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**DARLINGTON LOCAL DEVELOPMENT FRAMEWORK: PUBLICATION DRAFT  
CORE STRATEGY**

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

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**SUMMARY REPORT**

**Purpose of the Report**

1. This report outlines the key planning policies and proposals of the Darlington Local Development Framework (LDF) Publication Draft Core Strategy, and the main changes that have been made to the document since it was considered and agreed by Cabinet as a Revised Preferred Options document in January 2010.
2. The report seeks Council's agreement that the Publication Draft Core Strategy be agreed and published, in accordance with Regulation 27 of the Town and Country Planning (Local Development) (Amendment) Regulations 2008. It also seeks authorisation for officers to make minor changes to the Publication Draft Core Strategy and carry out any necessary further consultations with key stakeholders, prior to submitting it to the Government for Public Examination, in order to ensure a sound Core Strategy.
3. These recommendations are supported by recommendations from Cabinet, at its meeting on 13th July, when the Darlington Local Development Framework (LDF) Publication Draft Core Strategy was considered.

**Summary**

4. The Darlington Local Development Framework Publication Draft Core Strategy has been prepared so that the remaining statutory stages of plan preparation can proceed, prior to the Council being able to adopt the Core Strategy.
5. Its preparation follows several consultations at earlier stages over the last couple of years, and the policies and proposals in the Publication Draft Core Strategy take account of over 450 separate comments that were made on the Revised Preferred Options document. The document also takes account of more up to date information and national planning policy changes.
6. The Publication Draft Core Strategy is structured around the same seven themes that were presented in the earlier Core Strategy documents. The themes are:
  - (a) achieving a more sustainable community;
  - (b) prosperous Darlington;
  - (c) a vibrant town centre and accessible local shops and services;
  - (d) quality housing for all;

- (e) a distinctive, greener, cleaner environment;
  - (f) a healthy and safe Darlington; and
  - (g) efficient and effective transport infrastructure.
  - (h) an implementation section has been added, bringing together material previously spread throughout the document
7. The most significant changes that have been made to policies and proposals are:
- (a) Recognition of the need for greenspace and other flood risk mitigation measures as part of proposals for development and regeneration of the Town Centre Fringe area, to reflect the findings of a Level 2 Strategic Flood Risk Assessment;
  - (b) Replacement of different affordable housing targets of 15%, 30% and 40% across the Borough with a single target of up to 30%, to reflect the findings of an economic viability of housing land study.
  - (c) an amendment to the renewable energy policy to provide more clarity about the matters that will be considered in dealing with renewable energy planning applications, and the weight that should be afforded to each of them;
  - (d) removing reference to promoting a strategic tourism opportunity adjoining the A68/A1(M) interchange;
  - (e) a reduction in the amount of additional retail floorspace that will be needed, to take account of updated forecasts of reduced retail spending and an increase in the diversion of that spending to the internet;
  - (f) amendments to the phasing of new housing delivery, so that no additional land needs to be found to deliver the new housing required in the first five years of the plan period, to reflect the continuing poor housing market conditions;
  - (g) policy changes to minimise the future flood risk to Darlington's population and places of employment.
8. The Publication Draft Core Strategy agreed by the Council should be the document that, if there were no representations to it, the Council would be happy to adopt as its finalised Core Strategy.

## **Recommendation**

9. It is recommended that:-
- (a) The Local Development Framework Publication Draft Core Strategy be agreed and published, in accordance with Regulation 27 of the Town and Country Planning (Local Development)(Amendment) Regulations 2008;
  - (b) The Assistant Chief Executive (Regeneration), in consultation with the Economy Portfolio Holder, be authorised to make any minor changes to the wording, prior to finalising the Local Development Framework Publication Draft Core Strategy for submission to the Government for Public Examination.
  - (c) The Assistant Chief Executive (Regeneration), in consultation with the Economy Portfolio Holder, be authorised to undertake any further consultations that are necessary to enable a sound Core Strategy to be finalised for submission to the Government for Public Examination, in accordance with the timetable of preparation set out in the Council's Local Development Scheme 2009-2012.

## **Reasons**

10. The recommendations are supported by the following reasons :-

- (a) To continue to progress towards fulfilling the statutory requirement to have an up to date Local Development Framework in place.
- (b) To avoid unnecessary delays in the remaining stages of LDF Core Strategy preparation.
- (c) To fulfil the regulatory requirements of Local Development Framework document preparation.

