



Stockton-on-Tees Local Development Scheme 2016 to 2019

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Stockton-on-Tees
BOROUGH COUNCIL

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1. Background

Introduction

This Local Development Scheme sets out the timetable and management arrangements for preparing the Stockton-on-Tees Local Plan. This document replaces the last iteration of the Local Development Scheme which was published in 2013

The Development Plan

1. The Council has a statutory duty to prepare and maintain a Local Plan, which sets out the spatial aspirations of the Local Planning Authority in terms of where development is to take place during the next 15+ years. Taken as a whole, the Local Plan sets out policies relating to the development and use of land throughout the Borough. These documents are known as Local Development Documents.
2. **Development Plan Documents** are a type of Local Development Document which make up the development plan for the area. The development plan can be made up of more than one Development Plan Document. These documents follow a statutory process with prescribed procedures for pre-production, preparation and adoption, including an Independent Examination. Development Plan Documents are also better known as the **Local Plan**.
3. Between now and 2019 the Council will produce a new Local Plan which will include, amongst other things, policies relating to housing, environment, infrastructure and economic growth. However, this will not include policies relating to minerals and waste which have previously been picked up jointly with the other Tees Valley Local Authorities.
4. In addition, the Council will also produce the following Local Development Documents. These are not classed as Development Plan Documents and are not a part of the development plan.
 - **Supplementary Planning Documents** add further detail to the policies in the Local Plan and provide further guidance for development. They are capable of being material considerations in planning decisions.
 - **Statement of Community Involvement** explains to stakeholders and the community how and when they will be involved in the preparation of the Local Plan and how they will be consulted on major planning applications and the steps taken to facilitate this involvement.
5. **Neighbourhood Development Plans** allow local communities to be more involved in shaping new development and are a part of the development plan. They are prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area. As they are not prepared by the Council the preparation of these documents is not included in the Local Development Scheme¹.
6. The Development Plan documents are the starting point for the Council in guiding where development should be located in the Borough. The Local Development Scheme sets out the Council's project plan for delivering the documents which make up the Development Plan. Figure 1 shows how the Development Plan fits together.
7. In addition, there are a number of mechanisms for levying developer contributions to fund infrastructure required by new development identified in planning applications and Local Plans. These include Planning Obligations under Section 106 of the Town and Country Planning Act (1990)

¹ Two Neighbourhood Development Plans are currently being prepared in the Borough. The Parish Councils preparing Neighbourhood Plans are Grindon Parish Council (Wynyard Neighbourhood Plan) and Egglecliffe and Eaglescliffe Parish Council.

and the **Community Infrastructure Levy** (CIL). Local authorities in England and Wales can choose to use CIL for infrastructure funding, alongside Section 106 contributions although the two funding mechanisms should not overlap.

8. The Council has previously progressed with the production of a CIL, but has not adopted a charge. As the production of a new plan is the key priority in the immediate future and given a review of CIL at a national level, the Council has no immediate plans to progress the CIL in the first 12 – 18 months of the LDS period.

What is the Local Development Scheme

9. In addition to the Local Plan, the Council also has responsibility to prepare and maintain a Local Development Scheme (LDS) through the Planning and Compulsory Purchase Act 2004 (as amended)². The main purpose of the LDS is to enable the local community and any other interested person, company or organisation to find out the planning policy documents that the Council intends to produce and the timetable for their production.
10. For anyone interested in the preparation of the Local Plan, they should refer to the dates and information in this LDS as it sets out the:
 - schedule and description of the development plan documents that the Council is preparing, their subject matter and geographical area;
 - timetable for the commencement and preparation of these local development documents;
 - timetable for the preparation and revision of each development plan document;
 - identification of which development plan documents, if any, are to be prepared jointly with one or more neighbouring local planning authority; and
 - other relevant matters in the preparation of the documents including, where possible, when residents have an opportunity to comment on how new development in the Borough should take place.
11. This LDS was agreed under delegated powers on 8th July 2016 as agreed by a resolution of the Council's Cabinet on 27th June 2016. The LDS therefore takes effect from this date and covers the period to 2019.

