



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** held on **Wednesday 12 June 2019**. The decisions will come into force and may be implemented from **Monday 24 June 2019** unless the Corporate Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

County Durham Plan Submission [Key Decision: REAL/02/19]

Summary

The Cabinet considered a report of the Corporate Director of Regeneration and Local Services which:

- (a) Advised on the representations received following the final statutory consultation on the Pre-Submission Draft
- (b) Sought approval to recommend that, at the Full Council Meeting on 16 June 2019, Council agree the Pre-Submission Draft of the County Durham Plan for submission
- (c) Sought agreement for the significant infrastructure costs required as part of the implementation of the County Durham Plan
- (d) Sought agreement for a Local Development Scheme which outlines a revised timetable for the Minerals and Waste Policies and Allocations Document
- (e) Sought agreement for the Residential Amenity Standard Supplementary Planning Documents (SPDs) for public consultation from 5 July to 16 August 2019

All Local Planning Authorities have a statutory requirement to prepare and maintain an up to date development plan for their area. The first stage of the new County Durham Plan, Issues and Options, was approved for consultation in June 2016 followed by the second stage, Preferred Options, which was approved for consultation in June 2018.

The Pre-Submission Draft was the final stage in the Plan's development. It has been informed by extensive formal and continuous consultation with residents, businesses, the development industry, key stakeholders and neighbouring authorities at all stages.

An additional document, the Minerals and Waste Policies and Allocations Document, will be prepared to complement the minerals and waste policies of the County Durham Plan. It will contain detailed development management policies and any non-strategic minerals and waste allocations which are considered necessary to meet the future needs of County Durham. Work on the Minerals and Waste document will be undertaken in accordance with the revised timetable set out in the Local Development Scheme.

Following Cabinet approval on 16 January 2019, the Pre-Submission Draft was consulted on from 25 January until 8 March 2019. A significant number of public events were held including 19 drop-in sessions across the county and to the Area Action Partnerships. Everyone on the County Durham Plan consultation database was informed of the consultation and there were articles in the press and a number of posts on the Council's social media pages. A total of 2,877 comments, including 37 comments which were received following the close of the consultation period, from 1,003 different respondents were received. A petition in relation to Policy 5 (Durham City Sustainable Urban Extensions), Policy 20 (Green Belt) and Policy 23 (Durham City Sustainable Transport) was also submitted with 659 names. A separate petition relating just to the Western and Northern Relief Roads with 676 names was also submitted. Finally there were two e-petitions submitted, one in favour of the relief roads with 9 names and one against with 342.

The parts of the Plan which have been the subject to the most comments are predominantly the Northern and Western Relief Roads and some of the housing allocations including the Green Belt sites at Durham City (Sniperley Park and Sherburn Road) and South of Knitsley Lane and East of Muirfield Close, Consett and High West Road, Crook. The policies receiving most representations include:

- Policy 23 (Durham City Sustainable Transport including Western and Northern Relief Roads);
- Policy 4 (Housing Allocations);
- Policy 5 (Durham City's Sustainable Urban Extensions);
- Policy 1 (Quantity of Development);
- Policy 15 (Addressing Housing Need);
- Policy 30 (Sustainable Design);
- Policy 20 (Green Belt);
- Policy 6 (Development on Unallocated Sites in the Built Up Area); and
- Policy 16 (Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation).

All representations made have been reviewed and carefully considered and it has been concluded that, subject to some minor text and formatting changes which need to be made, there are no matters arising from the representations that call into question the soundness of the Plan or the legality of its preparation that would prevent it being submitted to the Ministry of Housing, Communities and Local Government in its current form. Therefore it is not necessary to carry out any further consultation and any outstanding issues will be resolved at the Examination in Public. More detail is set out in the Statement of Consultation, which includes a statement setting out how Regulations 18 and 19 were addressed and how the representations were reflected in the Plan.

Subject to Council's approval on 19 June, the Submission Draft Plan will be submitted to the Minister for Housing, Communities and Local Government by the end of June 2019 for independent examination. It is anticipated that Examination in Public (EIP) hearings will be held in the autumn. After examination and following consultation on any proposed modifications by the Inspector, the Council will be asked to adopt the Plan.

