
**DARLINGTON LOCAL DEVELOPMENT FRAMEWORK
CORE STRATEGY: PREFERRED OPTIONS**

**Responsible Cabinet Member – Councillor John Williams, Economy Portfolio
Responsible Director - Richard Alty, Assistant Chief Executive (Regeneration)**

SUMMARY REPORT

Purpose of the Report

1. This report outlines the contents and highlights some of the key planning issues that are addressed in the Darlington Local Development Framework (LDF) Core Strategy: Preferred Options document. It seeks Cabinet's agreement to the contents of the document and for public and other consultations to be carried out on the document.

Summary

2. Following consideration of the consultation responses received in respect of the LDF; Issues and Options earlier this year and further detailed work, a Core Strategy: Preferred Options has now been prepared. The document sets out draft planning policies to guide the future use and development of land in the Borough, and once finalised and adopted, it will replace many of the policies in the adopted Borough of Darlington Local Plan. It sets out a spatial vision, strategic objectives and locational strategy for the period up to 2026, and draft policies encompassing the economy, town and district centres, housing, open space, sport leisure and cultural provision, design, environmental protection and transport infrastructure.
3. Publication of the document and carrying out public and other consultations on it will be important steps towards fulfilling the regulatory requirements for preparing a LDF Core Strategy.

Recommendations

4. It is recommended that :-
 - (a) The contents of the Local Development Framework Core Strategy: Preferred Options be agreed.
 - (b) The Local Development Framework Core Strategy: Preferred Options be agreed as the basis for carrying out public and other consultations, in line with regulatory requirements and the Council's commitments to community engagement set out in the adopted Statement of Community Involvement.

Reasons

5. The recommendations are supported by the following reasons :-
 - (a) To continue to progress towards fulfilling the statutory requirements to have an up to date Local Development Framework in place.
 - (b) To fulfil the regulatory requirements of Local Development Framework document preparation.

Richard Alty
Assistant Chief Executive, Regeneration

Background Papers

- (i) Planning Policy Statement 12: creating strong safe and prosperous communities through Local Spatial Planning, DCLG, June 2008
- (ii) Darlington Local Development Framework Core Strategy: Issues and Options January 2008
- (iii) Darlington Local Development Framework Core Strategy Issues and Options: Summary of Consultation Responses, April 2008
- (iv) The Community Infrastructure Levy, DCLG, August 2008

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S17 Crime and Disorder	Crime and Disorder is specifically considered in a policy CS2 that deals with design of new development.
Health and Well Being	The Core Strategy: Preferred Options contains several draft policies, such as green infrastructure, sustainable transport networks, new housing for all and environment protection that will encourage and enable people to lead more active lifestyles and improve health and well being.
Sustainability	A sustainability appraisal has informed the preparation of the Core Strategy: Preferred Options and will be published alongside it. A Habitats Regulation Assessment has also been carried out.
Diversity	An Equalities Impact Assessment has been carried out on the LDF Core Strategy: Preferred Options, and a disabilities impact assessment will be undertaken during the consultation period for the Preferred Options.
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	Preparation of the Core Strategy Preferred Options and the proposed consultations on it have and will be achieved within the revenue budget allocated to the Local Development Framework for 2008/09. Preparation of the Core Strategy Preferred Options is a key milestone in LDF preparation identified in the Council's Regeneration Service Plan for 2008/09.
Key Decision	Yes.
Urgent Decision	This is not an urgent decision. The Economy and Environment Scrutiny Committee will have had an opportunity to consider and make comments on the LDF Core Strategy Preferred Options at its meeting on 2nd October.
One Darlington: Perfectly Placed	The LDF Core Strategy is the spatial expression of One Darlington: Perfectly Placed.

