

COUNTY DURHAM PLAN

WHAT WE'RE DOING AND WHEN

LOCAL DEVELOPMENT SCHEME

JULY 2012

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THE LOCAL DEVELOPMENT SCHEME

The Local Development Scheme (LDS) is an essential part of the plan preparation process. It is a Project Plan that represents an agreement with central government outlining the arrangements for producing this new plan. It is the starting point for all interested parties to find out about the Council's emerging planning policies in respect to a particular area or issue. It illustrates the relationship between the individual documents currently proposed and how they fit into the Council's wider strategies. This project plan supersedes any previously adopted by Durham County Council. It provides a revised outline of policy documents that this unitary authority will produce over the next four years and the timescale for their production. This project plan will be revised over time to reflect progress in plan preparation and to programme in subsequent policy documents.

This LDS incorporates all of the changes to the planning system introduced by the Localism Act 2011 and the National Planning Policy Framework.

It must be recognised that the programme of plan making currently proposed in this document and its timetable for production has evolved in response to a number of factors;

- The commitment that the Council has to producing a County Durham Plan that is user friendly;
- The need to produce a development plan, which can be flexible enough to respond to future changes in local circumstances, demands or national planning policy direction;
- Co-ordination with the Planning Inspectorate, particularly with respect to the period allowed between submission of a Development Plan Document and the receipt of the Inspector's binding report;
- The requirement to have an adopted Local Plan to set a planning framework context at the earliest time; and
- Identification of areas where requirement for change is a priority and delivery mechanisms are currently available.

THE COUNTY DURHAM PLAN

The County Durham Plan will be produced in accordance with government legislation and guidance. It will provide a new and up to date policy context against which all planning applications and development proposals will be assessed and determined. The new plan will provide the spatial expression of and be developed as the key delivery mechanism for many elements of the County Durham Sustainable Community Strategy and the County Durham Regeneration Statement. It will therefore be a key influence and steer in the manner in which the County will develop and prosper in the period to 2030, and beyond.

The County Durham Plan will be the development strategy for the County. It will allocate sites for development, set out criteria for determining planning applications and set out how the community and corporate plans and other strategies will be implemented through local spatial planning, including waste and minerals.

All parts of the County Durham Plan will constitute statutory planning documents, to which all planning decisions must accord with unless there are material

considerations that indicate otherwise. They will be subject to independent examination by the Planning Inspectorate who will test the 'soundness' of the document.

In addition we are also preparing a number of other documents which are not included in the LDS including:

- Infrastructure Delivery Plan, in order to identify the strategic and local infrastructure necessary to deliver the development proposals in the County Durham Plan; and
- Charging Schedule for the Community Infrastructure Levy (CIL), in order to set the appropriate financial levy to be applied to new development, to fund the delivery of the new infrastructure identified in the Infrastructure Delivery Plan.

Supplementary Planning Documents (SPDs) are not statutory planning documents but tools to supplement policies within the County Durham Plan. These documents are not included in the LDS but we currently expect to produce the following eight SPDs which are:

- Aykley Heads SPD;
- Sniperley Park SPD;
- North of Arnison SPD;
- Sherburn Road SPD;
- Lambton Park Estate;
- Historic Environment SPD;
- Built Environment SPD;
- Natural Environment SPD; and
- Affordable Housing and Developer Contributions SPD

COMMUNITY INVOLVEMENT IN THE LDS

In order to ensure the community can access the work of the Spatial Policy Team and the County Durham Plan, copies of the LDS are available on request, by email and on the Council's website at:

www.durham.gov.uk/cdp

Full details of how and when the community will be involved in the preparation of the County Durham Plan are contained in the Council's revised Statement of Community Involvement (2012).