**Richard Alty**  
**Assistant Chief Executive (Regeneration)**

**Background Papers**

All listed in Core Strategy Appendices 2 and 3, attached in Appendix 2 to this Report

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S17 Crime and Disorder	Crime and Disorder is specifically considered in Policy CS2, that deals with the design of new development.
Health and Well Being	The Publication Draft Core Strategy includes a theme 'a healthy and safe Darlington' which contains policies on green infrastructure and sport and recreation provision. This theme, together with a policy that promotes cycling and walking, 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 Publication Draft Core Strategy and will be published alongside it. A Habitats Regulation Assessment has also been carried out.
Diversity	An Equalities Impact Assessment and a Disability Equality Impact Assessment have been carried out on the LDF Publication Draft Core Strategy, and have informed policy development.
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	Preparation of the LDF Publication Draft Core Strategy and advertisement of the statutory period for making representations on it are being achieved within the revenue budget allocated to the Local Development Framework for 2010/11. Preparation of the Publication Draft Core Strategy is a key milestone in LDF preparation identified in the Council's Regeneration Division 2010/11 Service Plan.
Key Decision	Yes.
Urgent Decision	This is an urgent decision, to ensure plan preparation accords with the timetable set out in the Council's Local Development Scheme, agreed in July 2009. On 22nd April, a Special Economy and Environment Scrutiny Committee considered the responses received to consultations on the Council's Core Strategy Revised Preferred Options and the proposed next steps for addressing them. These have informed this document's preparation.
One Darlington: Perfectly Placed	The LDF Core Strategy is the spatial expression of One Darlington: Perfectly Placed.
Efficiency	Several studies underpinning the preparation of the LDF Publication Draft Core Strategy, such as the Employment Land Review, Strategic Housing Land Availability Assessment and the Sustainability Appraisal have been carried out 'in house', avoiding greater consultancy costs. All consultations are by e-mail where people are happy to receive information in this way, and people are directed to the Council's website to view material, saving costs on the number of paper documents that have to be distributed.

## **MAIN REPORT**

### **Information and Analysis**

11. This report provides information about the key planning policies and proposals that are set out in the Darlington Local Development Framework (LDF) Publication Draft Core Strategy, and the main changes that have been made to the draft policies and proposals that were contained in the earlier LDF Core Strategy Revised Preferred Options document.
12. The LDF will guide the development and use of land in Darlington over the next 15 years to achieve the priorities set out in One Darlington: Perfectly Placed. The Core Strategy is the principal document of the LDF, overarching other more detailed policy documents, such as a forthcoming Accommodating Growth (site allocations) Development Plan Document, and the adopted Design of New Development and Affordable Housing Supplementary Planning Documents (SPDs). More detail on these can be found in the Council's Local Development Scheme 2009-2012, available on the Council's website and agreed by Council in July 2009.
13. The Publication Draft Core Strategy is a key stage in the preparation of the Council's Local Development Framework, and needs to be carried out to fulfil the requirements of Regulation 27 of the Town and Country Planning (Local Development)(Amendment) Regulations 2008. It is the last stage of Core Strategy preparation before it is submitted to the Government for Public Examination. The Regulation requires the Council to give notice of the opportunity for any person to make representations about the document and invite consultation bodies, such as the Environment Agency and Sport England, to make representations. The period for anyone with an interest in the strategy to make representations on it will be six weeks from the date a local advertisement notice is first published. This will follow as soon as possible after a Council decision.
14. The Publication Draft Core Strategy agreed by the Council should be the document that, if there were no representations to it, the Council would be happy to adopt as its finalised Core Strategy.

### **Previous Consideration**

15. 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) A 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;

- (d) Cabinet 7th October 2008 (C63) which considered the LDF Core Strategy: Preferred Options and agreed its contents and that it form the basis for carrying out public and other consultations. Particular reference was made at the meeting to congestion issues that required to be tackled.
- (e) Economy and Environment Scrutiny Committee 26th February 2009 (Min EE51/2009), which received a report outlining the LDF Core Strategy Preferred Options consultation responses and next steps. The Committee resolved that additional consultations be undertaken to enable preparation of the Core Strategy to advance and that a further progress report be submitted to future meetings of the Committee;
- (f) Economy and Environment Scrutiny Committee 22nd October 2009, which received a report outlining the evidence underpinning policy development for the LDF Core Strategy;
- (g) Cabinet 5th January 2010 (Minute C113(2)) which considered the LDF Core Strategy: Revised Preferred Options and agreed its contents and that it form the basis for carrying out public and other consultations.
- (h) Economy and Environment Scrutiny Committee 22nd April 2010, which received a report outlining the responses to consultation on the LDF Core Strategy Revised Preferred Options, how the responses are being considered and the next steps in the Strategy's preparation
- (i) Cabinet 13th July 2010 which considered the Darlington Local Development Framework (LDF) Publication Draft Core Strategy, and recommended that Council agree and authorise the publication of it, and agree to authorise the Assistant Chief Executive (Regeneration), in consultation with the Economy Portfolio Holder, to make any minor changes to the wording and carry out any necessary further consultations with key stakeholders, prior submitting the Core Strategy to Government for Public Examination.