MAIN REPORT

Purpose of the Report

6. The purpose of this report is to outline the content of the Local Development Framework Core Strategy: Preferred Options, highlighting the proposed approach to some key issues and seeking Members' views on any of the content of the document.
7. The Local Development Framework will guide the development and use of land in Darlington to achieve the priorities set out in One Darlington: Perfectly Placed, and to reflect the recently published Regional Spatial Strategy at the local level. The Core Strategy will be the principal document of the LDF, overarching other more detailed policy documents, such as a Design of New Development Supplementary Planning Document (SPD) and the adopted Affordable Housing SPD.

Previous Consideration

8. Members will recall:
 - (a) Cabinet 11th December 2007 (C130(4)) which considered the LDF Core Strategy: Issues and Options report and agreed that the report form the basis of public and other consultations.
 - (b) Members Workshop on the LDF Core Strategy Issues and Options on 15th February 2008, where Members aired their views on specific issues in facilitated round table sessions.
 - (c) Economy and Environment Scrutiny Committee 24th April 2008 (Min EE58/2008) which considered the consultation responses and next steps in the preparation of the LDF Core Strategy, following consultations on Issues and Options in February 2008.

Review of the Core Strategy Preparation

9. Since the Issues and Options Report was prepared, the process of preparing documents for the Local Development Framework has changed. The changes were brought into effect by the Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008, issued in June. A key change affecting the preparation of the LDF Core Strategy is that publication and consultations on Preferred Options is no longer a separate requirement, but is bound up in a general requirement for public participation in the preparation of a development plan document.
10. However, because work was well advanced on the preparation of the Preferred Options when the new regulations were issued, and because publicity about the preparation of the Core Strategy and the adopted Statement of Community Involvement in Planning both refer to future consultations on Preferred Options, it has been decided to continue as originally planned. Also, because the document moves policy development forward considerably from the Issues and Options document, public and stakeholder involvement now will help to ensure that the document that is submitted to the Government next year takes account of as many views and concerns as possible, and that the preferred options identified are

deliverable.

Outcome of Consultation

11. The 101 written responses received to the consultation on the LDF Core Strategy Issues and Options report and the comments made at a series of public consultation events carried out during January and February are detailed in a report published in April 2008 (see background papers). The text of the document being considered here shows for each policy how those comments have shaped the preferred option that is now being proposed, but also where other factors, such as new national and regional planning policy guidance and/or the evidence of detailed studies has been an overriding consideration.

Sustainability Appraisal

12. It is a regulatory requirement that a sustainability appraisal is carried out when developing the preferred options. Initial work done for the Council by consultants BDP indicates that the policies that scored negatively against sustainability appraisal objectives tended to be those whose implementation was likely to give rise to increased volume of traffic in the Borough, associated with new housing, employment and tourism. The sustainability appraisal does point out that some policies do mitigate against increased traffic generation, by concentrating development in sustainable locations and promoting transport infrastructure that enables people to choose sustainable travel options. However, it also highlights that the strategic tourism opportunity in particular (Policy CS6) would be unlikely to be accessible by sustainable modes of travel, because of its location.
13. The findings outlined above, together with further recommendations of the sustainability appraisal will need to be taken into account when finalising the Core Strategy.

LDF Core Strategy: Preferred Options 2008 - Content

14. The LDF Core Strategy: Preferred Options 2008 sets out a vision, strategic objectives, draft policies and proposals and a monitoring and implementation framework. It is structured around the same seven themes that were presented in the Issues and Options report, and where possible, these reflect the themes set out in One Darlington: Perfectly Placed.
15. The draft policies and proposals are the preferred options for tackling the issues identified in the Issues and Options Report. They have been drawn up taking account of the responses that were received to the Issues and Options consultation, the finalised One Darlington: Perfectly Placed and the most up to date national and regional planning policy, such as The North East of England Plan Regional Spatial Strategy, published in July 2008. The findings of the sustainability appraisal and an equalities impact assessment, and new local data, studies, plans and programmes, such as the successful Housing Growth Point bid have also been taken into account.
16. The remainder of this report will highlight how the Core Strategy: Preferred Options document tackles some of the key issues previously identified. A copy of the draft Core Strategy: Preferred Options document is attached (**Appendix 1**).