Decision

The Cabinet made the following recommendations to Council:

- (a) That the representations received during the final statutory consultation on the Pre-Submission draft be considered;
- (b) That the formal submission of the County Durham Plan and the associated submission documentation to the Secretary of State pursuant to Section 20 of the Planning and Compulsory Purchase Act and Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 be authorised; and
- (c) That the Corporate Director of Regeneration and Local Services in consultation with Portfolio Holder for Economic Regeneration be authorised to:
 - (i) approve the submission of the documents required to be submitted alongside the Plan to the Secretary of State as required by Section 20 of the Planning and Compulsory Purchase Act and Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012 for consideration at public examination;
 - (ii) agree statements of common ground with neighbouring authorities and other interested parties in order to demonstrate effective and on-going joint working;

- (iii) continue discussions with interested parties and suggest to the Inspector any edits and consequential changes necessary following Council approval up to and during the Examination; and
- (d) That the Corporate Director of Regeneration and Local Services be authorised to ask the Inspector appointed to hold the Examination in Public to recommend modifications to the County Durham Plan Submission Document under Section 20(7C) of the Planning and Compulsory Purchase Act 2004 necessary to satisfy the requirements of Section 20(5A) of the Act and make the document sound.
- (e) That the Statement of Consultation at Appendix 2 be agreed, and
- (f) That the amendments identified in the ‘Schedule of Minor (Additional) Modifications ‘ to the Plan and minor changes to the existing evidence base at Appendix 3 of the report be agreed.

The Cabinet:

- (a) Agreed to adopt the Local Development Scheme
- (b) Agreed the Residential Amenity Standards Supplementary Planning Document for consultation from 5 July to 16 August 2019, and agreed to delegate to the Director of Regeneration and Local Services, in consultation with the Portfolio Holder for Economic Regeneration, the power to make minor modifications to the document following consultation and to approve the final document.
- (c) Agreed the Addendum to the Green Belt Assessment, the Addendum to the Local Plan Viability Assessment, the addendum to the Landscape and Visual Appraisal for the Western Relief Road and the Northern Relief Road.
- (d) Noted the future infrastructure costs associated with the implementation of the County Durham Plan and the need for a future Cabinet report on how these would be financed.

Sherburn Hill School Site Future Use

Summary

The Cabinet considered a joint report of the Director of Transformation and Partnerships and the Corporate Director of Regeneration and Local Services which sought approval for the former Sherburn Hill School and Sure Start Centre site to be asset transferred on the basis of a long term full repair, maintenance and insurance (FRMI) lease to Sherburn Hill Hub for use as a community centre. The report also sought approval for a delegated decision on funding ring fenced to support the development of a community building in Sherburn Hill.

Cabinet made the decision to close Sherburn Hill School in May 2018 with the closure coming into effect on the 31 August 2018. The report gave the option for an alternative use as a community centre to be explored. A local community Group, Sherburn Hill Hub (SHH) have been working together to look at the option of taking on the school site as a community centre. SHH have carried out community consultation that shows a high percentage of those surveyed would like to see a new community facility in Sherburn Hill. The report proposed that SHH would take over part of the building to host community activities. With support from Durham Sparks (Community Enterprise Durham – an ERDF and DCC funded project to support community enterprises across County Durham delivered by Finchale Consortium) and Durham County Council's Partnership and Engagement Service, a business plan has been produced outlining how the building could be used and how income could be generated in order to secure the long term sustainability of the centre.

The report provided details on the community consultation and the Sherburn Hill Hub / Business Plan Development. Cash flow forecasts for the two years show that the centre is projected to meet its running costs and build its reserves. The inclusion of delivery partners within the business plan will guarantee a significant contribution to the centre's income over the first 2-3 years and strengthens the position of the group. This will be in addition to the projected income from other activities that SHH have planned for the centre. The transfer of the site to SHH will secure community resources in the area.

Decision

The Cabinet agreed:

- a) To the principle of the granting of a long term lease at a peppercorn rent to Sherburn Hill Hub (SHH) to allow them to deliver community activities from the former Sherburn Hill School Site
- b) To allocate an amount in the region of £310,000 from the ring fenced Durham County Council legacy funding to undertake works on the site to make it suitable for community use. Funding would also be used to supplement the first two years of the staff wages. This will be vital in establishing this new organisation and sustaining it over its initial two years
- c) To delegate decision making on the balance of the legacy funding (circa £90,000). This funding would become available once the building work has been completed subject to it not being for any additional contingencies.

Helen Lynch, Head of Legal and Democratic Services
14 June 2019