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**DARLINGTON LOCAL DEVELOPMENT SCHEME 2014-17**

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**Responsible Cabinet Member – Councillor Chris McEwan,  
Economy and Regeneration Portfolio**

**Responsible Director – Ian Williams, Director of Economic Growth**

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**SUMMARY REPORT**

**Purpose of Report**

1. This report outlines the Local Development Scheme (LDS) for 2014-2017 (**see Appendix 2**) and seeks Cabinet's agreement to the recommendations being proposed to Council regarding it. The Council is required to prepare a LDS by Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by the Section 111 of the Localism Act 2011.

**Summary**

2. The LDS sets out details of the Local Plan and other development documents that the Council will prepare over the next three years. The Local Plan will play a key role in achieving the Council's objectives of economic growth through accelerated development as required by the MTFP. This LDS will replace the current LDS 2012-15.
3. Since the last LDS was prepared, work has been progressing on "Making and Growing Places", a development policies and site allocations Development Plan Document (DPD) for the period to 2026, to complement the Council's adopted Core Strategy. The Making and Growing Places document will provide Ordnance Survey based detail for the policies and proposals contained in the adopted Core Strategy, and complete the up to date Local Plan for Darlington. The LDS indicates that preparation of this document be given the highest priority.
4. To complete guidance on the interpretation of policy, a revision to the Design of New Development Supplementary Planning Document (SPD) is proposed, to provide more detail about accessibility for people with disabilities in new developments, and to provide more guidance on safeguarding residential amenity.
5. The LDS also commits some resources to supporting neighbourhood planning, as the Council is required to perform this role for any Parish Council or neighbourhood forum that wishes to prepare a neighbourhood plan. Neighbourhood Plan Areas have been designated for Sadberge Parish Council, Middleton St. George/Low Dinsdale Parish Councils, and Blackwell Neighbourhood Forum. It is difficult to

anticipate the resource requirement for this, as the number, timing and nature of requests for support are difficult to predict.

6. A revision to the Statement of Community Involvement is also needed, to reflect changes to development management procedures and to the plan making process, and to respond to the introduction of neighbourhood planning.
7. The report proposes that the LDS should take effect the day after the next meeting of full Council.

### **Recommendations**

8. It is recommended that Cabinet recommend to Council that the updated Local Development Scheme for the period 2014-17, attached to this report be agreed and take effect from 5 December 2014.

### **Reason**

9. The Council is required to have an up to date Local Development Scheme (Planning & Compulsory Purchase Act 2004, as amended by Section 111, Localism Act 2011).

**Ian Williams**  
**Director of Economic Growth**

### **Background Papers**

- (i) SI 2012, No 767: Town and Country Planning (Local Planning)(England) Regulations 2012
- (ii) National Planning Policy Framework, CLG March 2012
- (iii) Localism Act 2011.

Steve Petch: Extension 2627

S17 Crime and Disorder	Progress in preparing the documents set out in the LDS will provide a stronger policy framework to address this locally.
Health and Well Being	As above.
Carbon Emissions	The Local Plan documents referred to in the LDS will be subject to sustainability appraisal during their preparation, integral to which is reducing carbon emissions. All policies are tested and amended to ensure the most sustainable outcomes, including to keep carbon emission to a minimum, and promoting the use of renewable energy in new developments.
Diversity	Equalities Impact Assessment (EqA) and Disability EqA are integrated into the preparation of local development documents. All policies are tested and amended to ensure the most equitable outcomes, and to ensure that the needs of specific groups are met.
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	The preparation of documents included in the LDS will take place using existing resources. The documents will complete the statutory land use planning framework for the Council's area.
Key Decision	Yes
Urgent Decision	No
One Darlington: Perfectly Placed	The LDF Core Strategy is the spatial expression of 'One Darlington: Perfectly Placed'. The documents proposed for preparation in the LDS set out more precisely what this means in terms of new development, where and when.
Efficiency	The LDS assumes resources at existing level in Planning Policy team, no additional requirements being placed on the team, and the availability of staff time from key officers across the Council whose service requirements need to be reflected in local development documents (LDDs) in a co-ordinated way. Adoption of the LDDs will give developers, residents and other interested parties more certainty about how the Council will view different types of development proposals in different locations. An up to date development plan helps the Development Management service to operate more effectively, and helps avoid the award of costs against the Council where decisions are appealed.