The Spatial Vision and Strategic Objectives

17. The spatial vision acknowledges the key role of economic growth in delivering the kind of environment and facilities in Darlington that people aspire to, and the role that the Borough will play in regional and sub-regional economic growth. The vision balances this with the grass roots view that came through the sustainable community strategy Enquiry Groups that other quality of life issues, such as retaining the town at a human scale, heritage, an attractive environment and safety are more important than economic growth.
18. If economic growth was not promoted in Darlington, a scenario could exist whereby the quality of life is sustained and enhanced, but this could rely on a significant proportion of residents commuting to work outside the Borough, with adverse implications for sustainability and the Borough's contribution to greenhouse gas emissions. Also, the opportunity to inject further money into the local economy (to fund the quality of life improvements people seek) arising from new households and businesses locating in the Borough would be missed.
19. The draft vision has also been revised to take account of other views expressed: the sentences have been made shorter, there is more on the role of the town centre, and it now provides clear links to the strategic objectives.

The Locational Strategy

20. Draft Policy CS1 (**Appendix 1**) sets out the locational strategy, including the key strategic locations where new development and regeneration will take place. These are the town centre, town centre fringe, Central Park, the urban periphery north west, urban periphery east and the Durham Tees Valley Airport area. Specific sites are not identified at this stage.
21. The broad locations range from sites where developments are only speculative enquiries at this time, to those where there are planning permissions and funding commitments in place. The types of development that these areas will accommodate depends on the location but will include housing and employment, and in the case of the urban periphery north west, the opportunity for a strategic tourism facility; the concept of a visitor information attraction for the north east in the Darlington area for visitors from the south is mentioned in the regional tourism strategy.

Promoting Good Quality, Sustainable Design

22. Draft Policy CS2 (**Appendix 1**) sets out the key considerations that architects and developers will be expected to consider in designing good quality, sustainable developments. The policy draws out the importance of local distinctiveness and the inclusion of features in new developments to minimise carbon emissions and reduce the impact of climate change, and will be a key policy in helping to deliver the Council's Climate Change Strategy. The requirements for achieving high environmental standards in new development (known as the Code for Sustainable Homes for new housing and the BREEAM standards for other development) are in line with national and regional targets, but are designed to accelerate by one year progress towards achieving these targets.

23. Designing out crime and anti-social behaviour is also a prominent criterion in this policy, reflecting the references in 'One Darlington: Perfectly Placed' to designing new development and adapting the existing environment to minimise opportunities for offending behaviour and to help people feel safer.
24. The detail behind this overarching policy will be set out in the Design of New Development Supplementary Planning Document, a draft of which is being prepared for public consultations in the autumn.

Paying for Development Infrastructure

25. Draft Policy CS3 (Appendix 1) provides the framework for securing contributions from developers towards the cost of affordable housing and the physical, community and green infrastructure required to create sustainable developments. Contributions can be for local provision directly related to the development, and in the case of larger schemes, for strategic infrastructure that meets the needs arising from many developments and the wider community.
26. The policy does not set out the priorities between the elements identified. Further work will be required on this, to reflect One Darlington: Perfectly Placed, but at the same time to provide enough flexibility so that contributions sought will relate directly to the type, location and scale of development proposed. Also, a new policy document has been issued in August setting out how the Community Infrastructure Levy will work. The Government is promoting this as an alternative to securing developer contributions by means of Section 106 agreements, and will introduce the relevant regulations in Spring 2009. Further work is needed to establish if this approach would be suitable for Darlington and what needs to be in place to implement it. This will be reflected to adjustments to this policy and through the publication of a draft Supplementary Planning Document on Paying for Community Infrastructure in due course.