Authority Monitoring Report

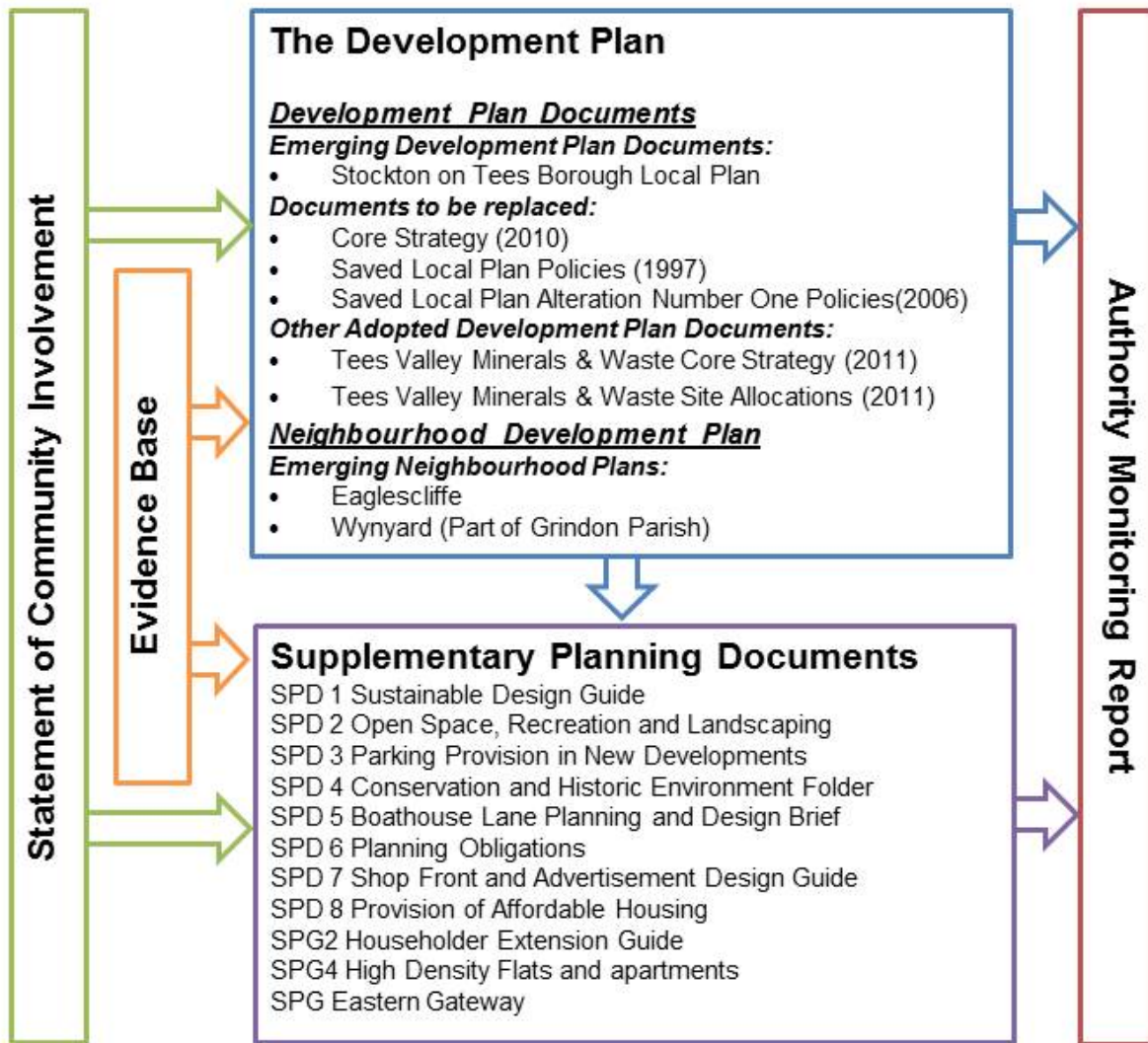
12. The Council also produces an Authority Monitoring Report (AMR) on an annual basis. This document contains information on the implementation of the LDS and also monitors the success of the policies set out in the Local Plan. The requirement for a local authority to produce an Authority Monitoring Report is set out in Section 35 of the Planning and Compulsory Purchase Act (2004) as amended.
13. How well the Council has performed against the timetable set out in the LDS will be published in the Authority Monitoring Report. This will identify any changes needed to maintain an up to date Local Plan and will determine the need to review the LDS.

² Section 15 of the Planning and Compulsory Purchase Act was amended by Section 30 of the Greater London Authority Act (2007), Section 180 of the Planning Act (2008) and Section 111 of the Localism Act (2011)

What has changed since the last LDS?

14. This document is the ninth revision to Stockton-on-Tees Local Development Scheme, which was first adopted in March 2005. As the Council is seeking to begin a new Local Plan and replace the adopted Core Strategy, this document is a significant departure from previous Local Development Schemes. In this regard this document constitutes a new LDS for the new Local Plan.