## **Outcome of Consultation**

- 16. More than 450 separate comments were received in response to consultations on the Revised Preferred Options during January and February, together with comments made by people who attended the four public consultation events, the Darlington Planning Forum and a housebuilder and developer stakeholder event. A summary of responses received and how they have been considered was published on the Council's website in April and will remain there until adoption of the Core Strategy, so that people can see how their comments have been considered.

## **Sustainability Appraisal**

- 17. It is a regulatory requirement that sustainability appraisal/strategic environmental assessment (SA) is carried out when developing the Core Strategy. A Draft Final SA Report was published alongside the Revised Preferred Options document, and further appraisal work has been undertaken during and to inform the process of finalising policies for the Publication Draft Core Strategy, so that the policies that appear in **Appendix 1** have taken account of the findings of SA.

18. In most cases, the changes to policies are relatively minor, and have had no or very little effect on the overall SA results. Examples of improvements to sustainability of policies are Policy CS6 (Culture and Tourism – see paragraph 31), arising from the tightening of the policy on the location of hotels and the removal of reference to a strategic tourism opportunity, and Policy CS13 (Accommodating Travelling Groups – see paragraph 50) as the additional criteria should improve the sustainability of the location of sites. The only policy whose sustainability has declined significantly is CS11 (Meeting Housing Need – see paragraph 45), arising from less demanding standards now contained in the policy.
19. Screening of the Core Strategy has also been undertaken, to comply with the requirements of the Habitats Regulations Assessment. The screening report concluded that there would be no significant detrimental effects of the Publication Draft Core Strategy, nor is it likely to give rise to any significant detrimental effects on Natura 2000 sites. The potential for cumulative effects will be monitored through the LDF Annual Monitoring Report.

### **Equalities Impact Assessment and Disability Equalities Impact Assessment**

20. Equalities Impact Assessment and Disability Equalities Impact Assessment have been carried out during the preparation of the Publication Draft Core Strategy, and will be published alongside the Publication Draft Core Strategy. The assessments found that the Core Strategy supports equalities and has overall positive impacts, particularly through its policies on the design of new development (Policy CS2), promoting sustainable travel choices (CS19), and local shops and services (CS9). Also, the policy on Accommodating Travelling Groups (CS13) is specifically included to ensure that Gypsies and other travelling groups are not disadvantaged by inadequate provision.
21. In implementing the Core Strategy, the assessments have highlighted the need to ensure that the right balance is achieved between sometimes competing planning objectives, e.g. conserving historic character needs to be balanced with the access needs of disabled people.

### **LDF Publication Draft Core Strategy: Content**

22. The LDF Publication Draft Core Strategy sets out a vision, strategic objectives, policies and proposals for the spatial planning of the Borough, together with information about how, where, when, by whom it will be implemented. It also indicates where funding to implement the Strategy is expected to come from, and how progress in implementing the Strategy will be monitored. The document does not cover minerals and waste matters; these are being dealt with in a separate Tees Valley Minerals and Waste Core Strategy, being prepared jointly by the five Tees Valley authorities (see separate item on this agenda).
23. This Publication Draft Core Strategy is structured around the same seven themes that were presented in the earlier Core Strategy documents. The themes are:
  - (a) achieving a more sustainable community;
  - (b) prosperous Darlington;
  - (c) a vibrant town centre and accessible local shops and services;
  - (d) quality housing for all;
  - (e) a distinctive, greener, cleaner environment;
  - (f) a healthy and safe Darlington; and
  - (g) efficient and effective transport infrastructure.