COUNTY DURHAM PLAN STRUCTURE: SCHEDULE

The structure for the Council's development plan is set out below:

Title	Brief Description	Full profile (page)
Local Plan	The document setting out the spatial vision, objectives and spatial strategy, site allocations and development management policies, for County Durham to 2030.	11
Gypsy & Traveller Document	Will establish policies on providing sites and accommodation for Gypsies and Travellers.	12
Minerals and Waste Policies and Allocations Document	Will develop in detail the strategic Minerals and Waste policies of the County Durham Plan. The DPD will also set the detailed development management framework for minerals and waste and allocate non strategic minerals and waste sites.	13

COUNTY DURHAM PLAN STRUCTURE: COMMENTARY

The **Local Plan** (formerly the Core Strategy) will set out the spatial vision and strategic objectives for future development of the County, including minerals and waste, to which all supporting planning documents must conform. It will contain policies to deliver these objectives, on which planning applications will be determined. As well as general policies on supporting the economy, protecting the environment and public services, and improving our city, towns and villages, this will include: development management policies; employment allocations; retail allocations; and housing allocations. The Local Plan will also contain a framework for monitoring and implementation.

The **Gypsies and Travellers** document will describe how the Council will meet its obligations regarding the provision of accommodation for gypsies and travellers. The document will establish the number of equipped caravan pitches which will need to be provided across the County, and identify appropriate sites for them. It will take into account the likely numbers of gypsies and travellers in the Plan period, patterns of movement among itinerant people, and the potential for mixed use of sites by those who run businesses from the sites where their caravans are stationed.

The **Minerals and Waste Policies and Allocations** document will develop the strategic minerals and waste content of the County Durham Plan. Strategic components of the waste and minerals including strategic sites where justified and necessary will be allocated in the County Durham Plan. Where needed and justified the Minerals and Waste Policies and Allocations document will allocate non-strategic minerals and waste sites. The need for new waste management facilities will be based on the likely levels of waste production in the County, the potential for waste management by different technologies, and the likely levels of success of efforts to increase levels of recycling. The document will also include minerals and waste

development management policies on matters such as site management and restoration.

The Minerals and Waste Policies and Allocations document will be produced in parallel to the Gypsy and Traveller document to ensure that both conform with the adopted County Durham Plan.

The **Proposals Map** will use an Ordnance Survey base to depict the areas to which each of the policies contained within the County Durham Plan will apply. For example, it will show areas which have been allocated for specific types of development, such as industrial estates and retail areas; and designations such as conservation areas, where special controls apply.

This map will be initially prepared to accompany the Local Plan, but will be updated when the Gypsy and Traveller and Minerals and Waste Policies and Allocations documents are prepared.

SUSTAINABILITY APPRAISAL

The County Durham Plan is subject to Sustainability Appraisal (SA), which must start as soon as a new document has been conceived. It will consider the environmental, social and economic impacts of the policies and proposals. This will allow the County Durham Plan to comply with the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC). The SA will be continually updated as the Plan progresses and methods of community and stakeholder involvement in the SA processes will be included within the SCI.

SA must be proportionate to the plan in question and should not repeat the appraisal of higher level policy. The SA should perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. SA should also inform the evaluation of alternatives.

All documents will be subject to the following stages:

- prepare an environmental report on the significant effects of the proposals and strategies at Submission or Draft stage;
- carry out consultation on the environmental report;
- take into account the environmental report and the results of consultation in decision making; and
- provide information when the plan is adopted and show how the results of the SA have been taken into account.

COUNTY DURHAM PLAN STRUCTURE AND COVERAGE

The relationships between all of the documents that will make up the County Durham Plan are shown in Figure 1. The lines linking documents imply chains of general conformity. All subsequent documents will need to be in conformity with the County Durham Plan..

Figure 2 is a map showing the extent of the County, across which all documents will apply.