Town Centre Development and Future Retail Provision

27. Draft policies CS7 to 9 (**Appendix 1**) set out the proposed approach to town centre development and future retail provision. The policies reaffirm the position of Darlington town centre at the top of the hierarchy of centres, with the only proposed changes to the hierarchy being the additional identification of local centres at West Park and Middleton St. George, as the communities have grown sufficiently in these locations to support local shops and services meeting day-to-day needs.
28. Draft Policy CS7 provides for the growth and enhancement to Darlington Town Centre that will be required to enable it to continue to fulfil its role as the sub-regional centre for the western Tees Valley and extensive parts of South Durham and North Yorkshire. Specific reference is made to the town centre fringe as an edge of town centre location where some town centre uses could be accommodated if and when there is no suitable space in the existing identified town centre area.
29. Planning policy makes a distinction between food shopping (convenience goods) and comparison goods shopping (leisure goods, clothes, etc). It is suggested that a modest amount of additional comparison goods floorspace is required in the medium term (over and

above development of 'The Oval'), and that this can be accommodated in the town centre. More precision will be given to this policy once the findings of the Darlington Retail Study, currently underway, are known later this year.

30. It is also suggested that the small amount of additional food shopping provision should be made where it fills geographical gaps in food shopping provision and is appropriate in scale to the area of deficiency.

New Housing

Housing Numbers

31. Draft policy CS10 (**Appendix 1**) sets out the number of new homes to be delivered in the Borough from 2010-2026, and the percentage that will be built on previously developed (brownfield) land. About 500 new dwellings will be needed every year to 2016, with lower figures beyond that. This reflects the requirements set out in the recently published Regional Spatial Strategy (RSS) for the North East, the successful Tees Valley housing growth point bid, and an assumption about the maximum capacity of the local housing market; evidence from 1980 to present indicates that private sector housing completions have only exceeded 500 per annum three times in that period, in the last three years (2005, 2006 and 2007), when market conditions were particularly favourable. Unless house builders can come up with robust and credible evidence that demonstrates that a higher level of house building can be sustained in the future than took place at the height of the recent house building 'boom', then any proposed housing requirement higher than this is unlikely to be deliverable.
32. The proposed housing figures also take account of recently updated national policy which indicates that some flexibility needs to be built into the housing requirement figures to avoid the need for frequent updating.
33. The figures proposed most closely match the highest of three housing requirement scenarios set out in the LDF Core Strategy Issues and Options Report published earlier this year. A potential implication of this approach identified then was that this will require some greenfield sites within or on the edge of the urban area to be brought forward for development. This challenge will be addressed through a forthcoming land allocations document.

Selecting Sites and Use of Previously Developed Land

34. The RSS sets a previously developed land (PDL) target for the Tees Valley of 70% for 2008 and 75% for the North East overall by 2016. Existing commitments and housing completions on sites identified in the LDF will contribute to meeting the 2016 target. Whilst strategic locations like Central Park and the Town Centre Fringe will be key to delivering a high proportion of new dwellings on PDL, additional smaller sites will be identified through a strategic housing land availability assessment (SHLAA), on which work has recently commenced. Because the SHLAA work is outstanding, this policy will not contain a local PDL target. This will appear in a forthcoming land allocations document.

Density

35. The proposed density range for new development of 30-40 dwellings per hectare would allow for a range of new housing layouts to be provided across the Borough, to meet identified needs and demand, and would concentrate high density in the areas with the greatest accessibility by walking, cycling and public transport. The density range proposed is at the lower ends of the target range set out in the RSS.