24. An implementation section has been added to this, bringing together material previously spread throughout the document.
25. The layout of the document has changed from the Revised Preferred Options version, so that it is a more streamlined and simplified document. Much of the text explaining how the policies were drawn up has been removed, so that only a brief reasoned justification, the policy and monitoring information remain. Details about implementing policies have been brought together in a new Implementation section, Chapter 10, and this will be underpinned by a more detailed Infrastructure Delivery Plan, to be published alongside the Core Strategy
26. There are also fewer appendices; background information previously in appendices, such as the Housing Implementation Strategy, will now be published alongside the Core Strategy but under separate cover, so they can be updated more often.
27. The policies in the Publication Draft Core Strategy take account of the responses received to the Issues and Options consultation, the Preferred Options and Revised Preferred Options consultations. They also reflect One Darlington: Perfectly Placed, the sustainable community strategy for Darlington, and the most up to date national and regional planning policy, including PPS4: Planning for Sustainable Economic Growth and PPS5: Planning for the Historic Environment, published since the Revised Preferred Options were prepared.
28. The findings of the sustainability appraisal, a Habitat Regulations Assessment and equalities and disabilities equalities impact assessments have all also shaped the Publication Draft Core Strategy. New local data, studies, plans and programmes, as outlined to the Economy and Environment Scrutiny Committee on 22nd October, have also informed policy development. More recent pieces of work include an Economic Viability of Housing Land study, a Level 2 Strategic Flood Risk Assessment, and a Darlington Retail Study 2010 Update.
29. The remainder of this report highlights how the LDF Publication Draft Core Strategy tackles some of the key spatial and planning issues facing the Borough. It focuses on areas where there have been significant changes from the policy approach that was set out in the Revised Preferred Options document, agreed by Cabinet in January 2010. A copy of the Publication Draft Core Strategy, its appendices and the key diagram are attached (**Appendices 1, 2 and 3 respectively**); the version that will be published, if this report is agreed, would include additional illustrative material. All background material, such as the sustainability appraisal and technical studies, has been published on the planning policy pages of the Council's website, [www.darlington.gov.uk/planningpolicy](http://www.darlington.gov.uk/planningpolicy).

## **The Spatial Vision and Strategic Objectives**

30. These are little changed. They link directly to One Darlington: Perfectly Placed. Economic growth is at the heart of delivering the kind of environment and facilities in Darlington that people aspire to, but this is balanced by consideration of other quality of life issues, such as retaining the town at a human scale, safeguarding heritage, and creating an attractive and safe environment.
31. The vision and strategic objectives have been changed slightly in response to comments from key consultees such as English Heritage, Natural England and County Durham &



## **The Locational Strategy**

32. Policy CS1 (see **Appendix 1** and key diagram, **Appendix 3**) identifies the key broad locations for new development and regeneration. These have not changed since the Revised Preferred Options stage, but the policy now includes greenspace as part of the mix of land uses in the Town Centre Fringe, to address a strategic flood risk hazard along the River Skerne and environs, identified using the Environment Agency's most up to date flood risk model. There are likely to be significant areas of the Town Centre Fringe where new housing would be inappropriate because of flood risk, and regeneration of this area is likely to need to include the design of flood resilient buildings, ground raising and use of integrated drainage solutions and sustainable drainage systems. Further details will be set out in the forthcoming Town Centre Fringe Area Action Plan.
33. The policy also now specifically refers to commercial scale renewable energy schemes, particularly biomass/combined heat and power installations and district heating and cooling networks in respect of the Town Centre and the Town Centre Fringe, as these are expected to be the focus of any such provision. Strategic gaps, to prevent coalescence between the built up areas, are now included in this policy, rather than Policy CS17 as previously.
34. Since the Revised Preferred Options were agreed, further work to establish the effect on the road network of the total amount of new development planned in the Core Strategy strategic locations has been carried out. This work concluded that all the schemes identified in the Revised Preferred Options document are still needed to meet future travel needs in the Borough, taking account of all the new development proposed. More detail about additional schemes, including to change travel behaviour and develop travel choices will be included in the Local Infrastructure Plan and incorporated into policy as specific proposals in the forthcoming Accommodating Growth or Making Places DPDs – see the Council's Local Development Scheme 2009-2012 for more details on these documents.

## **Promoting Renewable Energy**

35. Policy CS3 (**Appendix 1**) has changed significantly in response to comments received from both interests who oppose new wind farm developments in the north of the Borough (e.g. Seven Parishes Action Group) and those promoting them. There was some criticism of the findings, interpretation and clarity of the evidence behind the policy, the Darlington Renewable and Low Carbon Energy Study, 2009. Further work has been done to make the reasoning and conclusions clearer, and this has informed changes to the policy.
36. The policy no longer specifically identifies potential locations for commercial scale renewable energy developments; instead, it uses a criteria based approach. In considering renewable energy schemes, the policy now makes it clear that this includes any ancillary buildings and infrastructure. The policy also now indicates that the cumulative impact on the surrounding natural, built and cultural landscape and townscape including buildings, features and habitats and species of national and local importance can be taken into account in determining renewable energy (including wind farm) planning applications, and that impact on residential amenity also includes the effect on traffic generation, recreation and access. It would also allow compensation as well as mitigation of adverse effects to be required in certain circumstances.