Figure 1 - Structure of the County Durham Plan

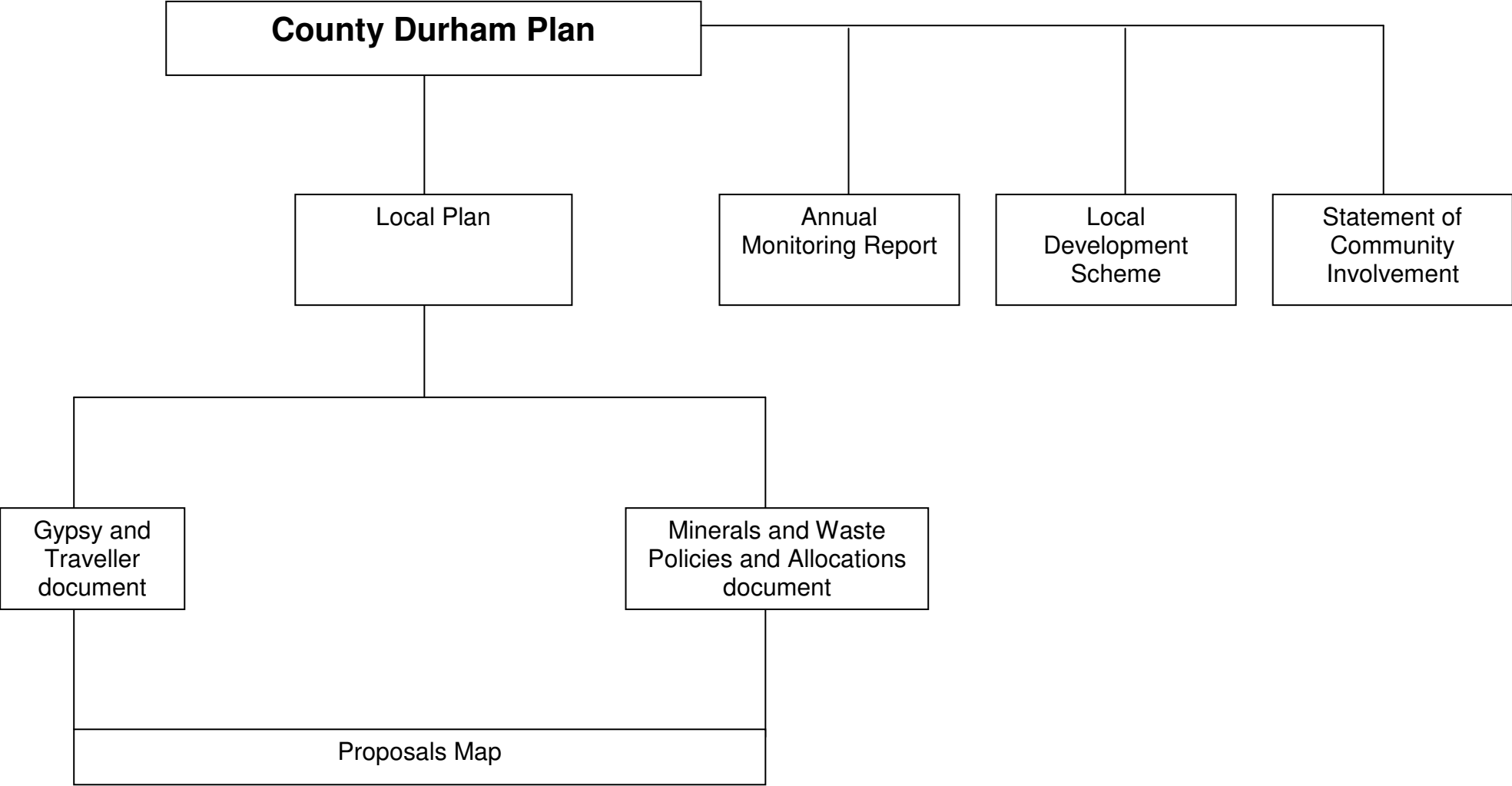
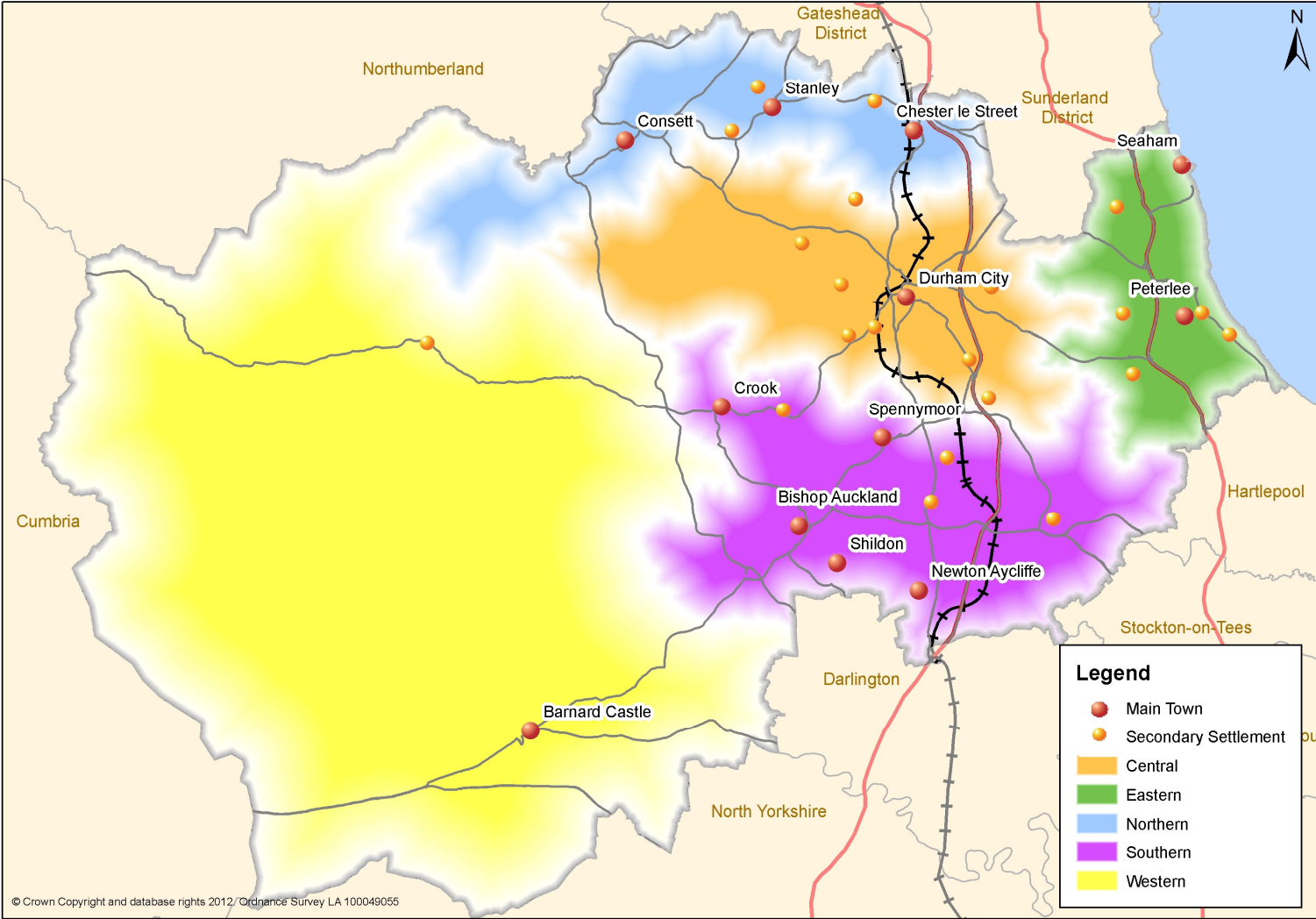


