

Planning Committee

18 December 2007



**Teesdale District Council Local
Development Framework Core Strategy
and Affordable Housing SPD**

Report of Rod Lugg, Head of Environment and Planning

Purpose of the Report

- 1 To advise the Committee of two documents produced by Teesdale District Council for consultation as part of its Local Development Framework (LDF):
 - i) Core Strategy Issues and Options Report;
 - ii) Draft Affordable Housing Supplementary Planning Document (SPD).In order to meet the consultation deadline of 17 December, an officer response has been sent to the District Council. Members are asked to endorse the attached schedule in Appendix 2 as the County Council's formal response. Copies of the consultation 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 District Council to replace its existing Local Plan with a new style Local Development Framework (LDF) comprising a number of documents. The District Council's Local Development Scheme, agreed with Government Office North East, prioritises preparation of the Core Strategy Development Plan Document (DPD). Once finalised, this document will provide the key elements of the planning framework for the District. All other DPDs will be prepared to be in conformity with the Core Strategy. The 2004 Act also introduced Supplementary Planning Documents to expand upon or provide further detail on policies in DPDs or saved Local Plan policies where appropriate. The draft SPD provides guidance about the operation of the saved Teesdale District Local Plan policy on provision of affordable housing.

Core Strategy Issues and Options

- 3 Teesdale District Council is inviting comments on this first stage of developing issues and options for the Core Strategy.

- 4 The consultation document places the Core Strategy clearly in the context of the Teesdale Sustainable Community Strategy (by setting out their shared vision), the District Council's Corporate Plan, the Barnard Castle Vision and the emerging Regional Spatial Strategy for the North East. Objectives are identified to help realise the vision and options are set out on the future locational strategy for the District, as well as on how development should be designed and used. The County Council's suggested response to the issues is covered in Appendix 2. The outcome and results of this consultation, supported by evidence gathering, will help inform the preparation of Teesdale District Council's Core Strategy Preferred Options.

Draft Affordable Housing SPD

- 5 The document is designed to give developers, landowners and the community guidance on the future operation of "saved" Policy H14 from the Local Plan adopted in 2002. The Policy allows for an element of affordable housing on sites allocated in the Local Plan for new housing. The position established in this SPD will also apply to future windfall sites. The provision of more affordable homes is a corporate priority of Teesdale District Council. The SPD seeks to ensure a delivery framework to ensure a sustained and managed supply of affordable homes which is worthy of support. Detailed comments are set out in Appendix 2.

Conclusions

- 6 The development of Core Strategy Issues and Options and the SPD on Affordable Housing represent the first formal stages in reviewing the planning policy framework for Teesdale District since the Local Plan was adopted. The most significant issues facing the District Council are considered to be the approach that should be taken to the location of new housing and employment - related development to provide for sustainable rural communities. The County Council's suggested response on these issues provides detailed comments in relation to the strategic policy context provided by the Regional Spatial Strategy where appropriate.

Recommendation and Reasons

- 7 The Committee is recommended to endorse my comments in Appendix 2 as the County Council's formal response to Teesdale District Council's Core Strategy Issues and Options and Affordable Housing SPD.

Background Papers:

Teesdale District Council Local Development Framework Core Strategy Issues and Options Report, November 2007.

Contact: Joan Portrey Tel: 0191 383 4115

Appendix 1: Implications

Local Government Review

Does the decision impact upon a future Unitary Council?

The Government has urged local authorities in areas affected by future Unitary Authorities not to delay preparation of LDFs and it is important for the County Council to continue to respond to district council consultations in the interim.

Finance

None.

Staffing

None.

Equality and Diversity

None.

Accommodation

None.

Crime and Disorder

None.

Sustainability

Achieving sustainable development is a central component of the Core Strategy Issues and Options and is reflected throughout the report through its consultation on discrete options.

Human Rights

None.

Localities and Rurality

The Core Strategy and Affordable Housing consultations fully address rural issues and options for development and use of land in Teesdale District.

Young People

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

Consultation

Teesdale District Council required a response on the consultation documents by 17 December 2007, therefore an officer holding response has been submitted.

Health

Ensuring that all development contributes to and protects the provision of health is an objective of the proposed Core Strategy.

Appendix 2: Durham County Council's Response to Teesdale District Local Development Framework: Core Strategy Issues and Options.

Local Development Framework Vision.

The County Council supports the Vision of the Core Strategy Issues and Options DPD.

Proposed Objectives and Overarching Themes

The County Council supports the objectives listed in the Issues and Options report. In particular the County Council welcomes the prominence given to climate change both as an objective and as an overarching theme, recognising the need for development to reduce the contribution to, and adapt to the consequences of, climate change.