## Supporting the Local Economy

37. The only change made to Policy CS5 (see **Appendix 1** and key diagram at **Appendix 3**) is the addition of an indication of the order in which employment developments are planned to come forward, in response to an objection from the Government Office. The policy identifies the Town Centre, Town Centre Fringe and Central Park as first priority, with other more peripheral locations, such as Faverdale, Morton Palms and Durham Tees Valley Airport as second priority, to encourage development in more sustainable locations first. The regionally important key employment locations of Faverdale and Heighington Lane could be brought forward in response to demand at any time during the plan period

## Vibrant Cultural and Tourism Offer

38. Reference to promoting a strategic tourism opportunity adjoining the A68/A1(M) interchange has been removed from Policy CS6 (see **Appendix 1**), to acknowledge that there is no commitment from any party to deliver it (deliverability is a key test of the 'soundness' of the plan), that the concept itself is still rather fluid, and that it is not clear that it is the most sequentially preferable location in the Borough for it.
39. Some residents felt there should be a commitment to retaining the Arts Centre. The functions that the Arts Centre currently performs and the activities that it hosts are important to and an integral part of the local quality of life, but these could be accommodated at an accessible location elsewhere in the Borough in the future, such as the Town Centre Fringe, where the policy encourages a diverse range of cultural attractions and creative arts industries, to create a Darlington Cultural Quarter.
40. Some of this policy, e.g. dealing with static caravans, has been deleted, as being too detailed for a core strategy.

## Town Centre Development and Future Retail Provision

41. Policies CS7, CS8 and CS9 have been updated to reflect PPS4: Planning for Sustainable Economic Growth (which replaces PPS6: Planning for Town Centres) and information from an update of the Darlington Retail Study 2008.
42. Policy CS7 (The Town Centre – see **Appendix 1**) has been amended to include a clause encouraging a diversity of town centre uses, including for the evening and night-time economy, in locations appropriate to their particular characteristics. In addition, some of the detail about the Commercial Street scheme that relates to the existing planning permission has been removed, given ongoing investment uncertainty.
43. In Policy CS8 (Additional Retail Provision - see **Appendix 1**), the amount of further comparison (non food) gross floorspace required in Borough has been revised downwards from approximately 10,000m<sup>2</sup> to 8,000 m<sup>2</sup> by 2016 and a further 10,000 m<sup>2</sup> could be required by 2026. As regards convenience goods floorspace there is now a forecast requirement for 300m<sup>2</sup> gross floorspace in the period 2016-2021, and a further 2,000 m<sup>2</sup> in the period 2021-2026. The lower forecasts reflect more up to date projections of retail spending, which factor in reduced growth arising from the economic downturn and more diversion of spending to the internet that previously thought.

44. Policy CS9 (Local Shops and Services - see **Appendix 1**) has been amended to now specifically include public houses and social clubs as uses that should be protected and enhanced in district and local centres (for locations, see key diagram – **Appendix 3**), and allows for convenience stores in these centres to be extended up to 400m<sup>2</sup> and for stores elsewhere to be extended up to the same amount, if there is a geographical deficiency of convenience stores.

### **Amount of New Housing Required**

45. A total of 8,675 new dwellings need to be provided from 2011-2026, and taking account of schemes already underway or with planning permission, and projected nominal demolitions, new land will need to be identified in the LDF for 2535 dwellings. This is a downward revision in Policy CS10 (New Housing - see **Appendix 1**), and now means that no additional land needs to be identified in the first 5 year period, 2011-2016. These changes are possible for two reasons. Planning permissions granted since the Revised Preferred Options were prepared, such as 250 dwellings at former Corus land, Whessoe Road and about 160 at the former football ground at Feethams have added to commitments. Also, making up the accumulated shortfall against the requirement for new housing has now mostly been scheduled to be built in 2016-2021, to reflect the reality of continuing poor market conditions in the short term.
46. A further amendment to Policy CS10 is a clause to ensure that if new housing development is delayed or built out more slowly than envisaged in the priority locations identified (Town Centre Fringe, Central Park and Darlington Urban Area), then housing delivery will be sustained by bringing forward the delivery in the other (urban fringe) strategic locations identified. Whilst this would compromise the full achievement of the Strategy's sustainable development ambitions, and would have an adverse impact on the Borough's ability to contribute positively to national targets for the use of previously developed land for housing, it would help ensure that necessary new housing continues to be delivered, meeting local needs and helping to attract people who may work or set up a business in the Borough to live here too.
47. Policy CS10 now indicates that new housing needs to be provided at a rate of about 350 dwellings per annum (dpa) until 2021 and 400 per annum thereafter. This compares with over 500 dpa that were completed in 2007 and less than 250 completed in 2009/10.