Figure 2 – Geographical Coverage



PROJECT MANAGEMENT

The Council is committed to effective project management to achieve the milestones set out in Figure 3. A project management structure has been established as set out below:

Project Sponsor - Director of Regeneration and Economic Development.

Accountable for project work, agrees budget/resources, authorises project processes, approves risk actions and changes, reviews achievement of benefits.

Project Manager - Strategic Planning Team Leader.

Responsible for delivering project objectives and outcomes, responsible for planning , monitoring, controlling and reporting to produce agreed outputs on time, within budget and to quality expectations.

Member Steering Group – Portfolio Holders and support members for Regeneration and Economic Development, Housing, Strategic Environment and Leisure, and Neighbourhoods and Local Partnerships.

Receive progress reports, checks project on track, raises the profile of the Plan within the Council, ensures accountability and appropriate links are maintained with members and across key service areas. Currently meets once a month.

Officer Advisory Group - Includes representatives from:

- Development Management
- Design and Conservation
- Economic development
- Regeneration
- Housing
- Transport
- Leisure
- Research and Information
- Community Strategy
- Grounds Maintenance
- Policy and Performance
- Education
- Asset Management

Supports the project manager, brings corporate resources into the process and linkages between the Planning Policy and other corporate and regeneration projects, integrates corporate work programmes, advising on process. Attendance at meetings is dependent on the subjects being discussed. Currently meets every two weeks.