Figure 1 – The Development Plan and other documents

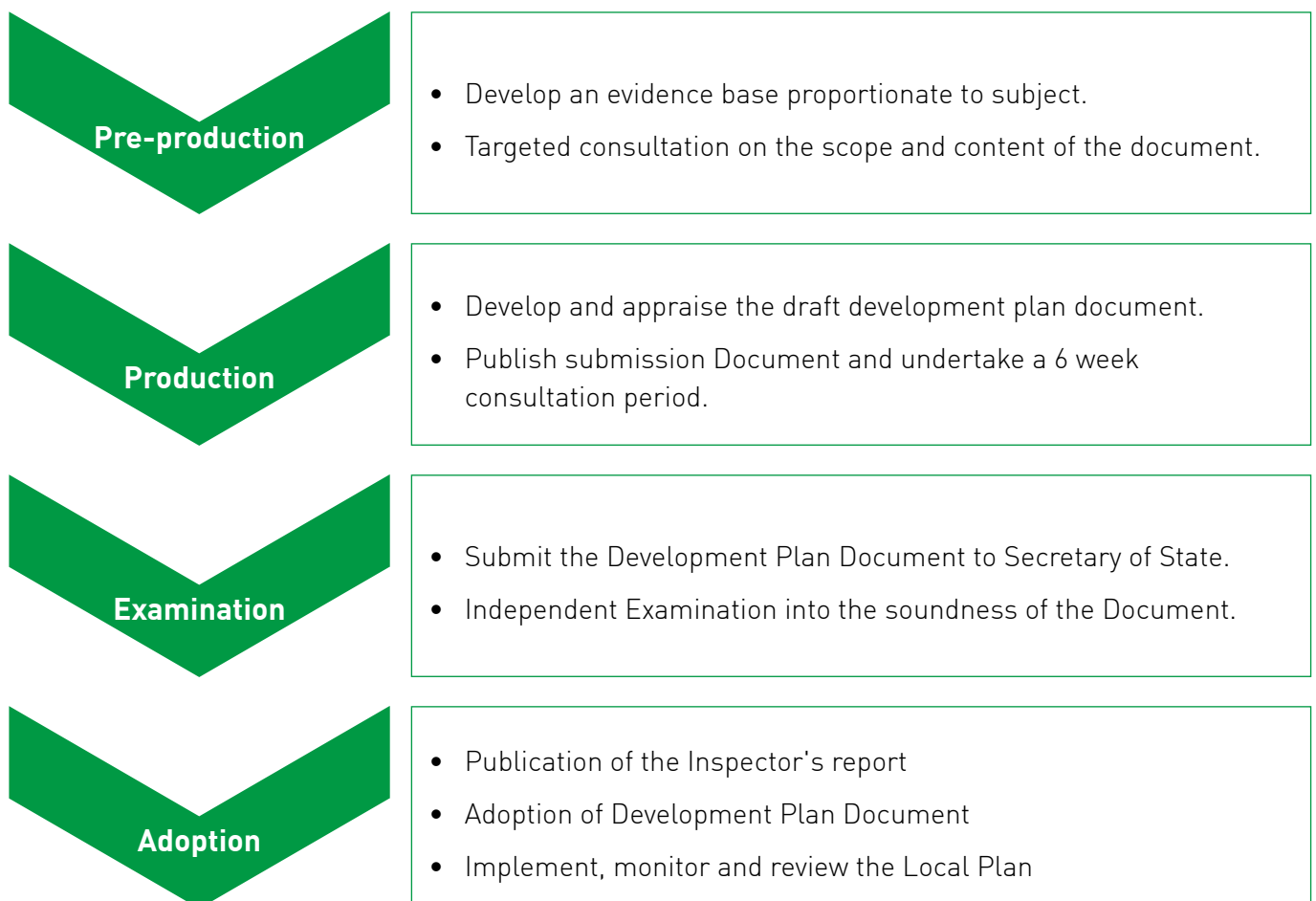


2. The Development Plan

15. The statutory development plan for the Borough currently comprises:
 - the Stockton-on-Tees Core Strategy (adopted March 2010);
 - the saved policies of Stockton-on-Tees Local Plan (adopted 1997) and Alteration Number 1 to Stockton-on-Tees Local Plan (adopted 2006); and the Tees Valley Minerals and Waste Core Strategy and Policies and Sites DPDs (adopted 2011);
 - There are no adopted Neighbourhood Plans in the Borough.
16. Previous versions of the LDS also set out the preparation of the Regeneration & Environment Local Plan (RELP). This document would have provided the strategic site allocations and other policies required to delivering the Core Strategy and replace the saved policies of the old Local Plan.
17. Since the publication of the previous LDS there have been a number of significant changes in circumstances including:
 - significant changes to the planning system have shifted the legislative and planning policy context that the previous development strategy was based on;
 - the RELP would have been based on policies in the Core Strategy which was adopted prior to publication of the National Planning Policy Framework and was based on the now abolished Regional Spatial Strategy. Appeal decisions and case law have established that pre-NPPF Development Plan Documents, in particular those based on Regional Strategies, carry reduced weight in making planning decisions;
 - the Council has undertaken an evidence base review on a number of topics which may influence alternative strategies in the Development Plan; and
 - progressing the RELP has a high likelihood of being found unsound by the Planning Inspectorate, or being challenged in the High Court.
18. The Council has therefore taken the decision to move forward with the production of the Stockton-on-Tees Borough Local Plan. This will replace the Core Strategy, saved Local Plan and saved Local Plan Alteration Number 1 policies, drawing all of this information in to one document which sets out the housing, commercial development and environment strategy, site allocations, and management policies for the whole of the Borough. A full description of the subject matter of this Plan, which will be a development plan document, is included below, and the timetable for the production of the document are included in section 2 and Appendix 1.
19. The new Local Plan is supported by a significant evidence base including: Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment, Employment Land Review, Town Centre Uses Study, Review of Strategic Environmental Policies, Landscape Character and Capacity Studies, and the Historic Environment Record. A full evidence base list can be found at <https://www.stockton.gov.uk/spatialplanning>
20. The Local Plan will also be supported by a policies map and will cover the period 2017 to 2032.
21. The subject of minerals and waste development will continue to be included in separate documents. Revision of these documents will be prepared jointly with adjoining authorities who, along with the Council, form the Tees Valley combined authority. However, there is no new timetable for the revision of these documents included in this LDS.
22. In addition to preparing a Local Plan, the Council will also continue to support and assist in the preparation of neighbourhood plans, including those under preparation at Eaglescliffe and Wynyard. With regards to the Wynyard Neighbourhood Plan, the Council will work with colleagues at Hartlepool Borough Council as that plan crosses the Local Authority Boundary in to Hartlepool.

23. The process for the production of Development Plan Documents is illustrated in figure 2 taking into account the changes introduced by the Localism Act 2011. The process for preparing the Local Plan effectively began early in 2016, with the commencement of an evidence base review, and is anticipated to be completed by the end of 2018, when the Plan is adopted.