The last sentence in para 5.10 should refer to "carbon" rather than "ecological" footprint and recognise the difficulties of bus provision in rural areas. The suggested amendment is "Teesdale's residents have a high carbon footprint, in part due to the District's dispersed rural settlements which reduces the viability of frequent bus provision and encourages higher car usage."

The County Council supports the other overarching theme of the need to improve Information and Communications Technology Networks given the inconsistent accessibility to broadband in Teesdale and its implications for diversifying the rural economy and learning and training opportunities. This is clearly presented as a locally distinctive issue.

Sustainable Location

The clear statements that "the most important way of improving sustainability is to ensure that development is located in appropriate locations" and that the settlement hierarchy (covering all forms of development) will guide the majority of development to existing settlements, particularly Barnard Castle and Middleton in Teesdale as rural service centres, are supported.

Pg 21 suggest 5th bullet point be expanded to read "deliver integrated sustainable transport solutions *appropriate for rural areas.*"

1. Options for Settlement Hierarchy

The Issues and Options document accords with Policy 8 of RSS proposed changes by identifying Barnard Castle and Middleton-in-Teesdale as Rural Service Centres. Policy 8 further states that LDFs should identify a settlement hierarchy, including Secondary Settlements to determine the appropriate scale and nature of development. The RSS Locational Strategy in Policy 5 is to allow development appropriate in scale in Rural Service Centres "to meet local needs and achieve a balance between housing, economic development, infrastructure and services". The Locational Strategy also seeks to maintain vibrant rural areas with a diversified economy and sustainable market towns, service centres and villages whilst preserving their historic fabric and character.

In county-wide terms Barnard Castle has always been regarded as one of the County's major centres, serving the wider hinterland of Teesdale, and it is crucial that the function and vitality of the place are not undermined or its

facilities put at risk. Priority should be given to the provision of new development on sites within or well related to Barnard Castle (County Structure Plan “saved” Policy 3).

Within this Regional and County policy context, defining a hierarchy of secondary and lower tier settlements is a matter for the District Council to decide.

Employment Land and the Barnard Castle Vision

Support option 9c): that most of the 20 hectares of employment land allocated to Teesdale in the RSS should be focussed on Barnard Castle.

Defining the development limits of Barnard Castle under option 10 is a matter for the District Council, although in strategic planning terms, Startforth has always been regarded as part of the major centre.

Development in Rural Locations

Development in the open countryside outside settlements should be permitted only in exceptional circumstances in accordance with national policy in PPS7, such as the re-use of existing buildings or development which is dependent on natural resources. The RSS proposed changes to Policy 27 on out-of-centre leisure developments recognises the contribution such developments can make to the rural economy and local communities. Such proposals will need to be considered and justified through the sequential approach (Policy 3) and locational strategy (Policy 5).

Large Scale Renewable Energy Development

RSS Policy 41 encourages all forms of renewable energy proposals to be investigated and sets out criteria to assess their environmental impacts. Nevertheless, the supporting text to Policy 42 makes it clear that to delivery of the regional targets for renewable energy will rely on a substantial contribution from wind energy.

Town Centres and Retail Development

The County Council supports measures to protect the vitality and viability of Barnard Castle town centre commensurate with its sub-regional role. Promoting diversification to support office development and other compatible town centre uses, whilst imposing limits to ensure that the prime use remains retailing, is an appropriate way forward. Support option 15b to resist retail development on allocated industrial sites to avoid out of centre retailing undermining existing centres and to retain local employment opportunities. In terms of national and regional policy, it will be increasingly difficult to justify new greenfield industrial sites if existing allocations were lost to retail uses.

Infill Development

The sequential approach in RSS Policy 3 should be used in the first instance to assess development options. Nevertheless the role of small infill sites, whether brownfield or greenfield in meeting local needs is acknowledged by the County Council as important in the context of the small settlements found in Teesdale providing the fabric and character of such places is not damaged.

Sites for Gypsies and Travellers

Circular 01/06 (ODPM) advises that gypsy and traveller caravan sites should be accessible to schools, health facilities and other services. Potentially the most suitable location for sites would be in or near Barnard Castle but other local centres may be able to offer reasonable accessibility to services.

Flood Risk

Flood risk in the District should be minimised through the implementation of a sequential risk based approach to development to accord with RSS Policy 37 and PPS25. This approach should be informed by the Strategic Flood Risk Assessment that the District Council has already undertaken.

Conservation of the Built Environment

RSS Policy 34 on Historic Environment encourages local authorities to prepare Conservation Area Appraisals for existing and proposed conservation areas and proceed to the preparation of Management Plans for the delivery of improvements. The Appraisal process is underway in Teesdale and is worthy of support, although it is acknowledged that given the number of conservation areas in the district, progress will be constrained by the level of resources available.

