

TITLE:	<b>City of Durham Council: Consultation on LDF Documents</b>
TO/ON:	<b>Executive, 7<sup>th</sup> November 2005</b>
BY:	<b>Director of Environmental Services</b>
PORTFOLIO:	<b>Environment</b>
STATUS:	<b>Report</b>

**STRATEGIC FACTOR CHECKLIST**

The Council’s Corporate Management Team has confirmed that the Strategic Factor Checklist has been applied to the development of this report, and there are no key issues, over and above those set out in the body of the report, that need to be brought to Members attention.

**1 SUBJECT MATTER AND PURPOSE**

- 1.1 This report sets out a proposed scheme of delegation for future consultations on adjoining authority’s Local Development Framework documents. It also informs Members of the first of these consultations, the Local Development Documents (LDD) published by Durham City Council. These will be subject to public consultation for a six week period up until the 11<sup>th</sup> November 2005. These documents are:
  - the Housing Development Plan Document (Preferred Options) and accompanying Sustainability Appraisal,
  - the draft Provision of Public Art (Supplementary Planning Document) and accompanying Sustainability Appraisal, and
  - the Submission Draft Statement of Community Involvement;

**2 BACKGROUND**

- 2.1 All of the Districts of County Durham are required to produce a Local Development Framework (LDF), which will replace the existing Local Plans. The LDF will comprise a series of documents including LDDs, which can be either Development Plan Documents (DPD) or Supplementary Planning Documents (SPD), Statements of Community Involvement (SCI) and Annual Monitoring Report (AMR). The preparation of these documents requires statutory periods of consultation, whereby communities and stakeholders are given the opportunity to comment upon their contents and implications. This process is intended to encourage greater levels of participation in, and ownership of, the planning process.
- 2.2 This is the first report brought to Executive regarding an adjoining authority’s Local Development Framework. As there are a number of stages to the preparation of Development Plan Documents (DPDs), and given that each authority is preparing two or three DPDs, then the number of consultation exercises that will require a response from the Council will be significant.

Deleted:

Timescales will always be short as preparing a report to go to Executive within the six week consultation period may be difficult. It is therefore suggested that the Director of Environmental Services, in conjunction with the Portfolio holder for the Environment, be given delegated responsibility to deal with these documents.

- 2.3 The suggested protocol is for a DPD that has no impact on the District or contains proposals worthy of support not to be put before the Executive. Conversely if the DPD is considered to have a major impact on the District, or contains proposals to which the Council would object, then it would be reported to Executive. All documents, including those not reported to Executive would be available within the Planning Division to be viewed if required.

### 3 RELEVANT MATERIAL/CONSIDERATIONS

3.1 The documents published by Durham City Council are summarised below.

3.2 The Housing DPD (Preferred Options) establishes Durham City Council's preferred options for each of the key housing policy issues. It is a consultation draft aimed at exploring the implications of 10 key housing issues and the various optional approaches to addressing each concern. The Preferred Option for each of the 10 issues has been determined through an assessment of:

- a previous round of consultation on the Issues and Alternative Options for Housing paper in July 2005,
- the Sustainability Appraisal of the options,
- those parts of the County Durham Structure Plan 1991-2006 that still form part of the Interim Core Strategy for the City of Durham LDF,
- National and Regional Planning Guidance, and
- the Submission Draft Regional Spatial Strategy (June 2005).

3.3 The key issues for housing are:

- **What level of housing growth should the district be aiming for (or how many houses should we be building)?**

Preferred Option: Regeneration and affordable housing and some limited growth.

The implications of this preferred option mean that the housing allocation, stipulated within the Regional Spatial Strategy, will be exceeded given current development and outstanding permissions.

- **Where should any new housing developments be located within the district?**

Preferred Option: Continue with the current strategy of regenerating the former coalfield communities and permitting limited development within the city.

This strategy will ensure that the need for additional housing in the city is met whilst the more deprived outlying communities are regenerated. Hypothetically, a moratorium on building in the city would focus more development in the outlying areas (assuming a continuation of current housing shortage and high unit values) though demand remains more acute within the congested city centre.

- **If housing development is located within the villages, which villages are most appropriate?**

Preferred Option: Only the larger villages that are easily accessible to Durham or another major centre should be targeted for development.

This option will help ensure the future of localised services within the larger villages, whilst reducing journeys to the city and other large centres. This should not deter any housing development from occurring in the smaller villages, many of which also require regenerating.

- **New development on brownfield or greenfield land?**

Preferred Option: Aim to satisfy Government or Regional targets for brownfield housing development.

Fine in principle, though there are issues with limited supply of brownfield land in the villages, which skews development towards the city where there are more such sites. There are emerging biodiversity issues, which stipulate that all development sites must be assessed for wildlife and geological conservation purposes. As brownfield sites can harbour more wildlife than greenfield, there will be conflict in developing in such places.