### **Location of New Housing Required**

48. During consultations, the proposed locations for new housing development went largely unchallenged. New information about the potential for both biomass and wind energy generation at the Western Urban Fringe, on its own, is not sufficiently significant to change the conclusion of the original potential housing locations options appraisal. A request was also received to include land at Elm Tree Farm as a strategic location for housing. However, this is not of sufficient scale to be considered as a strategic location.

49. The substantive challenge lies in demonstrating the deliverability of the amounts of new housing envisaged for inner Darlington, given the significant costs of site assembly, infrastructure provision, cleaning up contaminated land, and in the case of the Town Centre Fringe, avoiding areas of high flood risk, mitigating any such risk and ensuring that development there does not cause flood risk problems elsewhere. The amount of new housing the area could accommodate has been reviewed, and a minor change, down to 650 dwellings from 750, has been made.
50. The amount of new development proposed at the urban fringe has changed slightly, with 50 additional dwellings proposed for the North West Urban Fringe from 2016-2021 and from 2021-2026, and 50 less dwellings proposed for the Eastern Urban Fringe for 2021-2026. This change is to ensure that sufficient development comes forward at the North West Urban Fringe to support the provision of a new primary school.
51. To support new housing development, all the transport schemes proposed in the Revised Preferred Options will be needed, and further complemented by additional local schemes if traffic levels on the key routes in the Borough are to remain at their current levels. On some routes, e.g. sections of West Auckland Road, congestion levels are not expected to increase above current levels. This is because the segment of road is already operating at its capacity and this will lead people to either find different routes to avoid it, or with appropriate and attractive alternative choices, will travel instead on foot, by bike or using public transport. There is likely to be some localised environmental impact on streets which currently do not experience significant traffic flows. The costs of mitigating this impact will need to be included in determining developer contributions for off-site works when the strategic locations are developed out (see paragraph 27 above).

### **Meeting Housing Needs: Affordable Housing**

52. In response to the findings of an Economic Viability of Housing Land Study (EVS), the affordable housing policy (CS11- see **Appendix 1**) has been amended. A Borough-wide target for affordable housing provision of up to 30% of new developments above an (unchanged) specified threshold has been set, replacing sub-area targets that ranged from 15% to 40%. This change reflects that whilst there are differences in the levels of need across the Borough, the Borough operates as a single housing market, and needs exceed the overall amount of new housing that can be delivered; it is incumbent on the policy to deliver as much affordable housing as possible wherever viable housing development takes place, subject to determining its relative importance compared to other uses of 'spare' value in developments. The EVS indicated that this is a challenging target over the lifetime of the Core Strategy, and is potentially deliverable in four out of the eight 'value areas' examined. An 'up to' target allows negotiation with developers, where necessary, to agree a lower level of provision, informed by the evidence of development viability at different times and locations in the Borough. Removal of the 40% target will have little effect, as the area where that currently applies is south-west Darlington and the rural areas; there are very few development opportunities in the former and there are and will continue to be strong policies of development restraint in the latter.

53. The greater flexibility of the policy could enable proposed levels of provision for schemes such as Central Park to be revisited (once the Core Strategy is adopted), and the need for affordable housing to be better balanced against other important planning and regeneration objectives in all of the strategic locations identified for new housing. The greater flexibility of the policy would also make it easier to secure the right kinds of affordable housing; an overtly numbers based approach was making it difficult to secure larger or special needs affordable houses, as developers defaulted to the smallest type of standard provision (2 bedrooms).
54. The required 20:80 intermediate to social rented split in provision of affordable housing has been removed, to help the policy to be more responsive; the need is for more social rented housing in poor economic conditions, but it costs the developer more to provide these types of units; conversely, it can help viability of a scheme if more affordable housing is provided as intermediate tenure.
55. An overall target of at least 35 additional affordable houses per annum has been set for the period 2011-2016 and a target of at least 50 per annum thereafter. These targets are based on assumptions about affordable housing coming forward from the application of this proposed policy and from limited Local Authority new build.

### **The Existing Housing Stock**

56. The only changes that have been made to Policy CS12 (**Appendix 1**) are to refer to wards, rather than less readily defined areas, in identifying the general locations where the regeneration and improvement of the existing housing stock will be supported, and to tighten the conditions under which selective demolition and redevelopment can form part of a housing regeneration strategy, so that all the criteria included in the policy have to be satisfied. Both these changes have been made in response to comments made during the last consultation.

