

**Cabinet**

**24 July 2012**



**The County Durham Plan Preferred Options (including supporting documents)**

**Key Decision R&ED/09/12**

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**Report of Corporate Management Team  
Ian Thompson, Corporate Director Regeneration and Economic Development  
Councillor Neil Foster, Cabinet Portfolio Holder for Regeneration and Economic Development**

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**Purpose of the Report**

1. This report seeks approval to consult on the Preferred Options, the latest stage in preparing the County Durham Plan, the new Local Plan for County Durham and a key means of delivering the Regeneration Statement. It also seeks approval to consult on a number of Supplementary Planning Documents that accompany the Plan.
2. The report also informs Cabinet on two revised planning documents; the Local Development Scheme (LDS) which sets out the range of documents that will make up the County Durham Plan and the timescale for their production; and, the Statement of Community Involvement (SCI) which explains how the Council intends to engage stakeholders and the community in the consideration of planning applications and the preparation of the County Durham Plan.
3. Full copies of all of these documents will be made available in the Members' Resource Centre.

**County Durham Plan**

4. There is broad agreement that the overarching priority for County Durham is to improve its economic performance. This priority is reflected in the Sustainable Community Strategy and Regeneration Statement and is the central theme of the County Durham Plan.
5. All Local Planning Authorities have a statutory requirement to prepare and maintain an up to date development plan for their area. The Plan is being prepared at a time of great change, the Localism Act has introduced a number of important reforms to the planning system and the National Planning Policy Framework (NPPF) is a streamlined framework replacing the previous planning policy guidance.

6. In response to this changing agenda we have converted the work we had already undertaken on the Core Strategy into a much broader Local Plan. Members will recall the cabinet report from the 30<sup>th</sup> May which outlined the new scope and timescale for this new County Durham Plan.
7. The LDS is the project plan that sets out the timescale for the production of the County Durham Plan. The LDS was approved by Cabinet in April 2010 and has now been revised to reflect the new timescales.
8. The SCI sets out how the Council intends to involve third parties in the planning process. The SCI has also been revised to reflect the recent legislative changes and to incorporate guidance relating to Neighbourhood Planning.

### **Cross Boundary Working - The Duty to Co-operate**

9. One of the changes brought about by the Localism Act is the introduction of the Duty to Co-operate with neighbouring authorities in preparing our Plans. The Council has created an implemented a protocol which has and will ensure that neighbouring authorities and other key stakeholders are involved at each stage of plan preparation.

### **Content of the Plan**

10. The County Durham Plan seeks to guide the future development of County Durham to improve the lives of its existing and future residents. It is therefore a Plan that seeks to meet the differing needs of our communities. The Plan sets the policy framework for the next 20 years to support the development of a thriving economy in County Durham while at the same time protecting those things that are important to us all. With improved economic performance central to the Plan, it identifies a number of sites for new employment, new housing and new infrastructure to accommodate the growth needed to achieve these ambitions.
11. The Preferred Options is the fourth and perhaps, the most significant stage in the development of the County Durham Plan. It is the document where the Council, for the first time, identifies the scope and content of the preferred Plan in detail and is the key consultation stage before the Plan is submitted to the Secretary of State for approval. As with all previous stages the comments received during consultation will inform the next stage of plan preparation.
12. The ambition of improving the County's economy is based on increasing the economic performance of the County by enabling a step change in the role and function of Durham City and the other main towns to act as economic drivers, whilst ensuring the rest of the County shares in the benefits of economic prosperity. The Plan seeks to create the conditions, including a better environment for business and the necessary infrastructure, that are needed to enable an increased proportion of the

working age population in employment, with all the benefits to residents health, wellbeing and prosperity that follow as a result.

13. Macro-economic factors such as the continued fragility of the global economy and the impact of the Government's austerity measures are likely to present key challenges to securing economic growth within the County. However the Plan seeks to enable growth and economic prosperity by ensuring that sufficient employment, retail and housing land, of the right type is made available in the right locations to meet the needs of the market.

#### Quantity of New Development Proposed

14. In order to meet the needs of present and future residents of County Durham and to deliver a thriving economy, including a reduced rate of worklessness, the Preferred Options report proposes the following levels of development up to 2030:
  - **Housing:** At least 30,000 new homes of mixed type, size and tenure;
  - **Employment Land:** 297 hectares of general employment land for office, industrial and warehousing to support the delivery of 30,000 new jobs; and
  - **Retail:** 29,750 sqm (gross) of new retail floorspace.