- **How much affordable housing should the Council require from developers?**

Preferred Option: Require 30% of all new dwellings to be affordable.

Whilst the district requires a large injection of affordable housing (circa 503 new units per year), it is difficult to deliver even a fraction of this demand through negotiating with private housing developers. Furthermore, developers can be deterred from schemes requiring a large proportion (50%) of affordable housing because of the associated stigma.

- **How big should a development be before we require affordable housing to be provided?**

Preferred Option: Require a moderate threshold of development size (25 dwellings or more/sites of 1 hectare +).

This option sets the target for achieving the above allocation of affordable housing. Consultation revealed a preference for an option that called for a variable rate of provision, determined by location and other site-specific considerations. The establishment of precedence via

a definite threshold is deemed to be of higher importance in such instances.

- **What other benefits should the Council be seeking to derive from housing developers?**

Preferred Option: Seek some or all of the services listed below:

- Informal play and amenity space
- Public transport provision
- Public art
- Education facilities etc

Extracting community benefits from developments is considered good practice, provided they are material to the development.

- **How should the Council ensure that we have balanced communities?**

Preferred Option: Continue with the present approach of restricting the development of larger properties (7+ bedrooms) and be supportive of appropriately located University accommodation.

Durham City specific option, though in districts without a significant student population measures to provide affordable housing and a range of types and sizes within developments can help towards 'mixing' community populations.

- **The development of housing in the countryside**

Preferred Option: Retain the current restrictions with very few new homes permitted within the countryside.

This approach encourages growth nearer to the services and jobs contained in built-up areas. Generally, such practice is deemed more sustainable as a result.

- **Should there be a requirement for additional Gypsy and Traveller accommodation within the Durham City District?**

Preferred Option: Seek one additional Gypsy/Traveller site within the Durham City District.

The RSS highlights the need for an additional site within the county, which Durham district is proposing to provide.

3.4 The Housing DPD (Preferred Options) Sustainability Appraisal Report measures the housing options against a series of sustainability criteria. In doing so it seeks to establish how each option fares against a collection of environmental, economic and social objectives, and in-turn helps promote a more sustainable approach to development. Broadly speaking, the preferred options for housing are deemed to have quite positive social and economic benefits. The environmental impacts are mostly negative and require mitigating through more sustainable use of energy and building design and technique.

- 3.5 The Statement of Community Involvement: Getting Involved in Planning, sets out how and when the community and stakeholders can participate on the components of the LDF and on planning applications.
- 3.6 The Provision of Public Art SPD establishes firmer policy with regards to encouraging the provision of high quality and appropriate artistic elements in the design and layout of developments.
- 3.7 The Provision of Public Art SPD Sustainability Appraisal focuses attention on the need to consider a range of potential social, economic and environmental effects that the SPD raises.

#### **4 NEXT STEPS**

- 4.1 The Council and other stakeholders are now being invited to comment on these documents. Durham City Council will then consider these comments and make amendments to the documents if necessary. The revised documents will then be submitted to the Secretary of State to be considered by an independent Government Inspector. At that time a further round of consultation will take place.

#### **5 CONCLUSIONS**

- 5.1 Durham City's Local Development Documents establish a good template for other Districts to consider when preparing their own LDDs.
- 5.2 There are some concerns over the preferred option for the level of housing growth Durham City District will be aiming for. It has been acknowledged in the Planning for Housing Preferred Options DPD that the option chosen will lead to the housing allocation for Durham City in Submission Draft RSS being exceeded by 803 units by 2016. This will have serious implications for their future housing allocations. The justification for this approach is that the RSS figure allows little flexibility to meet the need for regeneration in the Durham City District or to meet the potential needs of emerging housing market assessments and housing needs studies, particularly relating to affordability. These are the same comments that this Council made to the consultation on Submission draft RSS and therefore Durham City's approach is not surprising.
- 5.3 The only concern would be that the overprovision of housing in Durham City might have an impact on the distribution of housing across the rest of County Durham. However, the Examination in Public into the RSS is timetabled for March next year where the issue of housing distribution throughout the North East will be debated at length. The Submission version of Durham City's Planning for Housing DPD will have to reflect the findings of the Examination Panel regardless of the results of the current consultation exercise. Therefore there is little to be gained from objecting to Durham City's approach to housing provision at this stage, as the issue will be resolved at the regional and not the district level.

5.4 The Sustainability Appraisal of the housing strategy is overly long, complex and at times superfluous, a more refined and relevant document could have been produced.

## **6 RECOMMENDATIONS**

6.1 Members are asked to consider the contents of this report and:

- Note the preferred options Durham have chosen and how these relate to Derwentside District and that no formal response to the document is required; and
- Agree the proposed scheme of delegation for future consultation on Local Development Framework documents produced by neighbouring authorities as outlined in paragraph 2.3 of this report.

For further information contact Mike Allum, Principal Planning Officer (Development Plans)