24. The Council also has a statutory duty to monitor policies set out in development plan documents which is published annually in an Authority Monitoring Report (AMR). Progress with the preparation of the documents that are included in the LDS will also be included in the AMR. In addition, up-to-date information will be recorded on the Council's website setting out how the Council is performing against this timetable.
25. The document profile (over page) provides information on the timetable for the production of the Stockton-on-Tees Borough Local Plan and details of when existing development plan documents were adopted.
26. Production of the Local Plan will require the following documents to be prepared to inform policies as they emerge:
- **Infrastructure Delivery Plan:** sets out the infrastructure required to support the delivery of the Local Plan
 - **Sustainability Appraisal (and Habitat Regulation Assessment):** the Sustainability Appraisal, which incorporates Strategic Environmental Assessment, is an integrated process to consider how the principles of sustainable development are reflected in the strategy and policies of the Local Plan.

Figure 2 – Preparing a Development Plan Document



Document Profile: Stockton-on-Tees Borough Local Plan

Status: Development Plan Document

Subject Matter: The Local Plan will set out the overall strategy and policies for the development and use of land in locations across the Borough. The Local Plan will:

- set out the Authority's strategic policies, site allocations, designations, and management policies relating to residential, commercial and leisure proposals;
- include policies relating to the transport, renewable energy, community facilities, open space, and communications infrastructure required to make existing communities and proposed developments sustainable; and
- set out strategic policies, site designations and management policies concerning the built and natural environments, relating to heritage assets, landscape designations and protection and enhancement of natural habitats.

Geographical Coverage: Borough-wide (see Appendix 2).

Conformity: With the National Planning Policy Framework, legislation and regulations. Consultation to take place in accordance with the Statement of Community Involvement.

Joint Development Plan Document: n/a

Document Profile: Stockton-on-Tees Borough Policies Map

Status: Policies Map representing Local Plan Development Plan Document

Subject Matter: The Policies Map illustrates the policies and proposals in the Local Plan on an Ordnance Survey base map. to allow them to be clearly understood. It shows the allocations, designations and locations for which specific policies will apply for example:

- housing and commercial allocations;
- nationally and internationally designated areas, such as SSSIs;
- local environmental designations, such as conservation areas;
- town and district centres; and
- minerals and waste policies.

Geographical Coverage: Borough-wide (see Appendix 2).

Conformity: With the Local Plan Development Plan Document

Joint Development Plan Document: n/a

Timetable for preparation of the Stockton-on-Tees Borough Local Plan & Policies Map

Milestone		Regulation	Date
1.	Completion of Evidence Base Review	-	Summer 2016
2.	Targeted engagement	-	Summer 2016
3.	Plan in Preparation Stage	Reg 18.	Autumn 2016
4.	Publication Draft Plan	Reg.19	Summer 2017
5.	Submission of Draft Plan	Reg 22.	Autumn 2017
6.	Examination	Reg 24	Spring 2018
7.	Inspectors' Report	Reg 25	Spring 2018
8.	Adoption	Reg 26.	Summer 2018

Other Matters

Lead Organisation: Stockton-on-Tees Borough Council

Community and Stakeholder Involvement: Prior to consultation with the public, initial consultations will be undertaken with specific and general consultation bodies for their views and advice on the realistic and reasonable scope and content of the Local Plan.