### **Accommodating Gypsies, Travellers and Travelling Show people**

57. The only changes that have been made to Policy CS13 (see **Appendix 1**) are the addition of two new criteria, to avoid locating Gypsy sites in areas at risk from flooding and to provide a safe and healthy environment for residents. The number of additional sites that are needed in the Borough will be set out in the forthcoming Accommodating Growth Development Plan Document, where specific site allocations to meet the requirement identified will have to be made.

### **Biodiversity and Geodiversity**

58. Changes made to Policy CS15 (**Appendix 1**) respond to comments made, particularly by Natural England. The new policy gives more emphasis to the restoration of habitats, the attainment of the species and habitat targets in the Durham and UK Biodiversity Action Plans and providing a linked network of habitats.

## **Protecting Environmental Resources and Human Health and Safety**

59. Policy CS16 (**Appendix 1**) has been changed to address concerns raised by the Environment Agency, a statutory consultee, and the more up to date flood risk information contained in the Level 2 Strategic Flood Risk Assessment (SFRA). The policy changes are essential to minimise the future flood risk to Darlington's population and places of employment.
60. The policy now explicitly indicates that new development will be focused in areas of low flood risk, and any development considered in other areas would need to pass 'sequential' and 'exception' tests before planning permission could be granted, i.e. other less risky locations have been considered and ruled out and there is a particular need for the development (such as sewage treatment works) to be in the location proposed.
61. A further change to the policy relates to the Town Centre Fringe. The policy now includes a commitment to implementing a strategic flood risk management scheme to reduce the impact of fluvial and surface water flood risk in the Town Centre Fringe, as part of proposed development and regeneration. Flood storage compensation, restoration of the natural floodplain, the creation of a green corridor next to the River Skerne, flood resilience and resistance measures will all be required. These measures will be incorporated into policies and proposals in the Town Centre Fringe Area Action Plan in due course.

## **Sport and Recreation Provision**

62. The only change that has been made to Policy CS18 (see **Appendix 1**) is the removal of a reference to 'North of Darlington Arena' as a location for a strategic hub for playing pitches. This change has been made to reflect the Council's commitment (at Cabinet on 2nd February) to making additional playing pitch provision at Blackwell Meadows. This change does not preclude the provision of new pitches at other locations, such as at Darlington Arena or West Park; the policy encourages these where they add to the quality and accessibility of provision overall.

## **Improving Transport Infrastructure**

63. Only minor changes, such as a reference to the role of developer contributions in helping to deliver some transport infrastructure, have been made to Policy CS19 (see **Appendix 1**). All the schemes identified in the policy were found to be necessary to accommodate the forecast background growth in trips and those arising from the new developments proposed (see paragraph 27 of this report). Any additional transport infrastructure or other transport interventions, such as supporting new bus services, will be set out in the forthcoming more detailed DPDs, such as the Accommodating Growth DPD and the Town Centre Fringe Area Action Plan. These could be local schemes and/or schemes required to mitigate the impact of new development on the strategic highway network. The Highways Agency objected to the draft policy, and their objection has not been withdrawn. They are still running models to identify whether the 2026 projected traffic overload of the A66 link between the Eastern Transport Corridor and Great Burdon Roundabouts is due to background traffic growth or Darlington development traffic, and to test whether the schemes proposed in Policy CS19 will mitigate it

64. Responses both objecting to and supporting the non inclusion of the Darlington Cross Town Route in the Core Strategy were received. The comments received did not raise any new issues. Consequently, no changes have been made to Policy CS19 in respect of this issue, and the reasoned justification for the policy will continue to indicate that the previously-safeguarded Darlington Cross Town Route scheme is not part of this Core Strategy, as there is no longer a clear strategic, deliverable need for it and its unbuilt central sections.

## Other Policies

65. The following policies (all at **Appendix 1**) have no substantive changes from the version included in the Revised Preferred Options document. The changes made to them are for clarity and consistency with other policies:

CS2 - Achieving Sustainable High Quality Design;  
CS4 - Developer Contributions;  
CS14 - Promoting Local Character and Distinctiveness  
CS17 – Delivering a Multifunctional Green Infrastructure Network;