## MAIN REPORT

### Background

10. A Local Development Scheme (LDS) is a statutory requirement. It sets out the planning policy documents that the Council will prepare over the next three years, when the key stages of preparation for each will be, the scope of each document, the resources available for, and risks to, their preparation. This LDS will replace the existing LDS 2012-2015.
11. The Council has been unable to keep to the timetable for plan preparation set out in the 2012-2015 LDS because:
  - (a) public consultations on draft site allocations and development management policies generated more interest than anticipated and extended the time required to consider the comments made by the public and other stakeholders;
  - (b) the requirement to demonstrate that plans are viable and deliverable is presenting a significant challenge in current economic conditions, and coupled with a shift of public finance to recoverable loans has resulted in a more challenging context for brownfield sites, and
  - (c) keeping up to date the information base that underpins policy development is taking longer than expected, in part because some of the requirements have changed, e.g. Sport England have rolled out a new method for assessing how many playing pitches are needed, and in part because more limited resources in other parts of the Council and amongst our external partners has extended the time required to engage with and get feedback from them.
12. The diagram at **Appendix 1** sets out the existing and proposed planning policy documents that will comprise the up to date Darlington Local Plan and those that will sit outside of it, but which are still part of either the statutory development plan or are local development documents. For now, for most planning matters, the Core Strategy (2011) and saved policies of the Borough of Darlington Local Plan (2001) comprise the Borough's Local Plan. For Minerals and Waste matters, it is the Tees Valley Minerals and Waste Core Strategy and the Tees Valley Policies and Sites Development Plan Documents (DPDs).

### The Local Development Scheme 2014- 2017 (see Appendix 2)

13. The Government has identified that Local Plans are the key to delivering sustainable development and, in its last Autumn Statement, restated the importance of up to date plans. Locally, a policies and site allocations DPD (known as the Making and Growing Places DPD), which will provide the Ordnance Survey based detail for the policies and proposals contained in the adopted Core Strategy, responds to this. Work on this document reached Preferred Options stage in June 2013 and consultations were carried out on that document from mid June to early August 2013
14. In the current LDS, it was envisaged that the next stage, Publication Draft, would already have been reached, and that the document would be adopted in December

2014. The issues raised by responses to the Preferred Options document, particularly around housing sites and the viability and deliverability of the scale of proposed development in the Town Centre Fringe meant that consultations on revised draft housing site allocations needed to take place before progressing to Publication stage, to ensure the likelihood of a sound plan. As such, further consultations were carried out on revisions to the housing allocations preferred options, and Publication stage is now expected in December 2014. Representations made at Publication stage will be considered by a Planning Inspector at Public Hearings to examine the Plan (anticipated in May/June 2015) after which a report will be issued by the Inspector, the Council has an opportunity to consider it and can then adopt the Plan. Adoption is anticipated towards the end of 2015.

15. To complete guidance on the interpretation of policy, a revision to the Design of New Development Supplementary Planning Document (SPD) is proposed, to provide more detail about accessibility for people with disabilities in new developments, and to provide more guidance on safeguarding residential amenity.
16. Updating of the Statement of Community Involvement (which sets out how the Council will engage the public and others in plan making and decision taking) is identified as a lower priority. Amendments are needed, for example, to reflect the implementation of the on-line planning applications system for submitting, viewing and commenting on applications, and to respond to the introduction of Neighbourhood Planning.