POLITICAL MANAGEMENT

The procedure for political management of DPDs and the SCI will be as follows:

- Full Council Resolution required for Adoption (Reg 36) stage.

- Cabinet Resolution required at Issues and Options stage and before Publication and Submission (Regs 27 and 30).

Cabinet and Committee deadlines have been taken into account in formulating the programme as set out in this LDS.

RISK ASSESSMENT

A full risk assessment of the new County Durham Plan has been undertaken, the main areas of risk identified were:

- **Staff Resources** – As Local Government budgets are under severe pressure it is unlikely that if any Spatial Policy staff were lost that they would be replaced. The resulting impact on the preparation of the Plan would be a risk to it meeting its milestones.

Long term-sickness of staff within the Spatial Policy Team could also impact upon the delivery of the County Durham Plan.

Due to the nature of the County Durham Plan preparation process, there may be 'peaks and troughs' with regard to manpower required; this may allow the Council to use existing staff resources in a more flexible manner.

- **The capacity of the Planning Inspectorate, other statutory consultees and key partners** - any such lack of capacity is outside the local authority's control but this national problem has been identified and other agencies are aware of the ramifications. Failure by key partners to deliver in accordance with the programme is another potential risk. Examples include the reliance upon other Council teams and partners for information or slippage in the production of key strategies and programmes, which are required to inform the content of local development documents, particularly the SCS. In order to give stakeholders and other Council divisions an idea of when their input will be required the LDS will be circulated widely.
- **Timely Preparation of a Robust and Credible Evidence Base** – In certain specialist areas the Council is reliant on consultants to produce its evidence documents. Procedures need to be in place to ensure that the evidence prepared is sufficiently robust and credible to support the Plan through Examination. Furthermore the timetable in this LDS is reliant on these key pieces of evidence being produced in a timely manner. Delays in the preparation could cause delays in the preparation of the Plan.

MONITORING AND REVIEW

Each year an Annual Monitoring Report (AMR) will be prepared to assess progress on the delivery of the County Durham Plan and to review the effectiveness of County Durham Plan policies. The AMR is published in December each year and assesses the following factors:

- Progress on the delivery of the County Durham Plan compared with LDS milestones.
- Reasons for any variance and proposed actions.

- Any factors that may impact on the following year's LDS milestones and planned action.
- The need for new evidence or research.
- A review of policy effectiveness.
- A trajectory of future housing provision against housing requirements.

The LDS will be reviewed and rolled forward when necessary to take account of changes to national or regional policy, progress on the programme, milestones and the content of the AMR. The flexible nature of the system means that new documents can be added to the LDS as circumstances change.

COUNTY DURHAM PLAN - LOCAL DEVELOPMENT DOCUMENT PROFILES

Local Plan	
Overview	
Role & Subject	The document setting out the spatial vision, objectives and spatial strategy, site allocations and development management policies, for County Durham to 2030.
Coverage	Countywide.
Conformity	In general conformity with the NPPF, and the County Durham Sustainable Community Strategy and the Municipal Waste Management Strategy.
Timetable	
Preparation of Preferred Options report	January to August 2012
Preferred Options consultation	September-October 2012
Period for consideration of representations on Preferred Options report	November 2012 – June 2013
Publication Consultation (Reg 27)	July – August 2013
Consideration of representations (Reg 28)	September - October 2013
Submission of development plan document to Secretary of State and sustainability appraisal report (Reg 30)	November 2013
Pre-examination meeting	January 2014
Examination period, including commencement of the examination (Reg 34)	March 2014
Receipt of Inspector's report (Reg 35)	May 2014
Adoption	June 2014
Arrangements for Production	
Management Arrangements	Led by Strategic Planning Team Leader and reporting to the Steering Group.
Political Management	Led by Cabinet. Full Council Resolution required for Adoption.
Evidence Base	Includes Strategic Housing Market Assessment, Strategic Housing Land Availability Assessment, Retail and Town Centre Needs Assessment, Employment land Review, Strategic Flood Risk Assessment, Water Cycle Study, Green Infrastructure Study, Open Space Needs Assessment, Infrastructure Delivery Plan, Landscape and Visual Impact Studies, Migratory Birds Study, amongst others.
Resources Required	Staff resources from Spatial Policy Team with input from Development Management and other teams within the Council as necessary. Printing, publicity and evidence base costs. Staff resources from Spatial Policy Team with input from Development Management, Waste Management, Landscape and Ecology Teams as necessary.
Community & Stakeholder Involvement	In accordance with the Statement of Community Involvement (revised 2012).
Monitoring	
Annual Monitoring Report.	