Review: Monitored annually and reviewed if the AMR highlights a need. Otherwise document will be formally reviewed once every five years.

3. Project Management

27. The Council will use effective programme management techniques in the delivery of their Local Plan and producing the supporting evidence base. This section of the LDS explains the arrangements being made to ensure delivery of the programme set out earlier. It is divided into the following sub-sections:

- Development of a sound and robust evidence base
- Community and stakeholder engagement
- Duty to co-operate
- Staff resources
- Financial resources
- Risk assessment

Development of a Sound and Robust Evidence Base

28. The Local Plan must be based on a sound and robust evidence base. In terms of development plan documents, this is a key element of the test of soundness which will be central to their examination by an independent inspector. The Planning Advisory Service toolkit has been used to review the evidence base and has informed additional work that needs to be undertaken to improve the evidence base further. A review of the evidence base to assess its adequacy following the publication of the National Planning Policy Framework has been undertaken.

29. The Local Plan evidence is available online. The views of the local community and other stakeholders will also be an important part of the evidence base. This is discussed further below.

Community and Stakeholder Engagement

30. Effective and useful engagement with the local community is key from the outset. This is particularly relevant given the size of the borough of Stockton. A Statement of Community Involvement (SCI) is to be prepared. Engagement will be undertaken in accordance with the SCI and a Statement of Representations will be produced for the Local Plan outlining what engagement has taken place.

Duty to Co-operate

31. The Localism Act 2011 established a duty to cooperate for local planning authorities to engage constructively, actively and on an on-going basis with neighbouring Local Authorities and other public bodies to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters. The Local Authorities and other public bodies subject to the duty to co-operate are:

- Hartlepool Borough Council
- Middlesbrough Borough Council
- Redcar & Cleveland Borough Council;
- Darlington Borough Council;
- County Durham Council;
- Hambleton Council

- Richmondshire District Council;
 - Environment Agency;
 - Historic England;
 - Natural England;
 - Civil Aviation Authority;
 - Homes and Communities Agency;
 - each clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - National Health Service Commissioning Board;
 - Office of Rail Regulation;
 - Integrated Transport Authority;
 - each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority); and
 - Marine Management Organisation.
32. In addition, the following will be treated as a duty to co-operate partner:
- Tees Valley Local Enterprise Partnership; and
 - Tees Valley Local Nature Partnership.

Staff Resources

33. The Spatial Planning Team within the new Economic Growth Development Service Directorate of the Council is responsible for providing technical advice for the preparation of the Local Plan.
34. Consultants will also be employed to supplement existing resources where studies are of a specialist nature and/or where there are benefits in terms of timing to outsource the work, or in providing a critical friend to the Council's teams.

Financial Resources

35. Recognising the time taken to produce such documents, the Local Plan has a fund which runs across financial years to support the development of the local development scheme projects. However, the budget is not unlimited, hence the need to ensure the scheme focuses upon providing a framework and supporting the communities' key priorities in the most cost effective manner.
36. Partnership working across the Council will be essential to the success of the Local Plan due to the cross-cutting nature and relationship with other plans and strategies within the Authority. Key internal partners such as Housing Strategy, Transport Policy, Economic Strategy and Environment Strategy, as well as teams from within Education, Health and Social Care will be used to develop the evidence base and contribute to policy formulation. It has already, and will involve shared financial resources to produce studies that are required across services.

Risk Assessment

37. The development of a Local Plan presents a number of risks that are best addressed by robust project planning. The resources available for this task, in particular, are not fully defined. Appendix 3 below sets out the key risks and proposed mitigation measures that may need to be implemented in order to ensure that sound documents are prepared in a timely manner.

4. Other Local Development Documents

38. In addition to the development plan there are a number of other Local Development Documents. They are not Development Plan Documents and do not form a part of the development plan. These documents include the Statement of Community Involvement and Supplementary Planning Documents.
39. Amendments to the 2004 Planning and Compulsory Purchase Act by the Localism Act (2011) mean that there is no longer a requirement to set out the timetable for the production of SPDs in the LDS. Where possible this section of the LDS sets out where the Council is considering revisions to these documents.