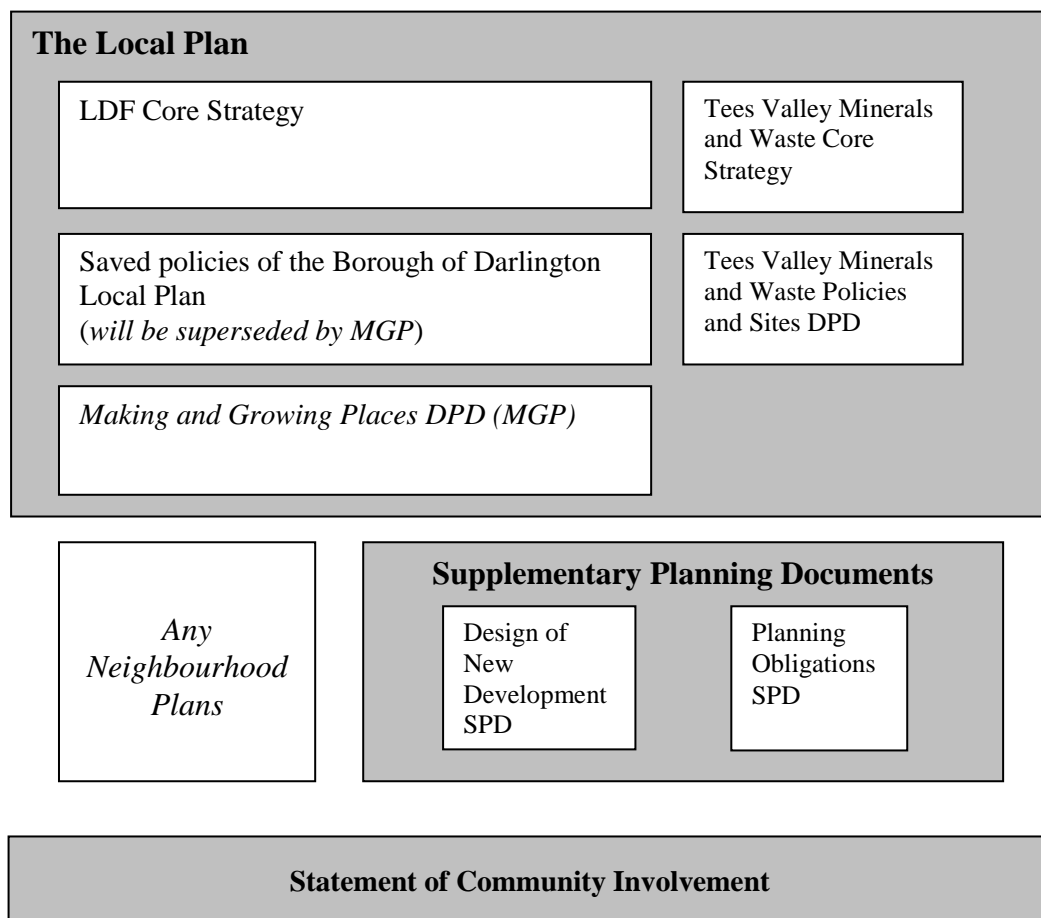
### **Risks to Delivery Programme outlined in the Local Development Scheme**

17. The Council's ability to deliver against the timetables set out in this LDS is at risk for any or all of the following reasons:
  - (a) Neighbourhood planning: introduced by the Localism Act 2011, the LDS commits some resources to supporting neighbourhood planning, as the Council is required to perform this role for any Parish Council or neighbourhood forum that wishes to prepare a neighbourhood plan. However, this resource could be quickly absorbed if there is wide and/or significant interest in it from Parish Councils and other community groups, to the detriment of resourcing the preparation of plans that do more to deliver the One Darlington: Perfectly Placed priorities. Officers have dealt with three enquiries so far, resulting in the formal designation of Neighbourhood Plan Areas for Sadberge Parish Council, Middleton St George/Low Dinsdale Parish Councils and Blackwell Neighbourhood Forum. It is unclear at this stage what level of input will be required from the Council if and when Neighbourhood Plans emerge, or if others show an interest in developing plans.
  - (b) Other corporate priorities: the team also provides the planning policy input into a range of corporate projects, such as town centre development/regeneration, the town centre fringe and the Redhall regeneration project, and other strategies, such as housing, car parking, green infrastructure, etc. Again, the timing and amount of staff time these will absorb is difficult to predict.

## Financial Implications

18. A consolidated budget has been established across the Economic Initiatives Division which covers the costs associated with Local Plan preparation (consultant's fees for evidence gathering, consultations and printing). Further evidence gathering and consultation work during 2014/15 will give rise to a continuing need for resources for these activities. There will also be a need to carry out a Public Examination into the Making and Growing Places DPD and an ear-marked reserve of £80,000 is available within current budgets.
19. In addition, the Council receives £5,000 funding for each Neighbourhood Plan Area that is designated to facilitate support to these processes.

## Appendix 1: Planning Policy Documents for Darlington Borough



Note: Shaded boxes are Local Development Documents prepared by the local planning authorities (LPAs).