2. Sustainable Use and Design

Quality Design

Support option 21a): adopting CABE's "Building for Life" as a minimum design standard for all new development. The District's approach should also take account of RSS Policy 39 which seeks to ensure that all new development meets the Energy Efficiency Best Practice Standard and conforms to the Code for Sustainable Homes.

Lifetime Homes

The County Council welcomes the recognition of the specific housing needs of older people and supports adoption of a "lifetime homes" standard to allow houses to be adapted to occupants changing needs. The proportion of units constructed to this standard is a matter for the District Council to determine informed by the results of the SHMA and other evidence of local need.

Residential Needs

Whether or not the LDF should make specific provision for any future care homes needs to be further discussed with DCC Adult and Community Services.

Public Open Space

Detailed policy approach is a matter for the District Council.

Rural Estates

The need for new housing in the countryside should continue to be assessed in terms of Annex A of PPS7. Giving retired estate workers more preferential treatment than other agricultural workers could set a precedent.

Live and Working in the Countryside

Support option 29b): to provide a policy framework to positively respond to applications for live and work development if it is based on existing buildings.

Speculative Development

The detailed approach to the re-use of buildings within settlements is a district matter.

Housing Density

RSS proposed changes Policy 30 provides guidance to LDFs on density with an overall district level average of 30-50 dwellings per hectare. However criteria may be set out to define circumstances where lower densities would be justified to provide for a better mix of dwelling type, size and tenure.

Multi Use Facilities (Social, Health, Educational and Leisure)

Support the option of shared use/multi purpose facilities where this would allow them to be located in the most appropriate and sustainable settlement.

Sustainable Urban Drainage Systems

RSS Policy 36 seeks to ensure that, where appropriate, Sustainable Drainage System techniques are adopted. This applies to all forms of development with an exception where a proposal lies over an important aquifer (para 3.134 of RSS).

Conservation of the Built Environment

Revision of the criteria for development in conservation areas from the existing Local Plan is a district matter.

Renewable Energy Size Threshold and Embedded Renewable Energy Generation

Setting local level size thresholds for major new developments to have embedded within them a minimum of 10% of their energy supply from renewable resources is supported by the RSS proposed changes Policies 39 and 40. However, the options presented for consultation should be reconsidered. For example, an incremental rise from 10% to 100% by 2016 would be unrealistic. It is suggested consideration be given to the approach in Sedgefield Borough Council's emerging core strategy and SPD which applies a 1% increase in the requirement for all development over 1000 sq m or 10 or more residential units, year on year. This will help to "signpost" future changes to developers, and to achieve a doubling of the requirement by 2020 as encouraged by the RSS.

Glossary

Local Transport Plan definition (pg 48) should be amended to read "5 year strategy and programme prepared by the Highway Authority for the maintenance and further development of the transport asset, which includes roads and footpaths, bridges, bus stops, bus stations, rights of way and cycle tracks".

Durham County Council's Response to Teesdale Draft Affordable Housing SPD

The document sets out a clear approach to the provision of affordable housing in different parts of the District supported by evidence of housing need from recent studies. The former coalfield area is excluded from the requirement for affordable provision, but in Barnard Castle and other parts of the District the target is for 30% of dwellings proposed to be affordable. Departure from the target on grounds of financial viability will require submission of a development appraisal. Information on housing need will be supplemented once the County-wide Strategic Housing Market Assessment is completed early in 2008.

National guidance in Planning Policy Statement 3 on Housing (PPS3) sets a minimum site threshold size to 15 dwellings but allows local planning authorities to set lower thresholds where viable and practicable, including rural areas. This approach is reflected in the Teesdale SPD given the small scale of many sites, with a threshold of 10 or more in Barnard Castle and 3 or more in other sub-housing market areas, other than the former coalfield.

The requirement (para 2.1) for development to be in accessible locations that reduce the need to travel and support the use of sustainable forms of transport, accords with Objective 6 of the Local Transport Plan and is supported.

Para 8.1 – The County Council welcomes the fact that access to services, facilities and public transport are factors taken into account when assessing tenure and wishes to see the importance of this consideration maintained.

The RSS housing figures in Appendix 2 will need updating to reflect the Secretary of State's further proposed changes to RSS when they are published in January. The RSS adoption date is now expected to be May/June 2008. The Appendix also needs updating to reflect the production of the Durham Sub-Regional Housing Strategy in 2007 which specifically recognises affordability issues and the increased pressures on the rural housing market.

In conclusion the District Council's approach to affordable housing provision reflects local circumstances supported by an evidence base, in accordance with national and regional policy, and is worthy of support.