Gypsies and Travellers	
Overview	
Role & Subject	Will establish policies on providing sites and accommodation for Gypsies and Travellers, taking into account likely requirements and explaining the rationale for site selection.
Coverage	The whole of County Durham.
Conformity	In general conformity with the NPPF, the Core Strategy, the SPD on Sustainable Design and the Sustainable Community Strategy.
Timetable	
Commencement	March 2014
Preparation of Issues and Options	March 2014 – July 2014
Issues and Options	August –September 2014
Preparation of Preferred Options report	October 2014 –March 2015
Preferred Options consultation	April-May 2015
Period for consideration of representations on Preferred Options report	June – October 2015
Publication Consultation (Reg 27)	November-December 2015
Consideration of representations (Reg 28)	January-February 2016
Submission of development plan document to Secretary of State and sustainability appraisal report (Reg 30)	March 2016
Pre-examination meeting	May 2016
Examination period, including commencement of the examination (Reg 34)	July 2016
Receipt of Inspector's report (Reg 35)	October 2016
Adoption and publication of document (Reg 36)	December 2016
Arrangements for Production	
Management Arrangements	Led by the Strategic Planning Team Leader reporting to the Steering Group.
Political Management	Led by Cabinet. Full Council Resolution required at Adoption stage.
Evidence Base	Gypsy and Traveller Needs Assessment, Settlement Study, Strategic Housing Market Assessment, Strategic Housing Land Availability Assessment.
Resources Required	May need some staff resource in addition to existing levels in Planning Policy Team. Will need input from other Council Teams as necessary. Printing and publicity costs. Some of the studies identified may need to be undertaken by consultants.
Community & Stakeholder Involvement	In accordance with Town and Country Planning (Local Development) (England) Regulations 2004 as amended, until the new County Durham SCI is adopted.
Monitoring	
Annual Monitoring Report.	

Minerals and Waste Policies and Allocations	
Overview	
Role & Subject	This document will develop in detail the strategic Minerals and Waste policies of the Local Plan and in conjunction with the Local Plan set out a Minerals and Waste Delivery Strategy for County Durham. It will also set the detailed development management framework for minerals and waste and where needed and justified allocate non strategic minerals and waste sites.
Coverage	The whole of County Durham
Conformity	In general conformity with the NPPF, the Local Plan and the Sustainable Community Strategy.
Timetable	
Commencement	March 2014
Preparation of Issues and Options	March 2014 – July 2014
Issues and Options	August –September 2014
Preparation of Preferred Options report	October 2014 –March 2015
Preferred Options consultation	April-May 2015
Period for consideration of representations on Preferred Options report	June – October 2015
Publication Consultation (Reg 27)	November-December 2015
Consideration of representations (Reg 28)	January-February 2016
Submission of development plan document to Secretary of State and sustainability appraisal report (Reg 30)	March 2016
Pre-examination meeting	May 2016
Examination period, including commencement of the examination (Reg 34)	July 2016
Receipt of Inspector's report (Reg 35)	October 2016
Adoption and publication of document (Reg 36)	December 2016
Arrangements for Production	
Management Arrangements	Led by the Strategic Planning Team Leader reporting to the Steering Group.
Political Management	Led by Cabinet. Full Council Resolution required at Adoption stage.
Evidence Base	Detailed evidence set out in the Councils 23 Technical Papers which have been produced to support the preparation of the County Durham Plan.
Resources Required	May need some staff resource in addition to existing levels in the Spatial Policy Team. Will need input from other Council Teams as necessary. Printing and publicity costs. Some of the studies identified may need to be undertaken by consultants.
Community & Stakeholder Involvement	In accordance with adopted Statement of Community Involvement.
Monitoring	
Annual Monitoring Report.	

