy 24 – Delivering Sustainable Communities. Option C2 states:

*Develop a generic policy which seeks **new development to contribute positively** towards strengthening and sustaining the district's communities.*

Theme D: Accessibility

Option D1 and Option D5 are the most significant options in pursuing current transportation objectives including LTP objectives and the key objectives of the Regional Transport Strategy of the RSS in developing sustainable transport solutions and reducing car travel. Option D1 states:

*Develop a generic policy which ensures new developments have **suitable access by modes other than the private car**.*

Option D5 states:

*Develop a generic policy which requires major new developments to **provide access by cycle and pedestrian routes** and the appropriate facilities.*

This option should however be amended by the removal of the word “major”, there is no recognisable reason for restricting this policy area to only major development.

Theme G: Efficient Use of Land

Options G1 and G2 complement current strategic planning policy on the location of development, design and mixed-use development and Policy 2 – Sustainable Development of the RSS. The development of these options is supported in preference to the option of not developing this policy area in the LDF. Option G1 states:

*Develop a generic policy which ensures the efficient use of land is secured through new development by **encouraging mixed use developments**.*

Option G2 states:

*Develop a generic policy which **encourages the use of previously developed land** over greenfield sites for all land uses, not just residential developments.*

Theme L – Landscape and Townscape

Options L1 and L2 are consistent with achieving strategic objectives for the environment and are particularly consistent with policy relating to landscape character and built environment. RSS Policy 5B – Protecting and Enhancing the Environment seeks the protection of the valued rural and urban environment. Option L1 states:

*Develop a generic policy which seeks to **protect** landscape and townscape from the adverse impacts of new development, and **maximise the benefits** which new development can bring to **enhance** the quality or condition of the landscape.*

Option L2 states:

Develop a generic policy which recognises that the district's countryside consists of living, working communities and ensures that inappropriate restrictions resulting from landscape protection are not placed upon new development.

Theme M – Design

This is an essential element to LDF policies to satisfy many wider strategic and local environmental objectives. The County Council would expect all the options to be evident in the final LDF. There is a concern regarding the relationship of the development of this Theme area with the developing Core Strategy. A clear link between an all-embracing policy on Design with the issues and option alternatives of the Core Strategy does not exist. The preferred options stage should establish the direct link in both DPDs.

Theme O – Sustainable Economy

Option O1 is the only option that can be fully supported by the County Council, current strategic planning policy supports the sustainable growth of the local economy and its approach to employment development is to expand upon existing resources. It also however advocates the reassessment of current employment land allocations. The economic objectives are outlined in Policy 2 – Sustainable Development in the RSS which seeks to ensure high and stable levels of employment whilst alleviating weaknesses. The RSS continues the policy of targeting economic development to appropriate locations, this is expressed through Policy 12 – Sustainable Economic Development and more specifically in Policy 7 – Tees Valley City Region. Option O1 states:

*Develop a generic policy which **supports** new developments which **diversify and strengthen** the district's economy and supports proposals for the expansion or relocation of indigenous businesses uses within the district.*

Theme P – Rural Economy

Option P1 and Option P2 are the options which are most likely to achieve existing strategic objectives for the Rural Economy. As with existing strategic policy, RSS policy seeks a prosperous rural economy but is cautious about allowing inappropriate development which could spoil the assets of the countryside areas and undermine strategic economic strategy of directing investment into the urban areas. RSS Policy 8 – Rural Areas focuses on developing appropriate forms of regeneration, economic prosperity, sustainable communities and connectivity.

Sustainable accessibility is also pursued through the objectives of the LTP. Option P1 states:

*Develop a generic policy which establishes criteria that **support and appropriately control** well conceived rural-based enterprises and developments, including farm diversification, leisure and tourism developments and other countryside based businesses.*

Option P2 states:

*Develop a generic policy which addresses the local issue of **supporting established businesses in the countryside**, facilitating appropriate growth and expansion.*