#### The Preferred Spatial Approach of the County Durham Plan

15. Sustainable development and maximising opportunities for delivery are the core principles of the Spatial Approach. Therefore the preferred approach is for development will be delivered in accordance with the following:
  - The 12 Main Towns, including Durham City, will be the principal focus for significant retail, housing, office and employment providing better transport and service provision with Durham City as the sub-regional centre.
  - The 23 Smaller Towns and Larger Villages will also function as local employment and service centres and will continue to meet the needs of dispersed local communities across County Durham, supporting levels of growth commensurate with their sustainability, physical constraints, land supply and attractiveness to the market.
  - The aspirations of all other settlements, to play a part in meeting social and economic needs and contribute to regeneration, will be achieved by delivering smaller but significant levels of development is recognised.
  - Smaller communities will become more sustainable and resilient, by re-balancing the housing stock and encouraging social and economic vitality. This will be achieved through the identification of groupings of communities and a positive approach to development that delivers community benefits, social cohesion and sustainability.
  - In rural areas, development that meets the needs of the local community, for instance affordable housing and economic diversification, including appropriate small scale tourist

development, will be permitted whilst protecting the countryside from wider development pressures and widespread new building.

16. An important aspect of the preferred approach is its deliverability. Previous approaches to new development relied heavily on public sector funding to ensure the viability of sites in areas of deprivation, focusing all efforts on these communities. This funding is no longer available and is unlikely to be for some time to come. It is also apparent that in some of those areas that received the investment it has had a limited impact, especially in improving economic performance. Therefore to secure new development we must establish a better understanding of the market. As a result new development will be directed to locations that are attractive to the development industry but that will still deliver regeneration and economic growth. Furthermore if other priorities, such as the provision of affordable housing, are to be delivered then development must be allowed in those areas where there is sufficient land values to fund them. Concentrating development in places with a proven track record of delivery, is therefore essential, but this must not be to the exclusion of other areas which will be allowed to meet local needs and continue to regenerate. The distribution and allocation of housing, employment and retail sites reflect the Plan's Spatial Approach.

### **Supplementary Planning Documents**

17. A number of draft Supplementary Planning Documents (SPD) also accompany the Plan and give more detail on the Strategic Allocations that include Green Belt deletions and that will deliver the Spatial Approach. If approved by Members these will be consulted on at the same time as the Plan and are listed below, copies accompany this report:
  - Aykley Heads;
  - Sniperley Park;
  - North of Arnison;
  - Sherburn Road; and
  - Lambton Park Estate.
18. There will be other draft SPDs prepared for inclusion in the Submission Draft version of the Plan. These will cover the other Strategic Housing Allocations that do not affect the Green Belt and a number of topic based SPDs:
  - Developer Contributions and Affordable Housing;
  - Built Environment;
  - Historic Environment; and
  - Natural Environment.

### **Consultation**

19. National guidance encourages both early and continuous community and stakeholder involvement as an integral part of the plan making process. The Preferred Options report is the latest stage in helping to develop the Local Plan and, subject to Members' agreement, will be widely circulated

for public consultation from September 10<sup>th</sup> until the 2<sup>nd</sup> November 2012. WeTeam will be informing a significant proportion of the County's residents directly of the document's availability and undertaking a large numbers of events, including some in partnership with AAPs, to ensure maximum awareness and involvement in the preparation of the County Durham Plan.

20. Members will continue to be involved in the development of the Plan through member Briefings arranged for early September and the regular meetings of the County Durham Plan Member Steering Group.

#### The Statement of Community Involvement

21. The SCI sets out the standards the Council will meet when consulting on the County Durham Plan and planning applications including:
  - Informing communities of emerging policies and proposals in good time;
  - Enabling communities to put forward their ideas and suggestions;
  - Ensuring consultation takes place in accessible locations and at appropriate times to maximise participation; and
  - Providing and requesting feedback.
22. The latest version of the SCI which reflects the legislative changes introduced accompanies this report and is submitted for member approval. Once agreed by Council the Spatial Policy Team will monitor the effectiveness of the SCI to our refine consultation methods as appropriate. If it is required the SCI will be reviewed but only if absolutely necessary.

#### The Local Development Scheme and Next Steps

23. The Local Development Scheme (LDS) sets out the timescales for the next stages of the Plan's preparation. In order to allow sufficient time to consider the responses to the Preferred Options, which will likely include significant numbers of representations, the Submission Draft of the Plan will be reported to Cabinet in June 2013 and will be followed by publication and a final round of public consultation.
24. Following consideration of the Submission Draft consultation responses following Publication and the making of any changes, the Plan will be formally submitted in late autumn 2013 with the Public Examination to follow in spring 2014 and finally Adoption in summer 2014.
25. To give us time to collect the necessary evidence, separate Gypsy and Traveller and Minerals and Waste Allocations documents will be prepared. Work will commence following the Examination of the County Durham Plan with adoption of both documents expected in 2016.
26. Once the content of the LDS has been agreed by Council it will be submitted to the Planning Inspectorate for approval. The Scheme will be used by the Council, through its Annual Monitoring Report, to monitor the progress of the preparation of the County Durham Plan. If it becomes

clear that milestones will not be met or that further documents need to be produced then the LDS will be reviewed.