Statement of Community Involvement

40. The Council's Statement of Community Involvement (SCI) adopted in 2006, sets out how interested parties can get involved in the preparation of the Local Plan and the determination of Planning Applications.
41. Whilst the principles in the Statement remain sound, changes to the regulations surrounding the preparation of Local Plans, including the simplification of the plan making process, the Council's Duty to Cooperate requirement, and the introduction of Neighbourhood Planning, mean that the SCI must be revised before the Council can progress the Local Plan.
42. Therefore, prior to the first formal consultation in the process of preparing the Local Plan the Council will revise the SCI. This will involve redrafting the SCI to accommodate the changes in regulations. A 6-week consultation on the revised document will be undertaken. Comments will be reviewed and any necessary revisions will be made before the adoption of the document.

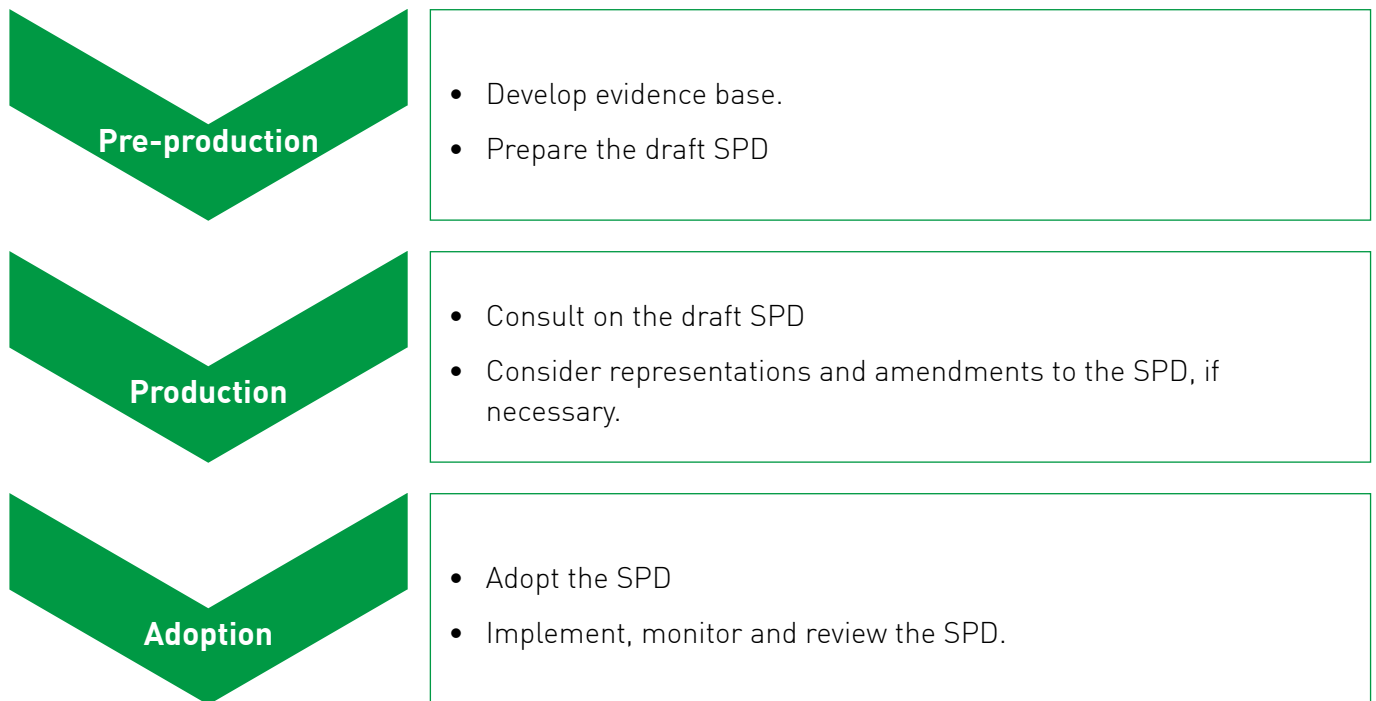
Supplementary Planning Guidance

43. Policies in the Local Plan are supported by additional guidance contained in Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG). SPDs add further detail to the policies in the Core Strategy and were prepared under the post-2004 planning system include:
- SPD 1 Sustainable Design Guide
 - SPD 2 Open Space, Recreation and Landscaping
 - SPD 3 Parking Provision in New Developments
 - SPD 4 Conservation and Historic Environment Folder
 - SPD 5 Boathouse Lane Planning and Design Brief
 - SPD 6 Planning Obligations
 - SPD 7 Shop Front and Advertisement Design Guide
 - SPD 8 Provision of Affordable Housing and the Need for Viability Evidence
44. SPG documents were prepared under the pre-2004 planning system, and provide additional guidance on saved Local Plan policies. SPGs which remain can still be used to guide development:
- SPG2 Householder Extension Guide
 - SPG4 High Density Flats and apartments
 - SPG Eastern Gateway

45. The process for preparing an SPD is set out in Figure 3 below. Over the timetable of this LDS, and subject to resources and the progression of the Local Plan, the Council intends to:

- produce a Householder Extension Design Guide which replaces SPG2.
- rationalise the design guidance set out across the portfolio of SPDs in to a reduced number of documents, with a preference for a single SPD for design.