APPENDIX 1: GLOSSARY OF TERMS

Below is a glossary of terms used within the Local Development Scheme.

The Act: the Planning and Compulsory Purchase Act 2004.

Adoption: The final confirmation of a development plan as having statutory status by a Local Planning Authority (LPA).

Annual Monitoring Report (AMR): Produced by the Council to provide an assessment of the progress made against targets and the performance of policies. The monitoring period is April to March.

Area Action Plan: used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of Development Plan Documents.

Sustainable Community Strategy: local authorities are required by the Local Government Act 2000 to prepare these, with aim of improving the social, environmental, and economic well being of their areas. Through the Community Strategy, authorities are expected to co-ordinate the actions of local public, private, voluntary, and community sectors. Responsibility for producing Community Strategies may be passed to Local Strategic Partnerships, which include local authority representatives.

Community Infrastructure Levy: A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

Community Right to Build Order: An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site-specific development proposal or classes of development.

Corporate Plan: sets out the Council's vision, aims, values, priorities, and proposals to achieve the Community Strategy.

Development Plan: In County Durham this includes adopted Local Plans and Neighbourhood Plans, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. (Regional strategies remain part of the development plan until they are abolished by Order using powers taken in the Localism Act. It is the government's clear policy intention to revoke the regional strategies outside of London, subject to the outcome of the environmental assessments that are currently being undertaken.)

Development Plan Documents (DPD): spatial planning documents that are subject to independent examination, that will form the development plan for a local authority area for the purposes of the Act.

Examination: The process by which an Independent Planning Inspector may publicly examine a development plan development and any representations, before issuing their report.

Inspector's Report: A report issued by an Independent Planning Inspector regarding the planning issues debated at the independent examination of a development plan or a planning inquiry.

Localism Act: Provides new planning tools to help empower communities to shape and manage development in their local area.

Local Development Document (LDD): the collective term in the Act for Development Plan Documents, Supplementary Planning Documents, and the Statement of Community Involvement.

Local Development Framework (LDF): The requirement to prepare an LDF was abolished by the National Planning Policy Framework which instead requires local planning authorities to prepare new Local Plans.

Local Development Scheme (LDS): sets out the programme for preparing Local Development Documents.

Local Development Order: An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

Local Planning Authority: The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority apply to the district council, London borough council, county council, Broads Authority, National Park Authority and the Greater London Authority, to the extent appropriate to their responsibilities.

Local Strategic Partnership (LSP): non-statutory, multi agency bodies which bring together the public, private, community, and voluntary sectors. The District Partnership, the LSP, brings together decision makers, communities, and organisations to improve the quality of life of all citizens, but particularly those that face disadvantage.

National Planning Policy Framework (NPPF): Planning policy guidance issued by Central Government replacing Planning Policy Statements, Planning Policy Guidance Notes, Minerals Policy Statements and Minerals Planning Guidance Notes.

Neighbourhood Development Order: An Order made by a local planning authority (under the Town and Country Planning Act 1990) through which Parish Councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

Neighbourhood Plans: A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

Planning Inspectorate: The Government body responsible for the processing of planning and enforcement appeals; holding examinations of development plan documents.

Proposals Map: the adopted proposals map illustrates on a base map (reproduced from, or based upon a map base to a registered scale) all the policies contained in Development Plan Documents. It must be revised as each new Development Plan Document is adopted, and it should always reflect the up-to-date planning strategy for the area.

Spatial Planning: Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. That will include policies which can impact on land use, for example by influencing the demands on, or needs for, development, but which are not capable of being delivered solely or mainly through the granting or refusal of planning permission and which may be implemented by other means.

Statement of Community Involvement (SCI): sets out the standards which authorities will achieve when they involve local communities in the preparation of local development documents and development control decisions. The SCI is not a Development Plan Document but is subject to independent examination.

Strategic Environmental Assessment (SEA): a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.

Supplementary Plan Documents (SPD): provide supplementary information about the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

Sustainability Appraisal (SA): tool for appraising policies to ensure that they reflect sustainable development objectives (that is social, environmental, and economic factors). Councils must carry out SAs for all Local Development Documents.

Sustainable Development – development that meets the needs of the present without compromising the ability of future generations to meet their own needs.