### **Sustainability Appraisal**

27. Sustainability Appraisal (SA) is an integral and critical part of policy development and helps us meet the requirements of the SEA Directive. Although SA has been completed on all of the key strategic elements of the Plan it has not been possible to complete SA on every other policy before this meeting. Therefore some minor changes resulting from SA recommendations may be required. There may also be some minor grammatical or wording changes that improve the overall quality of the document before it goes to print. To avoid the need for the Plan to come back to Cabinet it is suggested that the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development be given delegated powers to approve these modifications.

### **Recommendation**

28. Members are recommended to:
- i. Agree the County Durham Plan Preferred Options for consultation from September 10<sup>th</sup> to 2<sup>nd</sup> November 2012;
  - ii. Agree the five Supplementary Planning Documents named in this report for consultation from September 10<sup>th</sup> to 2<sup>nd</sup> November 2012;
  - iii. Agree the Local Development Scheme;
  - iv. Agree the Statement of Community Involvement; and
  - v. Agree delegated powers for the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development to approve minor modifications to the Plan.

### **Background Papers:**

County Durham Local Plan – Preferred Options (2012)  
County Durham Local Plan – Policy Directions (2011)  
County Durham Local Plan – Issues and Options (2010)  
National Planning Policy Framework (CLG, March 2012)  
County Durham Local Development Scheme (June 2012)  
County Durham Statement of Community Involvement (June 2012)  
The Sustainability Appraisal of the Plan (2012);  
Habitat Regulations Assessment (2012);  
Rural Proofing Baseline Report (2012);  
Defining Economic Growth in the County Durham Plan (2012);  
Retail and Town Centre Uses Study (2010);  
Open Space, Sport and Recreation Needs Assessment (2010);  
Playing Pitch Study (2011);  
Strategic Flood Risk Assessment (2010);  
The Economic Case for the County Durham Plan (2012);  
County Durham Settlement Study (2012);  
County Durham Employment Land Review (2012);

Transport Modelling for County Durham Plan (2011/12);  
AECOM Durham Relief Road Studies: Western and Northern Route  
(2011);  
Strategic Housing Land Availability Assessment (2012);  
Strategic Housing Market Assessment (2012);  
Strategic Employment Sites Study (2012);  
County Durham Green Infrastructure Strategy (2012); and  
Durham City Green Belt Assessment Phases 1, 2 and 3;

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## **Appendix 1: Implications**

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**Finance** – The Regeneration Statement and the County Durham Plan outline the approach for investment which includes Durham County’s council’s capital programme.

Some savings will be made as a result of having a single Local Plan with fewer Examinations in Public. There will be significant costs of approximately £30000 associated with printing and consultation.

**Staffing** – The Spatial Policy Team’s work programme will be amended as a result of the changes to the timetable.

**Equality and Diversity** – Equality and Diversity has been an integral part of policy development in the County Durham Plan. The vision as outlined in the Regeneration Statement is to *shape a County Durham where people want to live, work, invest and visit and enable our residents and businesses to achieve and maximise their potential* – this will have a positive effect on all residents, employees and visitors. Detailed Equality Impact Assessments have been and will be carried out for individual strategies or projects.

**Risk**- A risk assessment has been completed and three reportable risks has been identified, details of which are attached in appendix A.

**Accommodation** – None.

**Crime and Disorder** – None.

**Human Rights** – None.

**Consultation** – The timings of consultation is included in the Local Development Scheme. Significant consultation will be undertaken in September and October this year and on other occasions during plan preparation.

**Procurement** – None.

**Disability Discrimination Act** – None.

**Legal Implications** – Legal opinion has been sought from the Council’s in-house legal team on the majority of policies in the Plan and incorporated where received.



**APPENDIX A**  
**Reportable Risks**

<b>Risks associated with agreeing the decision.</b>			
<b>Risk Description</b>	<b>Potential Impact</b>	<b>Measures to mitigate the risk (if not already in place state implantation date)</b>	<b>Risk Owner</b>
Public dissatisfaction to the proposed strategic plans being centred mainly around Durham City.	Reputational damage.	Ongoing consultation with the public in all areas of the County communicating the full County Plan not just focussing on the area itself. Modifications to the plan have been made in response to public opinion. Formally responded to every representation made.	Ian Thompson
Opposition to the alterations to the Green Belt.	Reputational damage. Legal challenges. Increased costs. If opposition successful CDP would have to be re-written.	Ongoing consultation with the public providing in depth information about the proposals for altering the green belt. Studies completed to identify the most sensitive areas. Complete transparency of proposals has been maintained. Considered alternative approaches.	Ian Thompson
<b>Risks associated with not agreeing the decision.</b>			
Delay in the social, economic and environmental regeneration	1. Inability to attract inward investment, employment; housing development etc. 2. Local economy will suffer. 3. Social inequalities may increase. 4. Public dissatisfaction. 5. Reputational damage.		Ian Thompson