New Housing for All

36. Draft policy CS11 (**Appendix 1**) sets out how housing to meet needs and aspirations will be achieved. An important way of securing a mix of housing, including affordable housing and special needs housing, is as part of new private housing developments. However, great care needs to be taken in imposing requirements on developers, because if these are too onerous, they will dissuade housebuilders from developing in the Borough, making it difficult to provide both the total number and the types of new houses that are needed.
37. The draft policy recognises that it can be difficult for small-scale schemes to have sufficient value in them to enable a mix of housing to be provided within overall scheme viability. The proposed thresholds in the policy for requiring a mix of housing to be provided are 15 dwellings or more in the urban area and 5 dwellings or more in the rural area. These are the thresholds that are already set out the Council's Affordable Housing Supplementary Planning Document (adopted April 2007).
38. Draft policy CS11 also indicates that the mix of dwellings should include lifetime homes. This reflects the priority given in One Darlington: Perfectly Placed to meeting the needs of an ageing population. Lifetime homes provide accessible and adaptable accommodation for everyone, from older people to young families, and individuals with a temporary or permanent physical impairment. They can cost more to provide than housebuilders' standard products, particularly as the increased manoeuvring space required in designs means a bigger floorspace per unit and larger plot sizes. However, in the long term, increasing the provision of this type of housing could reduce the demand for the adaptations that are required to enable older people to continue to live in their own homes. All public sector funded housing in England will be built to the Lifetime Homes standard from 2011 and there is a target of 2013 for all private sector dwellings.
39. Additional work and consultations with housebuilders and others is required to establish the evidence to inform how far the proposed thresholds can be lowered without rendering new schemes unviable, and where the balance should be struck between securing affordable housing and lifetime homes whilst still achieving viable schemes to deliver the housing numbers that will be required. The additional work and consultations will be undertaken as part of consultations on the LDF Core Strategy: Proposed Options during the autumn.

The Existing Housing Stock

40. Draft Policy CS12 (**Appendix 1**) sets out the proposed policy relating to all tenures of the existing housing stock. The policy highlights that any regeneration activity will be underpinned with clear evidence of need, it mentions the possibility of demolition where evidence of sustained low demand and obsolescence exists, and goes on to highlight the community engagement that would take place where housing regeneration is being

proposed.

41. The two specific areas identified where the regeneration and improvement of existing housing areas will take place are the town centre fringe and the North Road Area, reflecting the Council's intentions that have already been expressed publicly.

Accommodating Gypsies, Travellers and Travelling Showpeople

42. Draft Policy CS13 (**Appendix 1**) sets out the criteria that will be applied in the selection of new gypsy sites and in dealing with proposals for the establishment of new gypsy sites. This policy is a national planning policy requirement.
43. The RSS identified a requirement for 74 additional pitches across the Tees Valley area (excluding Hartlepool) in the period to 2020. Further work on a Tees Valley Gypsy and Traveller Accommodation Assessment is nearing completion. This work will identify the number of new pitches that will be required in each individual local authority area.
44. It is also a national planning policy requirement to include in a LDF document a policy that translates the RSS pitch requirement into specific site allocation. This is will be done through a forthcoming site allocations document.

Darlington Cross Town Route

45. The Core Strategy will contain a policy (draft policy CS19 in **Appendix 1**) setting out the transport infrastructure improvements that are planned over the lifetime of the plan. The policy refers to, and will give public commitment to schemes like the Tees Valley Metro, where there is a reasonable prospect of implementation over the next 15 years or so. In this context, consideration has also been given to including the remaining sections of the Darlington Cross Town Route in the policy.
46. A corridor of land was safeguarded for the Darlington Cross Town Route in Policy T6 of the adopted Local Plan. Of the whole route that was identified from the A68 at Faverdale to the A67 at Middleton St George, only two sections have been implemented, at Faverdale and the Eastern Transport Corridor.
47. Consultations on this issue earlier this year showed both support and opposition for continuing to safeguard the proposed route from development, the support coming largely from those with land and development interests in north-west Darlington, and opposition from environmentalists and a range of landowners and businesses with land and premises within or directly adjacent to the existing safeguarded route, who have already faced years of uncertainty.
48. The justification for the Cross Town Route was made by the predecessor highway authority, Durham County Council. The highway justification for it was to improve strategic east-west links between the A1(M) and the A66(T), to reduce the number of heavy good vehicles using local roads, such as the A1150 (Salters Lane North). The economic benefits were envisaged to be improved access to the major industrial areas in Darlington, particularly from industrial areas of Faverdale/Whessoe Road to the A66 and from Yarm Road Industrial Estate and Morton Park to the A1(M) and A167, and improved access

to/from the industrial areas of Albert Hill and Cleveland Street, and to the airport along the way. Completion of the scheme would require significant engineering works in the urban area (Haughton Road to Faverdale) – a viaduct and/or bridges crossing the River Skerne and two railway lines.