Figure 3 – Preparing a Supplementary Planning Document (SPD)



Appendix 1 – Development Plan Documents Time Chart

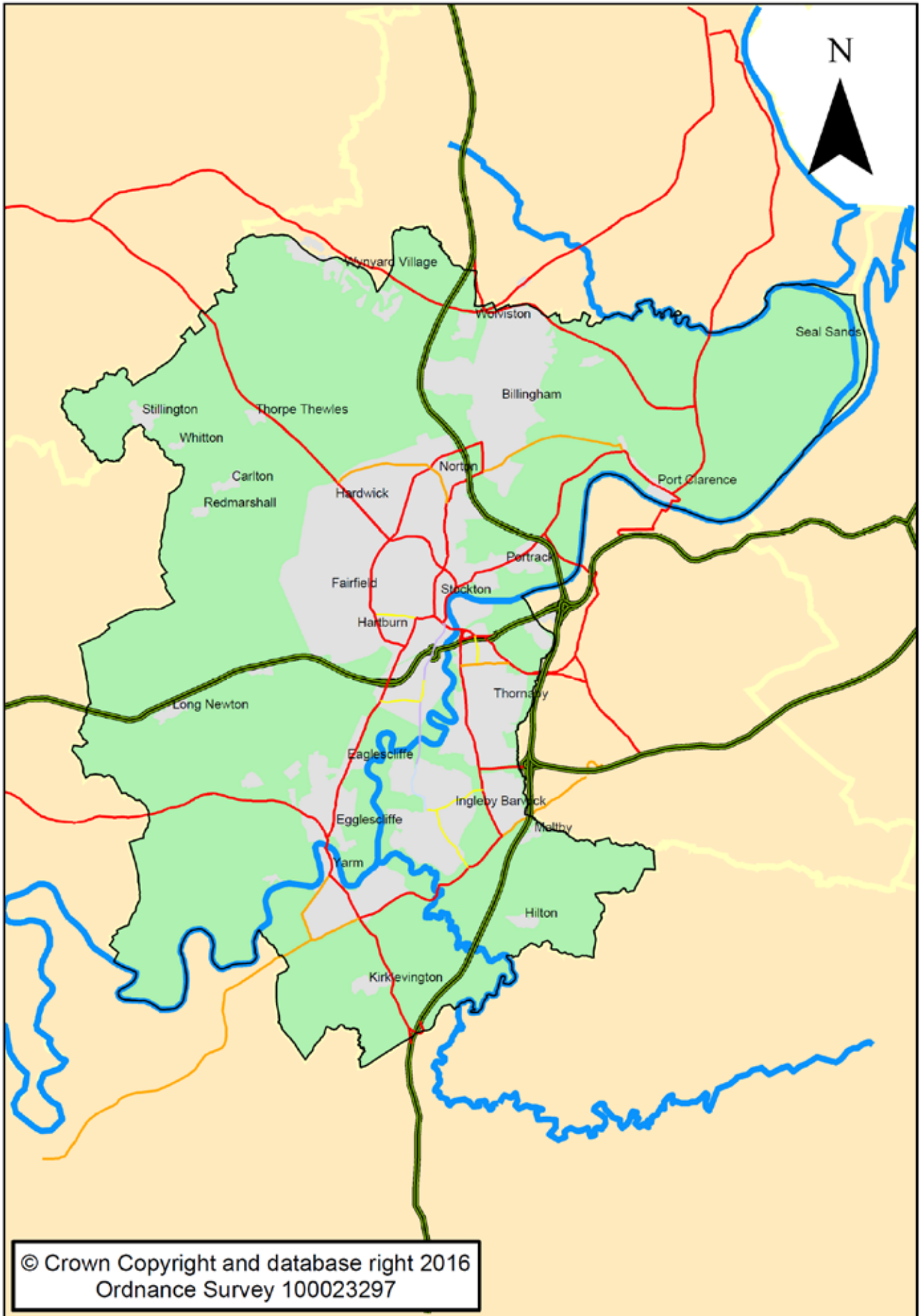
Emerging Development Plan Documents

Document	Brief Description	Chain of General Conformity	Preparation Stage (Local Plan Regulations 2012)				Adoption
			Preparation (Reg 18)	Publication (Reg 19)	Submission (Reg 22)	Examination (Reg 24 & 25)	
Stockton-on-Tees Borough Local Plan	Sets out the overall strategy and policies for the development and use of land in locations across the Borough	National Policy	Autumn 2016	Summer 2017	Autumn 2017	Spring 2018	Summer 2018
Policies Map	Spatial representation of Local Plan Policies	Local Plan & Minerals and Waste DPDs	Autumn 2016	Summer 2017	Autumn 2017	Spring 2018	Summer 2018
Statement of Community Involvement	The Council's approach to consultation on LDDs and suggested approach for applicants	Local Planning Regulations (2012).	N/A	Consultation July/August 2016	N/A	N/A	September 2016