## Changing Circumstances

66. The Publication Draft Core Strategy was prepared to be in conformity with the Regional Spatial Strategy (RSS), but the Government announced the revocation of RSSs on 6th July. The removal of the RSS from the statutory development plan has not required a rethink of the development strategy set out in the Core Strategy. Many of the planning principles in the RSS are now enshrined in national planning policy; this will continue to apply and the Core Strategy has to have consistency with it, in order to be found sound. Also, the Council had significant input into the preparation of the RSS, and this has ensured that its provisions for the amount and type of development proposed for Darlington fitted in with the Council's own ambitions for the Borough. Examples include the identification of Central Darlington as a focus for regeneration, and the continued inclusion of Faverdale as a key employment location.
67. The Publication Draft Core Strategy at **Appendix 1** takes account of the revocation of RSSs. Text references to the RSS have been removed and alternative justification for the policies inserted, where necessary. In many instances, alternative robust justifications are already in place, derived from the more up to date sub-regional and local studies and strategies that have also been relied upon in preparing the document (see background documents to this report). However, for things such as housing numbers, the justification has been found in documentation submitted by the Council whilst the RSS was being prepared, and in other regional strategies, such as the regional economic strategy.
68. The LDF Core Strategy is for the period 2011-2026. Based on trends in the housing market, in unemployment and in the retail sector to mid 2009, some commentators are forecasting that the economy may still be recovering to early 2008 levels in 2012-2014, the early years of the plan period. The implications of this for the plan are that:
- (a) levels of new house building may fall even further behind RSS targets, making it difficult to achieve the total requirement for the whole of the RSS period (2004-2021) without significant public sector intervention. Policy CS10 indicates how the release of housing land in the strategic locations identified may have to be brought forward if

- there is insufficient progress on sites in more suitable locations like the Town Centre Fringe and the main urban area;
- (b) it may take several more years than currently anticipated for particularly complex and costly schemes, such as Central Park to become viable. Sites that were on the margins of viability in the strongest market conditions of 2007/08 (e.g. where significant contamination issues or and assembly needed to be tackled), will be unlikely to become viable again without intervention, until well into the plan period, as developers favour less risky, more straightforward, often smaller schemes;
  - (c) public sector funding will be less than currently envisaged, reducing the ability of the Council and others to create the conditions to support and accelerate economic growth and to support the development of more sustainable communities. It will make it even more important that the Council has a clear set of priorities for investment, such as are being drawn up through the Tees Valley Investment Plan, and the Council's own emerging Integrated Economic Strategy.
69. The new Government has also announced that several spending commitments, e.g. on transport schemes, affordable housing and new school buildings are now being reviewed. Since evidence of delivery is a test of 'soundness' of the Core Strategy, this could be problematic for the Council, as several of the policies and proposals in the strategy have been written assuming the availability of this funding, e.g. the affordable housing and housing delivery targets and phasing (CS10 and CS11), and the transport infrastructure policy (CS19). Delegated powers are therefore sought so that amendments can be made to the strategy to take account of any announcements on funding of schemes that occurs between now and submission of the Core Strategy to the Government for Examination in October. The changes that may need to be made are likely to be extending the period over which the developments and infrastructure proposed will be carried out, particularly reducing the amount that can be delivered in the early years of the plan period.

### **Next Steps and the Requirements for Consultation**

70. Subject to Council's agreement of the recommendations in this report, the period during which representations on the Publication Draft Core Strategy will be invited and can be made will commence in late July/early August and close six weeks later in early September. This consultation will be carried out in accordance with regulatory requirements and the Council's adopted Statement of Community Involvement in Planning.
71. These consultations provide the opportunity for interested parties to formally make representations about the plan. Where people object to the plan, they must set out why they think the plan is not sound, and what changes would be needed to make it sound. The tests of soundness are set out in the Government's PPS12, and are around whether the core strategy is justified, effective and consistent with national policy.
72. Once the period for making representations has closed, the Council has to prepare a summary of the main issues raised in representations and submit this, together with copies of the representations and the Core Strategy to the Secretary of State for independent examination by the Planning Inspectorate. Only minor changes should be made to the Core Strategy prior to submission; if, in the light of representations received it is felt that significant changes that affect the overall strategy need to be made, the Council would have to repeat the publication stage.



73. Because only minor changes should be made that do not affect the overall strategy, this report is seeking delegated authority for the Assistant Chief Executive (Regeneration), in consultation with the Economy Portfolio Holder, to make any minor changes to the wording of the Core Strategy prior to submission, and to authorise any further consultations with key stakeholders that are required to achieve this.
74. It is anticipated that the Core Strategy will be submitted to the Government in October and that the public hearings of the independent examination of the Strategy will take place in about February/March 2011. The Inspector will decide what issues are heard at the public sessions, and these could last for about two weeks. After that, the Planning Inspectorate will issue the Council with a report. This will include binding recommendations as to the changes the Council must make to adopt the Core Strategy. It is anticipated that the Council will be able to adopt a finalised Core Strategy in 2011, at which point it will become part of the development plan for the area and must be used in making decisions on planning applications.