49. Before a decision can be made on whether or not the Darlington Cross Town Route should continue to be safeguarded in the development plan, further technical work is required to establish whether the traffic and travel issues it was originally envisaged to tackle are still best met through construction of the Cross Town Route. This further work, to be carried out by specialist consultants, would concentrate on examining the effect on existing congestion hot spots in the north and north-west areas of the town, whilst examining the costs and benefits of delivering the Cross Town Scheme, compared to other solutions.
50. The technical work would entail scenario testing using computer transport models and preparing feasibility statements for options to assess issues such as traffic impact, engineering practicality, cost, environmental impact and economic regeneration. A consultation process could be carried out using computer simulation models to demonstrate the likely impact of each option. The technical work would be presented in a report suitable for use as background evidence to the Core Strategy. The work could be complete by May 2009.

The LDF Core Strategy Overall

51. The LDF Core Strategy: Preferred Options policies and reasoned justification included at **Appendix 1** has been prepared taking account of the consultation responses received following publication of the Issues and Options Report earlier this year. Also of relevance has been the publication of new contextual documents, such as the Regional Spatial Strategy and One Darlington: Perfectly Placed. An overview of how the policies of the LDF will help to deliver the two priorities and work strands of One Darlington and Perfectly Placed is set out in Appendix 4 of the document attached as **Appendix 1**.
52. Other policies include a policy on protecting and enhancing green infrastructure (Policy CS14). This reflects the policies contained in the Darlington Open Space Strategy, adopted by the Council last year. There is a policy (CS6) encompassing tourism, leisure and culture provision included in the 'Prosperous Darlington' section, reflecting the close links these have with the economy and the Borough's aspirations in this area. There is also a policy (CS14) on local distinctiveness, reflecting the priority that local people give to this issue, as expressed through the Community Strategy Enquiry Groups last year.

Achieving A Sound Plan

53. A key difference between the preparation of the Local Plan and the process of preparing documents for the LDF is the need for 'soundness' to be demonstrated. To be sound the Core Strategy needs to be founded on a robust and credible evidence base, it needs to be consistent with national policy, and the strategy it advocates should be the most appropriate, when considered against the reasonable alternatives. It also needs to be deliverable, flexible and able to be monitored. The test of deliverability is now a key one; someone has to be identified to pay for development or infrastructure, and the evidence for this needs to be

strong enough to stand up to independent scrutiny.

54. Independent scrutiny of the 'soundness' of the LDF Core Strategy will take place once the document has been submitted to the Government for examination (see Next Steps below). This scrutiny of soundness will be carried out by the Planning Inspectorate, and it will be binding on the Council to make any changes to the document that the Inspector recommends. There have been circumstances nationally where the changes that the Inspector wanted to make to an authority's LDF core strategy were so fundamental to the direction of the strategy that the plan has been declared unsound by the Inspectorate and the authority has had no choice but to withdraw it and work on a revised version for resubmission.

The Requirements for Consultation

55. A programme of public and other consultations will be planned to take place on the Core Strategy: Preferred Options over about a six week period during the autumn. This will include public and stakeholder events, as well as the publication of all relevant technical documents and more easy to read summaries and leaflets. The consultation programme will be designed and carried out in accordance with the guiding principles set out in the Council's adopted Statement of Community Involvement in Planning.

Next Steps

56. Subject to Cabinet's agreement of the recommendations, public and other consultations will take place on the LDF Core Strategy: Preferred Options from late October to early December. After that, the consultation responses will be considered and the Core Strategy will be prepared for submission to the Government for public examination. Following that examination and receipt of the Inspector's report, it is anticipated that the Council will be able to adopt the Core Strategy in 2010.