Adopted Development Plan Documents

Document Title	Brief Description	Chain of General Conformity	Issues and Options Consultation	Preferred Options Consultation	Publication Consultation	Submission to secretary of State	Adoption
Core Strategy	Vision, objectives and spatial strategy.	Planning Policy Statements	May to June 2006	September to October 2007	October to December 2008	May 2009	March 2010
Tees Valley Minerals and Waste Core Strategy	Vision, objectives and spatial strategy for minerals and waste workings in the borough.	National Minerals Planning Policy Statements	May to June 2007	February to April 2008	August to October 2009	November 2010	September 2011
Tees Valley Minerals and Waste Sites and Policies DPD	Site specific allocations and policies for all minerals and waste sites in the borough.	Minerals and Waste Core Strategy	May to June 2007	February to April 2008	January 2015	November 2010	September 2011

Appendix 2 - Stockton on Tees Borough



Appendix 3 - Risk Assessment

Risk Assessment

The Council monitors and scores risk on a quarterly basis and there are a number of risks associated with the production of local development documents. The nature of the risk varies on which stage of production the document has reached, and may result from factors either within or outside the Council. Some of the risks identified, for example, both the 'high staff turnover' issue and the staff reductions because of budget deficiencies have already been experienced and the control mechanisms identified under control requirements column have already been at various points in time. The following tables illustrate the nature of the risks involved.

Risks internal to the Council

Type of Risk	Likelihood/Impact	Control Requirements
Staff turnover/secondment	Could potentially occur over three year period. However the reduced availability of employment in planning elsewhere means that staff turnover is unlikely to be high.	Staff retention/recruitment strategy. Explore potential to pool officers from other local planning authorities. Employ part-time consultants/students.
Available resources and skills	Austerity measures and the resultant pressure on financial resources with implications on service budgets. The Council's Service Review responds positively to the financial challenge facing the Authority. However, an overall reduction in staff resources available to the Council has been unavoidable and has the potential to impact on Local Plan preparation.	Continued corporate commitment of the Council to resourcing this statutory function. Robust management of staff resources and cross service and partnership working. Prioritise on production of key documents. Explore use of external resources.
Corporate engagement	Failure to secure corporate engagement and buy in from services/ departments across Stockton-on-Tees Borough Council.	Prioritise alignment with the Corporate strategies and ensure cross-service engagement.
Timescales	The scale and uncertainty of the content of a single Local Plan with multiple parts presents potential risks to its deliverability.	Robust scoping prioritised in LDS. Sound project planning. Progress made to date provides increasing confidence.
Evidence base	Inadequate/incomplete evidence risk to soundness. Financial risk to evidence gathering.	Early and thorough assessment of available evidence and need. Prioritise further work. Corporate commitment to resourcing.

Risks External to the Council

Type of Risk	Likelihood/Impact	Control Requirements
Economic recession	Potential to undermine the validity of policies developed in a period of economic expansion.	Build flexibility into the policies to deal with changing circumstances
Political change	Potential changes in political support for all or elements of the Local Plan.	Local Plan Steering Group established to oversee the development of the Local Plan and will monitor national planning factors/influences
Changes to national planning policy and guidance	Potential to cause delay and uncertainty and may mean policy has to be re-written.	Keep up-to-date with new policy guidance and assess and implement consequences of changes promptly.
Planning Inspectorate/legislation engagement	Abortive or inappropriate progress due to change in guidance/legislation, advice from the Planning Inspectorate.	Early and consistent engagement with the Planning Inspectorate and ensuring consistent and ongoing legal advice from within the Council.
Capacity of Planning Inspectorate to cope with demand.	The Planning Inspectorate has resource constraints.	Inform the Planning Inspectorate three months before the publication of any development plan document in accordance with Regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2004 as amended.
Introduction of significant changes	The inspector may suspend the process should there be significant changes made to a DPD which have not been consulted on.	Consultation on any changes made following publication prior to submission to the Secretary of State.
Local Development Document not found sound.	Impact significant as it could prevent the Council from delivering its key projects.	Ensure policy is based on sound evidence base and delivers requirements of planning legislation and national policy guidance. Continuous soundness self-assessment. Consultation with the Planning Inspectorate before and during publication of a document. Self-assessment using Planning Advisory Service Tool Kit.
Legal Challenge	Could significantly disrupt the adoption of development plan documents.	Ensure all development plan documents are founded on a robust evidence base and well audited stakeholder and community engagement systems.